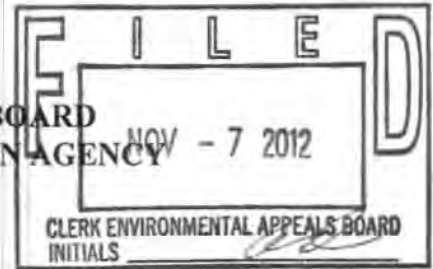


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

FILED
EPA REGION VIII
HEARING CLERK



In re:)
)
Mountain Village Parks, Inc.)
Big Piney, WY)
PWS ID #WY5600221)

SWDA Appeal No. 12-02

ORDER ELECTING TO EXERCISE SUA SPONTE REVIEW

On September 28, 2012, the Presiding Officer (“PO”) for U.S. EPA Region 8 (the “Region”) issued a Default Initial Decision and Order (“Default Order”) in the above-captioned matter.¹ The Default Order assesses a penalty of \$5,000 against Mountain Village Parks, Inc., a public water system located in Sublette County, Wyoming, for alleged violations of section 1414 of the Safe Drinking Water Act (“SDWA”), 42 U.S.C. § 300g-3, the National Primary Drinking Water Regulations, and an Administrative Order the Region issued on September 29, 2009.

Upon examination of the Default Order, the Environmental Appeals Board (“Board”) has decided to exercise *sua sponte* review, pursuant to 40 C.F.R. §§ 22.27(c)(4), .30(b).²

¹ The Default Order was served on September 28, 2012.

² Under the regulations governing the administrative assessment of civil penalties, 40 C.F.R. pt. 22, the Board has 45 days after service of an initial decision to elect to exercise *sua sponte* review. 40 C.F.R. § 22.27(c). Since the Default Order was served on September 28, 2012, the Board has until November 13, 2012, to so decide. *See* 40 C.F.R. § 22.7 (extending deadline that falls on a Federal holiday to next business day).

Accordingly, this order constitutes notice, required under 40 C.F.R. § 22.30(b), of the Board's intent to review the Default Order.³

So ordered.⁴

Dated: *November 7, 2018*

ENVIRONMENTAL APPEALS BOARD

By: *Leslye M. Fraser*
Leslye M. Fraser

³ The Board does not require a briefing from the parties at this time. If the Board decides further briefing is appropriate, it will issue a subsequent order.

⁴ The three-member panel deciding this matter is comprised of Environmental Appeals Judges Leslye M. Fraser, Catherine R. McCabe, and Kathie A. Stein. *See* 40 C.F.R. § 1.25(e)(1).

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Electing to Exercise Sua Sponte Review, in the matter of Mountain Village Parks, Inc., SWDA Appeal No. 12-02, were sent to the following persons in the manner indicated:

By Certified Mail Return Receipt Requested:

Diana Alexander, Registered Agent
Mountain Village Parks, Inc.
P.O. Box 1226
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By Pouch Mail:

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Dated: NOV -7 2012


Annette Duncan
Secretary