



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region8>

August 18, 2021

1:40 PM

August 18, 2021

Received by  
EPA Region VIII  
Hearing Clerk

Ref: 8ENF-W-SD

SENT VIA EMAIL  
DIGITAL READ RECEIPT REQUESTED

Ms. Nancy J. Brown, Registered Agent  
Leisure Valley, Inc.  
[nbrown@silverstar.com](mailto:nbrown@silverstar.com)

Re: Violation of Leisure Valley, Inc. Administrative Order, Docket No. SDWA-08-2021-0012  
Leisure Valley Inc/Star Valley RV Park Public Water System, PWS ID #WY5601471

Dear Ms. Brown:

**The purpose of this letter is to provide notice of the EPA's intention to file a complaint seeking civil administrative penalties.** Specifically, on February 24, 2021, the EPA issued the above-referenced Administrative Order (Order), directing Leisure Valley, Inc. (the Company), to comply with the National Primary Drinking Water Regulations issued by the EPA under the Safe Drinking Water Act, 42 U.S.C. section 300f, *et seq.* Our records indicate that Leisure Valley, Inc., is in violation of the Order.

Among other things, the Order included the following requirement (summarized from paragraph 12 on page 2 of the Order) and referring to the Company as the Respondent, which has not been completed:

- Within 30 calendar days after receipt of this Order, and thereafter, no later than 30 days after the System learns of the tap monitoring results, Respondent shall deliver a consumer notice of individual tap monitoring results to the persons served at each sampled site, in accordance with 40 C.F.R. § 141.85(d). Within 45 days after receipt of this Order, and thereafter, within 90 calendar days following the end of each monitoring period, Respondent shall submit to the EPA a sample copy of the consumer notification along with a certification that the notification has been distributed, in accordance with 40 C.F.R. § 141.90(f)(3). **Not completed. Respondent failed to deliver a lead and copper consumer notice (LCCN) of individual tap monitoring results for lead and copper along with a certification for the June through September 2018 monitoring period. Respondent provided a certification referencing a website that the LCCN had been posted to, but never disclosed the URL to EPA. Please know that it is inadequate to post the LCCN on a website. The Respondent is required to deliver the LCCN to each individual served either by mail, hand delivery, or email. The Respondent must then submit the LCCN along with the certification that the notification has been distributed to EPA.**

Violation of any part of this Order, the Act, or Part 141 may subject Respondent to a civil penalty of up to \$59,017 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 85 Fed. Reg. at 83821 (December 23, 2020).

The EPA acknowledges that the COVID-19 pandemic may be impacting the System. If the System has specific COVID-19 issues that would affect the timeframes listed herein, please contact Nathaniel Hicks via email at [hicks.nathaniel@epa.gov](mailto:hicks.nathaniel@epa.gov) or by phone at (800) 227, 8917, extension 6546, or (303) 312-6546. The EPA may, in its discretion, consider granting an extension.

If you have any questions or to request an informal conference with the EPA, please contact Nathan Hicks via email at [hicks.nathaniel@epa.gov](mailto:hicks.nathaniel@epa.gov), or by phone at (800) 227-8917, extension 6546, or (303) 312-6546. Any questions from the Company's attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at [bearley.mia@epa.gov](mailto:bearley.mia@epa.gov) or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Colleen Rathbone, Chief  
Water Enforcement Branch  
Enforcement and Compliance Assurance Division

cc: Mr. Harold Stewart, President ([valcath@silverstar.com](mailto:valcath@silverstar.com))  
WY DEQ/DOH (via email)  
Lincoln County Commissioners ([rking@lcwy.org](mailto:rking@lcwy.org))  
Melissa Haniewicz, EPA Regional Hearing Clerk