



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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

FEB 20 2013

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Snowy Range Properties, LLC  
Ray Duvall, Registered Agent  
1148 Highway 11  
Laramie, WY 82070

Re: Administrative Order  
Albany Lodge Public Water System  
Docket No. **SDWA-08-2013-0012**  
PWS ID #WY5600301

Dear Mr. Duvall:

Enclosed is an Administrative Order (Order) issued by the U.S. Environmental Protection Agency (EPA) 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 Snowy Range Properties, LLC, as owner and/or operator of the Albany Lodge public water system (System), has 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.

If Snowy Range Properties, LLC complies 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.

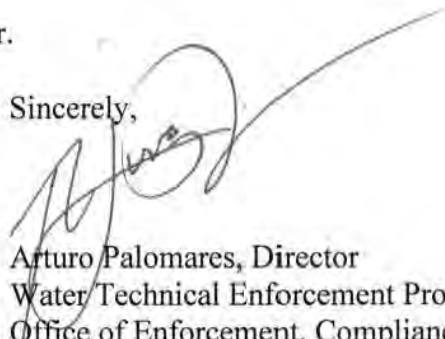
The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small governments, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or the Drinking Water Regulations.

The Order requires Snowy Range Properties, LLC to notify the public of having violated the Drinking Water Regulations. Enclosed please find a public notice template explaining the public notice requirements in more detail.

To submit information or request an informal conference with the EPA, please contact Jill Minter at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6084 or (303) 312-6084. Any questions from your attorney(s) should be directed to Marc Weiner, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6913 or (303) 312-6913.

We urge your prompt attention to this matter.

Sincerely,



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

Enclosures:

Order  
SBREFA Information Sheet  
Public Notice Template

cc:

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



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Ref: 8ENF-W

FEB 20 2013

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Albany County Commissioners  
c/o Tim Sullivan, Chairman  
525 E. Grand Ave.  
Laramie, WY 82070

Re: Notice of Safe Drinking Water Act  
Enforcement Action against  
Albany Lodge  
PWS ID #WY 5600301

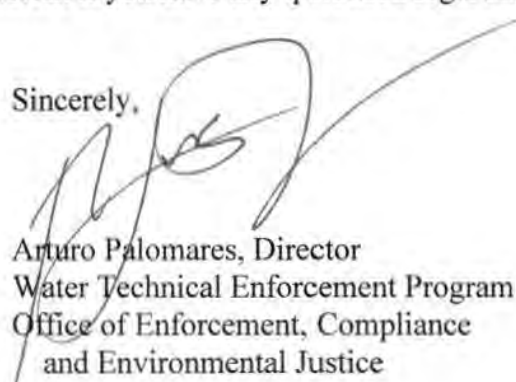
Dear Commissioners:

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

An Administrative Order (Order) is being issued to Snowy Range Properties, LLC, owner of Albany Lodge, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include failure to monitor for total coliform, failure to notify the public of total coliform violations and failure to report these violations to 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 Jill Minter at (303) 312-6084.

Sincerely,



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

Enclosure  
Order

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2013 FEB 20 AM 11:45

IN THE MATTER OF: )  
 )  
Snowy Range Properties, LLC, )  
 )  
Respondent. )

Docket No. **SDWA-08-2013-0012**

FILED  
EPA REGION VIII  
HEARING CLERK

**ADMINISTRATIVE ORDER**

1. This Order is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned officials.
2. Snowy Range Properties, LLC (Respondent) is a Wyoming Corporation that owns and/or operates the Albany Lodge public water system (System), which provides piped water to the public in Albany County, Wyoming, for human consumption.
3. The System is supplied by a ground water source consisting of a single well. Treatment is provided by a single cartridge filter.
4. The System has approximately 6 service connections and/or regularly serves an average of approximately 25 individuals daily at least 60 days out of the year. Therefore, the System is a "public water system" as defined in section 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 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 is required to monitor the System's water quarterly for total coliform bacteria. 40 C.F.R. § 141.21(a). Respondent failed to monitor the System's water for total coliform bacteria during the 2<sup>nd</sup> quarter of 2012 and the 2<sup>nd</sup> quarter of 2011 and, therefore, violated this requirement.
8. If the System has one or more sampling results that are positive for total coliform, Respondent is required to collect at least five additional routine samples during the next month the System provides water to the public. 40 C.F.R. § 141.21(b)(5). After the System's water tested positive for total coliform on July 23, 2008, Respondent failed to take additional routine samples of the System's water in August, 2008, and, therefore, violated this requirement.
9. Respondent is required to notify the public of certain violations of the Drinking Water Regulations. 40 C.F.R. §§ 141.201-141.211. Respondent failed to notify the public of the 2011 and 2008

violations cited in paragraphs 7 and 8, above, and, therefore, violated this requirement. Public notice of the 2<sup>nd</sup> quarter 2012 violation, cited in paragraph 7, is due on or before June 30, 2013.

10. Respondent is required to report any failure to comply with any coliform monitoring requirement to the EPA within 10 days after discovering the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report the violations cited in paragraphs 7 and 8, above, to the EPA 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 violation cited in paragraph 9, 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 quarterly for total coliform bacteria and, if any sample is positive for total coliform, conduct repeat and additional routine monitoring, as required by 40 C.F.R. § 141.21. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent receives sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of coliform monitoring requirements in 40 C.F.R. part 141 to the EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.21(g)(2).

13. Within 30 days after receipt of this Order, Respondent shall notify the public of the violations cited in paragraphs 7 and 8, above, following the instructions provided with the public notice templates provided to the Respondent with this Order. Thereafter, following any future violation of the Drinking Water Regulations, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondent shall submit a copy of the notice to the EPA.

14. 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.

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

U.S. EPA Region 8 (8P-W-DW)  
1595 Wynkoop Street  
Denver, CO 80202-1129




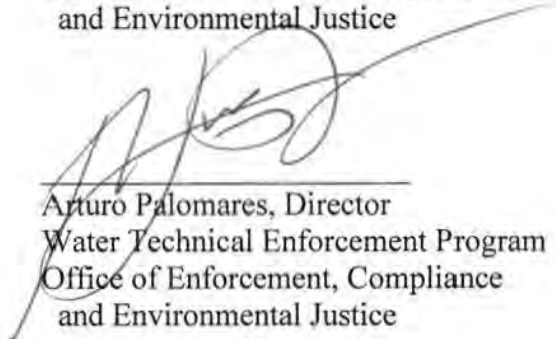
**GENERAL PROVISIONS**

16. 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.

17. 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: \_\_\_\_\_, 2013.

  
James H. Eppers, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

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



## U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

### EPA's Small Business Websites

Small Business Environmental Homepage - [www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org)

Small Business Gateway - [www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)

EPA's Small Business Ombudsman - [www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888

#### EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

#### EPA's Compliance Assistance Centers

[www.assistancecenters.net](http://www.assistancecenters.net)

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

#### Agriculture

[www.epa.gov/agriculture/](http://www.epa.gov/agriculture/)

#### Automotive Recycling

[www.ecarcenter.org](http://www.ecarcenter.org)

#### Automotive Service and Repair

[www.ccar-greenlink.org](http://www.ccar-greenlink.org) or 1-888-GRN-LINK

#### Chemical Manufacturing

[www.chemalliance.org](http://www.chemalliance.org)

#### Construction

[www.cicacenter.org](http://www.cicacenter.org) or 1-734-995-4911

#### Education

[www.campuserc.org](http://www.campuserc.org)

#### Food Processing

[www.fpeac.org](http://www.fpeac.org)

#### Healthcare

[www.hercenter.org](http://www.hercenter.org)

#### Local Government

[www.lgean.org](http://www.lgean.org)

#### Metal Finishing

[www.nmfrc.org](http://www.nmfrc.org)

#### Paints and Coatings

[www.paintcenter.org](http://www.paintcenter.org)

#### Printed Wiring Board Manufacturing

[www.pwbrc.org](http://www.pwbrc.org)

#### Printing

[www.pneac.org](http://www.pneac.org)

#### Ports

[www.portcompliance.org](http://www.portcompliance.org)

#### U.S. Border Compliance and Import/Export Issues

[www.bordercenter.org](http://www.bordercenter.org)

#### Hotlines, Helplines and Clearinghouses

[www.epa.gov/epahome/hotline.htm](http://www.epa.gov/epahome/hotline.htm)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

#### Antimicrobial Information Hotline

[info-antimicrobial@epa.gov](mailto:info-antimicrobial@epa.gov) or  
1-703-308-6411

#### Clean Air Technology Center (CATC) Info-line

[www.epa.gov/ttn/catc](http://www.epa.gov/ttn/catc) or 1-919-541-0800

#### Emergency Planning and Community Right-To-Know Act

[www.epa.gov/superfund/resources/infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346

#### EPA Imported Vehicles and Engines Public Helpline

[www.epa.gov/otaq/imports](http://www.epa.gov/otaq/imports) or  
734-214-4100

#### National Pesticide Information Center

[www.npic.orst.edu/](http://www.npic.orst.edu/) or 1-800-858-7378

#### National Response Center Hotline - to report oil and hazardous substance spills

[www.nrc.uscg.mil](http://www.nrc.uscg.mil) or 1-800-424-8802

#### Pollution Prevention Information Clearinghouse (PPIC)

[www.epa.gov/opptintr/ppic](http://www.epa.gov/opptintr/ppic) or  
1-202-566-0799

#### Safe Drinking Water Hotline

[www.epa.gov/safewater/hotline/index.html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791

#### Stratospheric Ozone Protection Hotline

[www.epa.gov/ozone](http://www.epa.gov/ozone) or 1-800-296-1996

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

### Monitoring Requirements Not Met for Albany Lodge

Our water system violated several drinking water regulations over the compliance period shown below. Even though these were not emergencies, as our customers, you have a right to know what happened and what we did to correct these situations.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are indicators of whether or not your drinking water meets health standards. We did not monitor for total coliform bacteria during the 2<sup>nd</sup> quarter of 2011 and 2<sup>nd</sup> quarter of 2012 (April-June) and we did not collect additional routine samples in August, 2008 and, therefore, we cannot be sure of the quality of your drinking water during that time.

#### What should I do?

There is nothing you need to do at this time.

The table below lists the contaminants we did not properly test for during the compliance period, how often we are supposed to sample and how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were taken.

Contaminant	Required sampling frequency and number of samples	When samples should have been taken
Total coliform bacteria	1 sample per quarter	2 <sup>nd</sup> quarter, 2012 2 <sup>nd</sup> quarter, 2011
Total coliform bacteria	If any routine sample is positive for total coliform, collect five additional routine samples the following month	August, 2008

#### What happened? What is being done?

For more information, please contact [name and number of contact person] \_\_\_\_\_

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

This notice is being sent to you by Albany Lodge.  
Public Water System ID#: WY5600301.

Date distributed or dates posted: \_\_\_\_\_