



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
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Phone 800-227-8917  
<http://www.epa.gov/region08>

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EPA REGION VIII  
HEARING CLERK

JUN 02 2015

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Milward Simpson, Director  
Wyoming Department of State Parks  
and Cultural Resources  
2301 Central Avenue  
Cheyenne, Wyoming 82002

Re: Administrative Order Violation, PWS ID #WY5600672,  
Docket No. SDWA-08-2013-0015

Dear Mr. Simpson:

On April 12, 2013, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), ordering Wyoming Department of State Parks, Historic Sites, and Trails (Respondent), as owner and/or operator of the Fort Phil Kearney State Historical Site public water system (System), to comply with certain regulations promulgated under the federal Safe Drinking Water Act, 42 U.S.C. §§ 300f to 300j-26.

The EPA's records indicate that the Respondent is in violation of the Order. Among other things, the Order included the following requirement (from item 9 on page 2 of the Order):

1. Respondent 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. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent receives sample results, as required by 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).

Respondent failed to monitor the System's water for total coliform bacteria during the 4<sup>th</sup> quarter of 2014, and did not report the noncompliance to EPA.

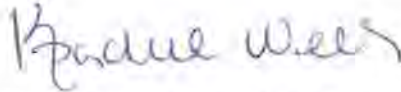
**The EPA is considering additional enforcement action as a result of the Respondent's non-compliance with the Order.** Violating an administrative order may lead to (1) a penalty of up to \$37,500 per day per violation of the order, and/or (2) a court injunction ordering compliance.

If the EPA's information appears incorrect and/or you have any questions, please contact Mario Merida at 1-800-227-8917, extension 6297, or (303) 312-6297. If Wyoming State Parks, Historic Sites and Trails' attorney should have any questions, please ask the attorney to contact Marc Weiner, Enforcement Attorney, at 1-800-227-8917, extension 6913, or (303) 312-6913, or at the following address:

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

We urge your prompt attention to this matter.

Sincerely,



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/DOH (via email)  
Domenic Bravo, Administrator, Wyoming State Parks, Historic Sites & Trails  
Mike Allen, Wyoming State Parks, Historic Sites and Trails (via email)  
Misty Stoll, Superintendent, Fort Kearney State Historical Site (via email)