



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

2012 AUG 27 AM 11:01

EPA REGION VIII
ADMINISTRATIVE ORDER

Ref: 8 ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

C. Edward Webster, Registered Agent
Trail Shop, LLC
1226 11th Street
Cody, WY 82414

Re: Violation of Administrative
Order
Trail Shop Public Water System
Docket No. SDWA-08-2012-0008
PWS ID # WY5600570

Dear Mr. Webster:

On January 26, 2012, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2012-0008, ordering Trail Shop, LLC, as owner and/or operator of the Trail Shop 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 Trail Shop, LLC, (Respondent) is in violation of the Order. Among other things, the Order included the following requirements (quoted from paragraphs 14, 17, and 20 on page 3 of the Order):

1. Respondents shall comply with the total coliform MCL in 40 C.F.R. § 141.63.

During the months of June and July 2012, two or more samples collected from the System's water were positive for total coliform. As a result, Respondents did not comply with the maximum contaminant level for total coliform bacteria and therefore violated the above cited requirement of the Order.

2. Prior to opening the System for the 2012 season, Respondent shall collect at least one water sample from their ground water source for fecal indicator analysis. If the sample is negative, Respondent shall report that result to the EPA no later than 10 days after the end of the month in which the sample is taken. If the sample is positive, Respondent shall notify the EPA immediately for appropriate assistance in meeting the requirement of 40 C.F.R. § 141.402(g) to provide public notice within 24 hours as required by 40 C.F.R. § 141.202. Thereafter, Respondent shall comply with all source water monitoring and related requirements in 40 C.F.R. § 141.402. When reporting any triggered source water sample result to the EPA, Respondent shall specify that it is a triggered source water sample.

On June 13, 2012, Respondent collected the first monthly samples for total coliform analysis at the System, with repeat samples following on June 20. However, the original June 2012 samples collected by the Respondent did not include the required ground water source sample for fecal indicator analysis, and therefore violated the above cited requirement of the Order.

3. Within 30 days of opening the system for the season, Respondent shall notify the public of the violations cited in paragraphs 7 through 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.

Respondent failed to submit to EPA a copy of the public notice it was required to post prior to opening for the 2012 season, and therefore violated the above cited requirement of the Order.

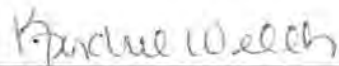
EPA is considering additional enforcement action, including assessment of penalties, as a result of the non-compliance with the Order detailed above. Violating an Administrative Order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering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

Enforcement Attorney, at 1-800-227-8917, extension 6556 or (303) 312-6556 or at the following address:

Jean Belille
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
Gary and Dede Fales, Trail Shop



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