



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Ref: 8 ENF-W

AUG 23 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tomi White, President
Kennington Springs Pipeline, Inc.
P.O. Box 1284
Afton, WY 83110

Re: 2nd Violation of Administrative
Order
Kennington Springs Pipeline
Public Water System
Docket No. SDWA-08-2011-0030
PWS ID #WY5601199

Dear Ms. White:

On March 8, 2011, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2011-0030, which was amended on August 5, 2011, ordering Kennington Springs Pipeline, Inc., (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 Kennington Springs Pipeline, Inc., is in violation of the Order. Among other things, the Order included the following requirements (quoted from items 13 and 14 of the "Amended Order" section on page 3 of the Order):

1. Respondent shall comply with the total coliform MCL. 40 C.F.R. § 141.63. If the system's water does not comply with the total coliform MCL, Respondent shall notify EPA of this violation by the end of the business day after discovering the violation, as required by 40 C.F.R. § 141.21(g)(1).

Respondent exceeded the total coliform MCL on June 7, 2011 and failed to notify EPA of the violation, as required by 40 C.F.R. § 141.21(g)(1).

2. If Respondent's total coliform sample results exceed the MCL while this Order is in effect, Respondent shall, within 30 days of learning of this violation, provide EPA with a compliance plan and schedule for the system to come into compliance with the MCL for total coliform as stated in 40 C.F.R. § 141.63(a).

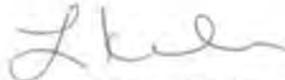
Respondent failed to provide EPA with a compliance plan and schedule within 30 days of learning of the total coliform MCL violation (by July 7, 2011).

EPA is considering additional enforcement action, including assessment of penalties, as a result of the ongoing 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 Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney who has questions, please ask your attorney to contact Peggy Livingston, Enforcement Attorney, at 1-800-227-8917, extension 6858 or (303)312-6858 or at the following address:

Peggy Livingston
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

