



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

2011 MAY -9 AM 10:33

FILED  
EPA REGION VIII  
HEARING CLERK

MAY 09 2011

Ref: 8 ENF-W

CERTIFIED MAIL #  
RETURN RECEIPT REQUESTED

TAS Properties, LLC  
Theodore Schumacher, Registered Agent  
P.O. Box 4367  
Gillette, WY 82717-4367

Re: Violation of Administrative Order  
Docket No. SDWA-08-2011-0026  
Powder River Plaza  
PWS ID # WY5601547

Dear Mr. Schumacher:

On February 23, 2011, the US Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2011-0026, ordering you and/or TAS Properties, LLC as owner and/or operator of the Powder River Plaza Public Water System (the system) to comply with various drinking water regulations issued by EPA under the Safe Drinking Water Act (the Act), 42 U.S.C. Section 300f et seq.

Our records indicate that you and/or TAS Properties, LLC (Respondents) are in violation of the Administrative Order. Among other things, the Order included the following requirement (quoted from item 12, of the Order section on page 2 of the Order):

1. Within 30 days of receipt of this Order, and per the regulations thereafter, Respondents shall monitor the system's water for nitrate. 40 C.F.R. § 141.23. Respondents shall report analytical results to EPA within the first 10 days following the month in which sample results were received, as required by 40 C.F.R. § 141.31(a). Respondents shall report any violation of the nitrate monitoring requirements to EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b).

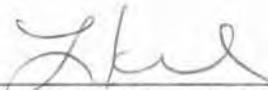
Respondents did not monitor for nitrate within 30 days of receipt of this Order (April 8, 2011) and failed to report this violation to EPA. Please conduct this sampling immediately and submit the results to EPA.

EPA is considering additional enforcement action as a result of the non-compliance with the Order. 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 Shawn McCaffrey at 1-800-227-8917, extension 6515 or (303) 312-6515. Any questions from your attorneys should be directed to David Rochlin, Senior Enforcement Attorney, at (303) 312-6892 or at the following address:

David Rochlin  
Senior 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.



---

Lisa Kahn, Team Leader  
Drinking Water Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

cc: Tina Artemis, EPA Regional Hearing Clerk  
Wyoming DEQ (via email)  
Wyoming DOH (via email)

