



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

**SEP 19 2016**

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Betty Roberts, Owner  
Roberts Trailer Park  
P.O. Box 186  
Hulett, Wyoming 82720

Re: Administrative Order regarding Roberts Trailer Park Public Water System,  
PWS ID #5600377, Docket # **SDWA-08-2016-0026**

Dear Ms. Roberts:

Enclosed is an Administrative Order (Order) issued by the U.S. 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 you, as owner and/or operator of the Roberts Trailer Park Public Water System (System) in Crook County, Wyoming, have violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (Drinking Water Regulations).

The 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 (for example, monitoring that may have been done but not submitted, updates to the numbers of connections and/or individuals served). If the EPA does not hear from you, the EPA will assume the information in the Order is correct.

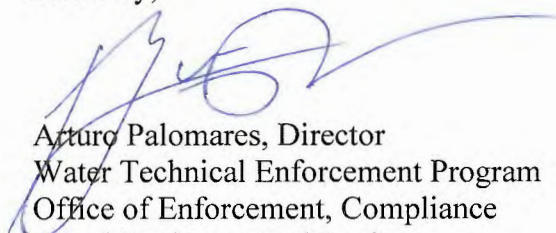
If you comply with the Order, the EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties and/or a federal court injunction ordering compliance.

To submit information or to request an informal conference with the EPA, please contact Kathelene Brainich at the above address (with the mailcode 8ENF-W), via email at [brainich.kathelene@epa.gov](mailto:brainich.kathelene@epa.gov), or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. Any questions from your attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at the above address

(with the mailcode 8ENF-L), 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.

Sincerely,



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

Enclosure

cc: Kevin and Bonnie Sweeney, Roberts Trailer Park ([jdaroberts@rtconnect.net](mailto:jdaroberts@rtconnect.net))  
WY DEQ/DOH (via email)  
Melissa Haniewicz, EPA Regional Hearing Clerk



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**SEP 19 2016**

Ref: 8ENF-W

CERTIFIED MAIL LETTER  
RETURN RECEIPT REQUESTED

Crook County Commissioners  
c/o Kelly B. Dennis, Chair  
P.O. Box 37  
Sundance, Wyoming 82729

Re: Notice of Safe Drinking Water Act Enforcement Action Regarding Roberts Trailer Park  
Public Water System, PWS ID #5600377 **Docket No. : SDWA-08-2016-0026**

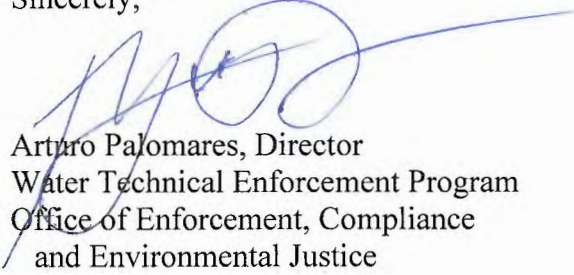
Dear Commissioners:

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

An Administrative Order (Order) is being issued to Betty Roberts, as owner and/or operator of the Roberts Trailer Park Public Water System, located in Crook County, directing her to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order are failure to monitor Styrene (a volatile organic contaminant) and lead and copper, failure to timely distribute and certify distribution of consumer confidence reports, and failure to report the violations to the EPA.

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 Kathelene Brainich at (303) 312-6481.

Sincerely,



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

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2016 SEP 19 PM 2: 16

IN THE MATTER OF: )  
 )  
Betty Roberts, )  
 )  
Respondent. )

Docket No. SDWA-08-2016-0026

FILED  
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 (the Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned officials.
2. Betty Roberts (Respondent) is an individual that owns and/or operates the Roberts Trailer Park Public Water System (the System), which provides piped water to the public in Crook County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via one well. The System’s water is not treated.
4. The System has approximately 30 service connections used by year-round residents and/or regularly serves an average of approximately 38 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. 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 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 Respondent annual notifications of the specific monitoring requirements that apply to the System.

VIOLATIONS

7. Respondent was required to monitor the System’s tap water for lead and copper every three years. 40 C.F.R. § 141.86(d). Respondent failed to monitor the System’s water for lead and copper during the 2012-2014 monitoring period and, therefore, violated this requirement.
8. Respondent is required to monitor the System’s tap water for lead and copper annually beginning in 2015 when reduced monitoring (every 3 years) was revoked due to a failure to monitor violation during 2012-2014. Respondent is required to collect at least five samples each year during the months of June 1-September 30. 40 C.F.R. § 141.86(d). Respondent failed to monitor the System’s water for lead and copper during 2015 and, therefore, violated this requirement. Respondent monitored for lead and copper in August 2016.
9. Respondent is required to monitor the System’s water annually for three consecutive years if any volatile organic contaminant (VOC) analytical result exceeds 0.0005 milligram per

liter (mg/L). 40 C.F.R. § 141.24(f)(11)(iii). After a sample from the System's water taken on August 9, 2014, detected styrene of 0.79 mg/L, Respondent failed to monitor the System's water for styrene during 2015 and, therefore, violated this requirement. Respondent monitored for styrene on April 11, 2016.

10. Respondent is required to prepare and deliver an annual Consumer Confidence Report (CCR) to the System's customers and send a copy to the EPA by July 1<sup>st</sup> of each year and to submit a certification to the EPA by October 1<sup>st</sup> that the CCR was delivered to customers. The CCR is to include information about the quality of the System's water using data collected during, or prior to, the previous calendar year. 40 C.F.R. §§ 141.151-141.155. Respondent failed to submit a copy of the System's 2013, 2014, and 2015 CCRs to the EPA by July 1, 2014, July 1, 2015, and July 1, 2016, respectively, and, therefore, violated this requirement. A copy of the 2013 CCR was received on October 1, 2014, and the 2014 CCR was received on September 1, 2015. Respondent also failed to provide a certification to the EPA for the 2013 CCR by October 1, 2014, and, therefore, violated this requirement.

11. Respondent is required to report any failure to comply with any Drinking Water Regulation to the EPA within 48 hours (except where the Drinking Water Regulations specify a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 7-10, above, to the EPA and, therefore, 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):

12. Respondent shall monitor the System's water for lead and copper as directed by the EPA in accordance with 40 C.F.R. § 141.86(b), (c) and (d). The next sampling is due in 2019.

13. Between January 1, 2017, and December 31, 2017, and thereafter as directed by the EPA, Respondent shall monitor the System's water for styrene in accordance with 40 C.F.R. § 141.24(f)(11)(iii).

14. Within 30 days after receipt of this Order, Respondent shall prepare an annual CCR for the System for 2015 and distribute the report to the System's customers and the EPA. Respondent shall also certify to the EPA that the 2013 and the 2015 CCRs have been distributed to the System's customers and that its information is correct and consistent with monitoring data previously provided to the EPA. Thereafter, Respondent shall prepare and distribute annual CCRs and provide certifications as required by 40 C.F.R. §§ 141.151-141.155.

15. Respondent shall report analytical results to the EPA within (1) the first 10 days following the month in which the sample result is received, or (2) the first ten days following the

end of the required monitoring period, as required by 40 C.F.R. § 141.31(a) and 40 C.F.R. § 141.90.

16. Respondent shall report any violation of the Drinking Water Regulations to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if a different time period for reporting is specified in this Order or the Drinking Water Regulations, Respondent shall report within that different period.

17. If the population or number of connections served by the System falls below 25 residents and 15 service connections, Respondent shall notify the EPA in writing within 10 days.

18. This Order shall be binding on Respondent, her assigns and heirs, and any person (e.g., employee, contractor or other agent) acting in concert with Respondent.

19. If Respondent (a) leases or sells the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondent 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, Respondent 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. Respondent shall remain obligated to comply with this Order even if Respondent leases the System to another person or entity or hires another person or entity to operate the System.

20. Respondent shall send all reporting and notifications required by this Order in writing to:

U.S. EPA Region 8 (8P-W-DW)  
1595 Wynkoop Street  
Denver, CO 80202-1129  
Email: R8DWU@epa.gov  
Fax: (877) 876-9101

#### **GENERAL PROVISIONS**

21. This Order shall 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 the EPA to forgo any civil or criminal action.

22. Violation of any part of this Order or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$53,907 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 81 Fed. Reg. 43091 (July 1, 2016).

23. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

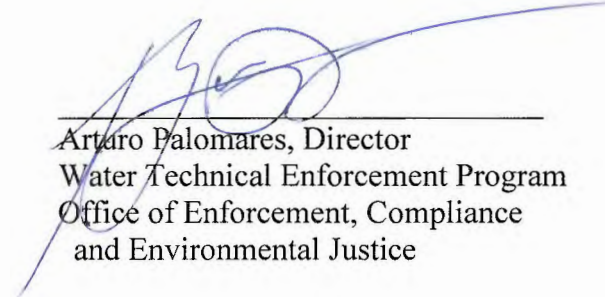
Betty Roberts, Roberts Trailer Park  
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24. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: September 19, 2016.

*David Rocki for JHE*

James H. Eppers, Supervisory Attorney  
Regulatory Enforcement Unit  
Office of Enforcement, Compliance  
and Environmental Justice



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