



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Phone 800-227-8917
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August 25, 2020

Ref: 8ENF-W-SD

August 25, 2020
9:41 AM

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Received by

Mr. Darin J. Westby, Director
Wyoming Department of State Parks and Cultural Resources
darin.westby@wyo.gov

EPA Region VIII

Hearing Clerk

Re: Administrative Order issued to Wyoming Department of State Parks and Cultural Resources regarding South Pass City Historical Site Public Water System, PWS ID #WY5601137, Docket No. SDWA-08-2020-0044

Dear Mr. Westby:

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 Wyoming Department of State Parks and Cultural Resources (Department), as owner and/or operator of the South Pass City Historical Site 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 the Department believes 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 the Department, the EPA will assume this information is correct. If the Department 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 \$58,328 (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.

If you have any questions or to request an informal conference with the EPA, please contact Steven Latino via email at Latino.Steven@epa.gov, or by phone at (800) 227-8917, extension 6440, or (303) 312-6440. Any questions from the Department'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

Digitally signed by
COLLEEN RATHBONE

Date: 2020.08.25
09:22:29 -06'00'

Colleen Rathbone, Chief

Water Enforcement Branch

Enforcement and Compliance Assurance Division

Enclosures

cc: WY DEQ/DOH (via email)
Fremont County Commissioners
Melissa Haniewicz, EPA Regional Hearing Clerk
Joe Ellis, Site Superintendent
Nick Neylon, Region 3 Manager