



REGION 8
DENVER, CO 80202

January 17, 2024

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**U.S. EPA REGION 8
HEARING CLERK**

Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Dave Glenn, Acting Agency Director
Keyhole State Park Cottonwood CG
Dave.glenn@wyo.gov

Re: Administrative Order issued to Wyoming Department of State Parks & Cultural Resources regarding Keyhole State Park Cottonwood CG Public Water System, PWS ID #WY5600652, Docket No. SDWA-08-2024-0012

Dear Mr. Glenn:

Enclosed is an Administrative Order (Order) issued by the United States 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 operator of the Keyhole State Park Cottonwood CG Public Water System (System), have violated the EPA's drinking water regulations at 40 C.F.R. Part 141 (Part 141). The EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141.

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information you believe the EPA may not have (*e.g.*, any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served). If the EPA does not hear from you, the EPA will assume this information is correct. If you, as the Respondent, comply with the Order, the EPA may close the Order without further action. Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$69,733 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 88 Fed. Reg. at 89309 (January 6, 2023).

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 entities, in case these are relevant. SBREFA does not eliminate the

responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist Respondent in addressing the outstanding violations.

Please be aware that you are required to submit to the EPA a plan and schedule for bringing the System into compliance with Part 141. The EPA's approval of your schedule does not substitute for any other approval that may be required by any other governmental entity for modifying the System. The EPA encourages you to contact any such governmental agency or agencies regarding any applicable approval requirements.

If you have any questions or to request an informal conference with the EPA, please contact Marlon Bell via email at Bell.Marlon@epa.gov, or by phone at (800) 227-8917, extension 6539, or (303) 312-6539. Any questions from attorney should be directed to Noah Stanton, Assistant Regional Counsel, via email at Stanton.Noah@epa.gov or by phone at (800) 227-8917, extension 6554, or (303) 312-6163.

We urge your prompt attention to this matter.

Sincerely,

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

ENCLOSURES

cc: WY DEQ/DOH (via email)
Crook County Commissioners (lindaf@crookcounty.wy.gov; kdennis@crookcounty.wy.gov)
Anthony Ornelas, WY Office of Consumer Advocate (anthony.ornelas@wyo.gov)
EPA Regional Hearing Clerk (r8_hearing_clerk@epa.gov)
Jentry Eatherton, Assistant Superintendent (jentry.eatherton@wyo.gov)
Dale Lee, WY DEQ District Engineer (dale.lee@wyo.gov)
Greg Devereaux, Superintendent (greg.devereaux@wyo.gov)