



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 WYNKOOP STREET

DENVER, COLORADO 80202-1129

Phone 800-227-8917

<http://www.epa.gov/region08>

Ref: 8ENF-W

APR 8 2009

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Sheridan County Commissioners
c/o Bob Rolston, Chair
224 South Main, Suite B-1
Sheridan, WY 82801

Re: Notice of Safe Drinking Water Act
Enforcement Action against
Wagon Box Rv LLC
PWS ID# 5601580

Dear Commissioners:

The Safe Drinking Water Act (SDWA) requires that the Environmental Protection Agency (EPA) notify locally elected officials of certain enforcement actions taken in their area.

An Administrative Order is being issued to Wagon Box Rv LLC as the owner/ operator of the Wagon Box Rv Park water system (system) located in Story, Wyoming. This Order requires that the public water system take measures to return to compliance with the SDWA and the National Primary Drinking Water Regulations. The violation is for exceeding the maximum contaminant level for total coliform bacteria.

For more details, a copy of the Order is enclosed for your information. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Kathelene Brainich at (303) 312-6481.

Sincerely,


Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure



Printed on Recycled Paper



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

APR 8 2009

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harry Washut, Registered Agent
Wagon Box Rv LLC
POB 92
Moran, WY 83013

RE: Administrative Order
Docket No. **SDWA-08-2009-0042**
PWS ID #5601580

Dear Mr. Washut:

Enclosed is an Administrative Order (Order) issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f *et seq.* Among other things, the Order describes how Wagon Box Rv LLC has violated the National Primary Drinking Water Regulations.

The Order is effective upon the date received. Please review the Order and within 10 days provide EPA with any information you believe EPA may not have. If Wagon Box Rv LLC complies with the Order, EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties and/or a Federal court injunction ordering compliance.

Also enclosed is a small business resources information sheet, outlining compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to your situation.

To submit information or request an informal conference with EPA, contact Kathelene Brainich at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. For legal questions, the attorney assigned to this matter is



Printed on Recycled Paper

Amy Swanson, who can be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6906 or (303) 312-6906.

We urge your prompt attention to this matter.

Sincerely,



Diane L. Sipe, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures

Order
Information sheet

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

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2009 APR -8 AM 8:02

IN THE MATTER OF)
)
Wagon Box Rv LLC.)
Story, WY)
)
Respondent)

ADMINISTRATIVE ORDER

Docket No **SDWA-08-2009-0042**

EPA REGION VIII
HEARING CLERK

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) in the Public Health Service Act (as amended by and hereafter referred to as the "Safe Drinking Water Act" or the "Act,") 42 U.S.C. § 300f, as properly delegated to the undersigned officials.

2. Wagon Box Rv LLC. (Respondent) is a limited liability company under the laws of the State of Wyoming as of May 9, 2000, that owns and/or operates the Wagon Box RV Park Water System (the system) in Sheridan County, Wyoming, which provides piped water to the public for human consumption. The system is supplied by a groundwater source consisting of one well and was identified as a public water system in October 2005. The system serves an average of approximately 50 people per day through 28 service connections from May through October. The system is a "non-community" water system as defined in 40 C.F.R. § 141.2. Respondent is subject to the requirements of the Act and the National Primary Drinking Water Regulations (drinking water regulations), at 40 C.F.R. § 141.

VIOLATION

3. Respondent is required to monitor the system's water at least quarterly to determine compliance with the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.21. If a sample is positive for bacteria, Respondent is required to take four repeat samples within 24 hours of being notified of the positive result. 40 C.F.R. § 141.21(b). If more than one sample collected during a month tests positive for such bacteria, it is a violation of the MCL. 40 C.F.R. § 141.63. Respondent's sampling results in October 2008 exceeded the MCL for total coliform bacteria and, therefore, violated this requirement.

ORDER

4. Upon receipt of this Order, Respondent shall monitor monthly for total coliform bacteria and shall comply with the total coliform MCL. 40 C.F.R. §§ 141.21 and 141.63.

5. Prior to opening for the 2009 season in May, Respondent shall install and operate continuous disinfection to achieve consistent interim compliance with the MCL for total coliform. Respondent must notify EPA within ten days of installation. Please be advised that a permit may be required by the Wyoming Department of Environmental Quality (WDEQ) prior to installation of disinfection equipment.