



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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JAN 07 2013

Ref: 8 ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dale Stietz, Owner
Buckhorn Bar & Grill
25380 North HWY 85
Newcastle, WY 82701

Michelle Smith, Registered Agent
Kron, LLC
19 N Summit
Newcastle, WY 82701

Re: Violation of Administrative Order
Buckhorn Bar and Grill
Public Water System
Docket No. SDWA-08-2012-0014
PWS ID # WY5600600

Dear Mr. Stietz and Ms. Smith:

On February 29, 2012, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2012-0014, ordering Dale Steitz and Kron, LLC, separately and/or jointly owner(s) and operator(s) of the Buckhorn Bar and Grill public water system (System), to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f et seq.

Our records indicate that the Respondents are in violation of the Order. Among other things, the Order included the following requirements (quoted from paragraphs 15 and 24 on pages 3 and 4 of the Order):

1. *Respondents shall monitor the System's water quarterly for total coliform bacteria and, if any sample is positive for total coliform, conduct repeat and additional routine monitoring, as required by 40 C.F.R. § 141.21. Respondents shall report analytical results to the EPA within the first 10 days following the month in which Respondents receive sample results, as required by 40 C.F.R. § 141.31(a). Respondents shall report any violation of coliform monitoring*

requirements in 40 C.F.R. part 141 to the EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.21(g)(2).

Respondents failed to collect a water sample for total coliform analysis during the third quarter (July – September) of 2012, and failed to report this violation to EPA within 10 days of discovery of the violation, and therefore violated that requirement of the Order.

2. Within 30 days after receipt of this Order, Respondent shall notify the public of the violation cited in paragraphs 7 and 9, above, following the instructions provided with the public notice templates provided to Respondent with this Order. Thereafter, following any future violation of the Drinking Water Regulations, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondent shall submit a copy of the notice to the EPA.

As of the date of this letter, EPA has not received a copy of the public notice Respondent was required to post for the users of its water system. If the Respondent has already posted the required public notice, please provide a copy of the notice within 10 days of receipt of this letter. If the notice has not yet been posted, please post the public notice as soon as possible and send a copy to EPA. In the latter case, please also include the recent third quarter 2012 failure to monitor for total coliform bacteria violation in the notice, and forward a copy of the notice posted to EPA within 10 days of posting.

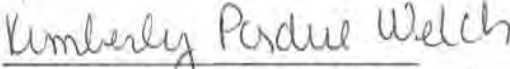
EPA is considering additional enforcement action, including assessment of penalties, as a result of the non-compliance with the Order detailed above. Violating an Administrative Order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions or wish to have an informal conference with EPA, you may contact Mario Mérida at 1-800-227-8917, extension 6297 or (303) 312-6297. If you are represented by an attorney who has questions, please ask your attorney to contact Mr. Dana Stotsky,

Enforcement Attorney, at 1-800-227-8917, extension 6905 or (303) 312-6905 or at the following address:

Dana Stotsky,
Enforcement Attorney
U.S. EPA, Region 8 (8-ENF-L)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.


Kimberly Pardue-Welch, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Tina Artemis, EPA Regional Hearing Clerk
WY DEQ and DOH via e-mail