



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
DENVER, CO

Ref: 8 ENF-W

DEC 14 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gurnam Singh, Registered Agent
BHAGAT, LLC
4850 I-80 Service Road
Burns, WY 82053

Re: 2nd Violation of
Administrative Order
Docket No. SDWA-08-2011-0044
Antelope Truck Stop 1
PWS ID #WY5601027

Dear Mr. Singh:

On May 16, 2011, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2011-0044, ordering BHAGAT, LLC (Respondent) to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

Our records indicate that BHAGAT, LLC is in violation of the Order. Among other things, the Order included the following requirements (quoted from item 20 of the "Order" section on page 4 of the Order):

1. Respondent shall, within 24 hours of receiving any notification that a regular, routine total coliform monitoring sample is total coliform-positive, collect at least one water sample for fecal indicator analysis from each source in use, as required by 40 C.F.R. § 141.402(a) and (c). Respondent shall report analytical results for all source water sampling to EPA within the first 10 days following the month in which the result is received, as required by 40 C.F.R. § 141.31. Each such result shall be identified, upon submission to EPA and upon submission to the laboratory analyzing the sample, using the Source Water Sampling collection and reporting form provided as an attachment with this Order. Respondent shall report any failure to conduct sampling required by 40 C.F.R. § 141.402(a) and (c) to EPA within 48 hours, as required by 40 C.F.R. § 141.31(b).

Following the September 1, 2011 positive total coliform sample, Respondent failed to collect at least one water sample for fecal indicator analysis from each source in use, and failed to report the violation to EPA within 10 days after learning of it.

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. 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 (8ENF-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:

WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk

