



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

Ref: 8ENF-W

NOV 19 2009

CERTIFIED MAIL LETTER  
RETURN RECEIPT REQUESTED

Carbon County Commissioners  
c/o Terry Weickum, Chairman  
P.O. Box 6  
Rawlins, WY 82301

Re: Notice of Safe Drinking Water Act  
Enforcement Action against  
The Sinclair Companies  
(Sinclair Refinery Golf Course Water System)  
PWS ID #WY5601550

Dear County Commissioners:

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

An Administrative Order is being issued to The Sinclair Companies, owner and/or operator of the Sinclair Refinery Golf Course water system, located in Sinclair, Wyoming. This Order requires that The Sinclair Companies take measures to return its public water system to compliance with the SDWA and the National Primary Drinking Water Regulations (NPDWRs). These violations include: failing to monitor for turbidity, and failing to maintain a residual disinfectant level above 0.2 milligrams per liter (mg/L).

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 Shawn McCaffrey at (303) 312-6515.

Sincerely,

Darcy O'Connor, Acting Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosure



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Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Corporation Service Company, Registered Agent  
The Sinclair Companies  
1821 Logan Ave.  
Cheyenne, WY 82001

Re: Administrative Order  
Sinclair Refinery Golf Course  
Water System  
Docket No. SDWA-08-2010-0005  
PWS ID #WY5601550

To Whom It May Concern:

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 that The Sinclair Companies (Sinclair) has violated the National Primary Drinking Water Regulations (the 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 Sinclair 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.

To submit information, or to request an informal conference with EPA, please contact Shawn McCaffrey at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6515 or (303) 312-6515. Any questions from Sinclair's attorney should be directed to Peggy Livingston, Senior Enforcement Attorney, who may be reached at the above

address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6858 or (303) 312-6858.

We urge your prompt attention to this matter.

Sincerely,



Darcy O'Connor, Acting Director  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosure:  
Order

cc:

WY DEQ/DOH (via email)  
Tina Artemis, EPA Regional Hearing Clerk  
R. E. Holding, President, The Sinclair Companies (via certified mail,  
return receipt requested)  
Doug Smith, Operator, Sinclair Refinery Golf Course  
Monty Penman, RCRA Supervisor, Sinclair Refinery Golf Course

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2009 NOV 19 AM 8:50

\_\_\_\_\_  
IN THE MATTER OF: )

The Sinclair Companies, )

\_\_\_\_\_  
Respondent. )

EPA REGION VIII  
Docket No. SDWA-08-2010-0005

ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by the Safe Drinking Water Act, 42 U.S.C. §§ 300f *et seq.* (the Act), as properly delegated to the undersigned officials.

2. The Sinclair Companies (Respondent) is a Wyoming corporation that owns and/or operates the Sinclair Refinery Golf Course Water System (the system), which provides piped water to the public in Carbon County, Wyoming, for human consumption.

3. The system is supplied by a surface water source (the North Platte River), which is treated by coagulation, flocculation, chlorination, sedimentation, and filtration. Although the system has two parallel filtration systems (bag filtration, and membrane filtration), only the membrane filtration system is used for compliance with the Long-Term 2 Enhanced Surface Water Treatment Rule (LT2SWTR) during the operating season of the golf course.

4. The system has approximately 10 service connections and/or regularly serves at least 130 individuals daily at least 60 days out of the year. Therefore, the system is a "public water system" as defined in § 1401(4) of the Act, 42 U.S.C. § 300f (4), and 40 C.F.R. § 141.2. The system is also a "transient, non-community water system" as defined in 40 C.F.R. § 141.2.

5. Respondent is 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 § 1414(i) of the Act, 42 U.S.C. § 300g-3(i).

### VIOLATIONS

6. Respondent is required to monitor the system's filtered water for turbidity by monitoring representative samples of the filtered water at least once every 4 hours that the system serves water to the public. 40 C.F.R. § 141.74(c)(1). Respondent failed to monitor the system's water for turbidity every 4 hours on June 9, 10, 12, and 13, 2009, and, therefore, violated this requirement.

7. Respondent is required to maintain a residual disinfectant level in the water entering the system's distribution system. This level may not be less than 0.2 milligrams per liter (mg/l) for any period of more than 4 hours. 40 C.F.R. § 141.72(b)(2). On May 28, 30, and 31, 2009, the disinfectant level in the system was less than 0.2 mg/l for 4 hours or longer. Therefore, Respondent violated this requirement.

### ORDER

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

8. At least once every 4 hours that the system provides water to the public, Respondent shall monitor the system's filtered water for turbidity as required by 40 C.F.R. § 141.74(c)(1). Respondent shall report results to the EPA within 10 days following the end of the monitoring period as required by 40 C.F.R. § 141.75.

9. Respondent shall ensure that the residual disinfectant concentration in water entering the system's distribution system be at least 0.2 mg/l for every 4-hour period, as required by 40 C.F.R. § 141.72.

10. Respondent shall direct all reporting required by this Order to:

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

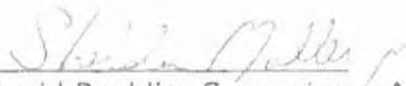



**GENERAL PROVISIONS**

11. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

12. Violation of any part of this Order or the drinking water regulations may subject Respondent 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.

Issued: November 19, 2009.

  
\_\_\_\_\_  
David Rochlin, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

  
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Darcy O'Connor, Acting Director  
Technical Water Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

