

6/14/2023



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region8>

4:43 PM

Received by
EPA Region VIII
Hearing Clerk

June 14, 2023

Ref: 8ENF-W-SD

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND VIA EMAIL

Brush Creek LLC c/o
CT Corporation System, Registered Agent
1908 Thomas Avenue
Cheyenne, Wyoming 82001-3527

Michael Williams, Vice President,
Brush Creek Ranch
mwilliams@brushcreekranch.com

Re: Emergency Administrative Order under Section 1431 of the Safe Drinking Water Act, Brush Creek Ranch Public Water System, PWS ID #WY5601644, Docket No. SDWA-08-2023-0017

Dear Sir/Madam:

Enclosed is an Emergency Administrative Order (Order) issued by the U.S. Environmental Protection Agency to Brush Creek LLC, under section 1431 of the Safe Drinking Water Act, 42 U.S.C. § 300i.

The EPA has determined that conditions exist at the Brush Creek Ranch Public Water System (System) that may present an imminent and substantial endangerment to the persons served by the System. The EPA has made this determination based on a notification from Wyoming Department of Agriculture Laboratory on June 13, 2023, that the System has *E. coli* contamination, as described in the Order.

Pursuant to the authority set forth in section 1431 of the Act, 42 U.S.C. § 300i, the EPA is authorized to take actions necessary to protect human health. The Order and its requirements are necessary to ensure adequate protection of public health. The enclosed Order sets forth the actions that must be taken to ensure that the people served by the System are provided with safe drinking water. The Order requires Brush Creek LLC to, among other things, take the following actions: issue a boil water advisory and provide an alternate source of water until notified by the EPA to discontinue; submit a plan and schedule for corrective actions; disinfect and flush the System; and take additional total coliform bacteria samples.

The penalties for failing to comply are set forth in the Order. If you have any questions or wish to discuss the Order, please contact Chris Brown via email at brown.christopher.t@epa.gov, or by phone at (800) 227-8917, extension 6669, or (303) 312-6669. Any questions from Brush Creek LLC's attorney should be directed to Matt Castelli, Senior Assistant Regional Counsel, via email at castelli.matthew@epa.gov or by phone at (800) 227-8917, extension 6491, or (303) 312-6491.

Thank you for your attention to this matter.

Sincerely,

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

Enclosures

cc: WY DEQ/DOH (via email)
Carbon County Commissioners (johnjohnson@carbonwy.com)
EPA Regional Hearing Clerk (r8_hearing_clerk@epa.gov)
Marguerite Rutan, Engineering Admin (marguerite.rutan@brushcreekbranch.com)
Brad Baillie (Brad.baillie@brushcreekbranch.com)
Bruce White, Owner (via certified mail, return receipt requested)
Dennis Lewis, WY DEQ District Engineer (dennis.lewis@wyo.gov)
Ashely Stegeman, WY DOA (ashley.stegeman@wyo.gov)