



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

AUG 07 2014

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Donald and Betty Roberts
Roberts Trailer Park
P.O. Box 186
Hulett, WY 82720

Re: Administrative Order issued to Donald and Betty Roberts, Roberts Trailer Park Public Water System, PWS ID #WY5600377, Docket No. SDWA-08-2014-0025

Dear Mr. and Mrs. Roberts:

Enclosed is an Administrative Order (Order) issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act, 42 U.S.C. §§ 300f *et seq.* Among other things, the Order alleges violations of the National Primary Drinking Water Regulations (the Drinking Water Regulations).

The enclosed Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, etc.). If the Order is complied with, the 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.

To submit information or request an informal conference with the EPA, please contact Sienna Meredith at the above address or by phone at (800) 227-8917, extension 5026 or (406) 457-5026. Any questions from counsel should be directed to Mia Bearley, Enforcement Attorney, who may be reached by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,


Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



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>

AUG 07 2014

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Crook County Commissioners
c/o Jim Hadley, Chairman
P.O. Box 37
Sundance, WY 82729-0037

**Re: Notice of Safe Drinking Water Act Enforcement Action against Roberts Trailer Park
Public Water System, PWS ID # WY5600377**

Dear Commissioners:

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

An Administrative Order (Order) is being issued to Donald and Betty Roberts, who own and/or operate the Roberts Trailer Park Public Water System, located in Crook County, WY, directing them to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include: failing to monitor the System for nitrates annually in 2013 and failing to report the violation to the EPA.

For more details, a copy of the Order is enclosed. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Sienna Meredith at (406) 457-5026.

Sincerely,


Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure:
Administrative Order



Printed on Recycled Paper

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2014 AUG -7 AM 10:39

IN THE MATTER OF:)
)
Donald and Betty Roberts,)
)
Respondents.)

Docket No.

EPA REGION VIII
HEARING CLERK

ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned officials.
2. Donald and Betty Roberts (Respondents) are individuals who own and/or operate the Roberts Trailer Park Public Water System (System), which provides piped water to the public in Crook County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source consisting of one artesian well. The water is not treated.
4. The System has approximately 32 service connections used by year-round residents and/or regularly serves an average of approximately 40 year-round residents. Therefore, the System is a "public water system" and a "community water system" as defined in 40 C.F.R. § 141.2 and section 1401 of the Act, 42 U.S.C. § 300f.
5. Respondents are subject to the Act and the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141. The Drinking Water Regulations are "applicable requirements" as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. The Drinking Water Regulations include monitoring requirements. The EPA has sent Respondents annual notifications of the specific monitoring requirements that apply to the System.

VIOLATIONS

7. Respondents are required to monitor the System's water annually for nitrate. 40 C.F.R. § 141.23(d). Respondents failed to monitor the System's water for nitrate during 2013, and therefore, violated this requirement.
8. Respondents are required to report any failure to comply with any other Drinking Water Regulation to the EPA within 48 hours. 40 C.F.R. § 141.31(b). Respondents failed to report the violation listed in paragraph 7, above, to the EPA and therefore, violated this requirement.

ORDER

Based on the above violations, Respondents are ordered to perform the following actions upon Respondents' receipt of this Order (unless a different deadline is specified below):

9. Within 30 days after receipt of this Order, and as required by the Drinking Water Regulations thereafter, Respondents shall monitor the System's water for nitrate. 40 C.F.R. § 141.23. Respondents shall report analytical results to the EPA within the first 10 days following the month in which Respondents receive sample results, as required by 40 C.F.R. § 141.31(a). Respondents shall report any violation of the nitrate monitoring requirements to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b).
10. If the population or number of connections served by the System falls below 25 individuals or 15 connections, Respondents shall notify the EPA in writing within 10 days.
11. This Order shall be binding on Respondents, their assigns and heirs, and any person (e.g., employee, contractor, or other agent) acting in concert with Respondents.
12. If Respondents (a) lease or sell the System to another person or entity, or (b) contract with or hire any other person or entity to operate the System, Respondents shall, no later than the date of such lease, sale, or other contract, provide a copy of this Order to the lessee, purchaser, or contractor. No later than 10 days thereafter, Respondents shall notify the EPA in writing of the lease, sale, or other contract, with such notification to include the name and contact information of the person who has leased, bought, or contracted to operate the System. Respondents shall remain obligated to comply with this Order even if Respondents lease the System to another person or entity or hire another person or entity to operate the System.
13. Respondents shall direct all reporting required by this Order to:

U.S. EPA Region 8 (8P-W-DW)
1595 Wynkoop
Denver, Colorado 80202-1129

GENERAL PROVISIONS

14. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or the Drinking Water Regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.
15. Violation of any part of this Order or the Drinking Water Regulations may subject Respondents to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19.

Donald and Betty Roberts, Respondents
Roberts Trailer Park
Page 3 of 3

16. Respondents may seek federal judicial review of this Order pursuant to section 1448(a) of the Safe Drinking Water Act, 42 U.S.C. § 300j-7(a).
17. This Order is effective upon receipt by Respondents and will continue to be in effect until closed by the EPA.

Issued: _____, 2014.

David Rollin for JHE
James H. Eppers, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice


Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice