



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

DEC 30 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Laramie County Commissioners
c/o Jeff Ketcham, Chair
POB 608
Cheyenne, WY 81001

Re: Notice of Safe Drinking Water Act
Enforcement Action against the
Restway Travel Park
PWS ID# 5601292

Dear Commissioners:

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

EPA has issued an Administrative Order (Order) to Doris Sherman as the owner/operator of the Restway Travel Park in Cheyenne, Wyoming, directing her to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include exceeding the maximum contaminant level for total coliform and failing to report these violations to 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 the Order, please contact Kathelene Brainich at (303) 312-6481.

Sincerely,

A handwritten signature in cursive script, appearing to read "Darcy O'Connor".

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

Enclosure (Order)



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DEC 30 2009

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Doris Sherman
POB 5088
Cheyenne, WY 82003

Re: Administrative Order
Doris Sherman
Restway Travel Park Public Water System
Docket No. **SDWA-08-2010-0009**
PWS ID #5601292

Dear Ms. Sherman:

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 you have violated the National Primary Drinking Water Regulations (drinking water regulations). This is the third enforcement action EPA has issued regarding Restway Travel Park.

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 you comply 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.


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 governments, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or the drinking water regulations.

To submit information or request an informal conference with EPA, please contact Kathelene Brainich at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 312-6481 or (303) 312-6481. Any questions from your attorney should be

directed to Tom Sitz, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6918 or (303) 312-6918.

We urge your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Darcy O'Connor for".

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

Enclosures:

Order
SBREFA Information Sheet

cc: WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2009 DEC 30 AM 10:38

IN THE MATTER OF: _____)
)
Doris Sherman,)
)
Respondent)

Docket No. **SDWA-08-2010-0009** FILED
ADMINISTRATIVE ORDER EPA REGION VIII
HEARING CLERK

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. Doris Sherman is an individual who owns and/or operates the Restway Travel Park Water System (the system), which provides piped water to the public in Laramie County, Wyoming, for human consumption.
3. The system is supplied by a groundwater source consisting of one well. The water is not treated. The system is open seasonally from May through September.
4. The system has approximately 57 service connections and/or regularly serves at least 25 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. If more than one sample collected in any month from the system's water is positive for total coliform, the Respondent has violated the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.63(a)(2). More than one total coliform sample collected in June 2009, September 2008, and September 2005 from the system was positive for total coliform. Therefore, Respondent violated this requirement.
7. Respondent is required to report any coliform MCL violation to EPA no later than the end of the first business day after learning of it. 40 C.F.R. § 141.21(g)(1). Respondent did not notify EPA of the MCL violations cited in paragraph 6, above, 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):

8. If the system's water exceeds the total coliform MCL in 40 C.F.R. § 141.63 while this Order is in effect, Respondent shall, within 30 days of learning of this violation, install and continuously operate disinfection equipment or processes to achieve and maintain consistent compliance with the total coliform MCL. Respondent shall notify EPA within 10 days of installing such disinfection. Please note that the Wyoming Department of Environmental Quality may require Respondent to obtain a permit prior to making any improvements to the system.

9. If the system's water exceeds the total coliform MCL in 40 C.F.R. § 141.63, Respondent shall notify EPA of this violation by the end of the business day after discovering the violation, as required by 40 C.F.R. § 141.21(g)(1).

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

U.S. EPA Region 8 (8P-W-DW)
1595 Wynkoop
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: 12-28, 2019.

T. S. J. for
Michael T. Risner, Director
David Rochlin, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

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