



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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HEARING CLERK

Ref: 8 ENF-W

CERTIFIED MAIL #  
RETURN RECEIPT REQUESTED

The Sinclair Companies  
c/o R. E. Holding, President  
P.O. Box 1529  
Cheyenne, Wyoming 82003-1529

Re: Violation of Administrative Order  
Docket No. SDWA-08-2007-0009  
Sinclair Refinery Golf Course  
PWS ID # WY5601550

Dear Mr. Holding:

On November 27, 2006, the US Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2007-0009, ordering The Sinclair Companies (Sinclair), owner and/or operator of the Sinclair Refinery Golf Course Public Water System (the system) to comply with various drinking water regulations issued by EPA under the Safe Drinking Water Act (the Act), 42 U.S.C. Section 300f et seq.

Our records indicate that Sinclair is in violation of the Administrative Order. Among other things, the Order included the following requirements (quoted from item 7, of the Order section on page 7 of the Order):

Upon the effective date of this Order, [Sinclair] shall comply with 40 C.F.R. § 141.75(b)(3)(iii) by reporting to EPA as soon as possible but no later than the end of the next business day, any time the residual disinfectant falls below 0.2 mg/L [milligrams per liter] in the water entering the distribution system.

On May 28, 30, and 31, 2009 the chlorine residual at the point of entry dropped below 0.2 mg/L. Respondent did not notify EPA of this problem until June 15, 2009, and, therefore, violated this requirement.

In EPA's Administrative Order Addendum dated May 24, 2007, Sinclair was required to conduct the following three items shown in the table below on an annual basis:

Description	Milestones	Frequency
Refresher PWS Training	1. Continuing education is required for each operator to maintain licensure.	Annual
Communication	1. WTP operator-supervisor meeting to review monitoring and reporting requirements for turbidity and chlorine residual.  2. Formalize shift turnover meetings by incorporating meeting minutes in the daily operator's log.  3. Recordkeeping and historizing data (via SCADA).	Annual Refresher
Refresher O&M Training	1. Investigate on-site training and costs with US Filter/Siemens.  2. Procurement  3. Training	Annual Refresher

The last update received by EPA was that these items were completed in 2007. EPA has not received information that these items were completed in 2008, or thus far in 2009, and, therefore, Sinclair has violated these requirements. Please provide EPA with the dates that these tasks have been completed since 2007. If they have not been completed, please schedule them to occur in 2009 and provide EPA with the scheduled dates.

EPA is considering additional enforcement action as a result of the non-compliance with the Order. Violating an administrative order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions or wish to have an informal conference with EPA, you may contact Shawn McCaffrey at 1-800-227-8917, extension 6515 or (303) 312-6515. If you are represented by an attorney who has questions, please ask your attorney to contact Peggy Livingston, Senior Enforcement Attorney, at (303) 312-6858 or at the following address:

Peggy Livingston  
 Senior Enforcement Attorney  
 U.S. EPA, Region 8 (8-ENF-L)  
 1595 Wynkoop Street  
 Denver, Colorado 80202-1129

We urge your prompt attention to this matter.



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Lisa Kahn, Team Leader  
Drinking Water Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

cc: Doug Smith, Operator  
Monty Penman, RCRA Supervisor  
WY DEQ (via e-mail)  
WY DOH (via e-mail)  
Tina Artemis, EPA Regional Hearing Clerk