



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Phone 800-227-8917
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July 27, 2021

7:18 AM

Received by
EPA Region VIII
Hearing Clerk

July 27, 2021

Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Ms. Peggy Gwin, President
Broken Wheel Ranch Improvement & Service District
bwr.isd@gmail.com

Re: Administrative Order issued to Broken Wheel Ranch Improvement & Service District regarding the Broken Wheel Ranch Association Public Water System, PWS ID #WY5601625, Docket No. SDWA-08-2021-0035

Dear Ms. Gwin:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that Broken Wheel Ranch Improvement & Service District (Broken Wheel Ranch I&S District or District), as owner and/or operator of the Broken Wheel Ranch Association Public Water System (System), has violated the EPA's drinking water regulations at 40 C.F.R. part 141 (Part 141). The EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141.

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information you believe the EPA may not have (*e.g.*, any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served). If the EPA does not hear from you, the EPA will assume this information is correct. If the Broken Wheel Ranch I&S District complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$59,017 (as adjusted for inflation) per day of violation, a federal court injunction ordering compliance, or both.

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small entities, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist you in addressing the outstanding violations.

Please be aware that you are required to submit to the EPA an updated, more-detailed plan and schedule for bringing the System into compliance with Part 141. The EPA's approval of the Broken Wheel Ranch I&S District's schedule does not substitute for any other approval that may be required by any other governmental entity for modifying the System. The EPA encourages the District to contact any such governmental agency or agencies regarding any applicable approval requirements.

EPA acknowledges that the COVID-19 pandemic may be impacting the Broken Wheel Ranch I&S District. If the System has specific COVID-19 issues that would affect the timeframes listed herein, please contact Jill Minter via email at minter.jill@epa.gov or by phone at (800) 227-8917, extension 6084, or (303) 312-6084 within 7 business days of receiving this Order. The EPA may, in its discretion, consider granting an extension.

If you have any questions or to discuss this Order with the EPA, please contact Jill Minter at the email and phone number provided above. Any questions from the Broken Wheel Ranch I&S District's attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at 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.

Sincerely,

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

Enclosures

cc: WY DEQ/DOH (via email)
Lincoln County Commissioners (rking@lcwy.org)
Ms. Dorrene Brown Butterfield, Secretary, Broken Wheel Ranch I&S District
(bwrisd@gmail.com)
Mr. Jason Mavy, Operator, Broken Wheel Ranch Association Public Water System
(jason@starvallywater.com)
Mr. Mark Mosgeller, President & Board Member, Broken Wheel Ranch Property Owners
Association (BWRPOA@gmail.com)
Mr. Nick Cummings, Vice President & Board Member, Broken Wheel Ranch Property Owners
Association (skibumjh2004@yahoo.com)
Melissa Haniewicz, EPA Regional Hearing Clerk