



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

JUN 11 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Fremont County Commissioners
c/o Pat Hickerson
450 North Second Street
Lander, WY 82520

Re: Notice of Safe Drinking Water Act
Enforcement Action against
The Sawmill Lodge, Inc.
PWS ID# WY5601543

Dear County Commissioners:

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

An Administrative Order is being issued to the Sawmill Lodge, Inc. of Dubois, Wyoming. This Order requires that the Sawmill Lodge, Inc. take measures to return its public water system to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations include: failing to monitor for total coliform bacteria and failing to report such 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 Lisa Kahn at (303) 312-6896.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diane L. Sipe".

Diane L. Sipe, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance and
Environmental Justice

Enclosure



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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Sawmill Lodge, Inc.
c/o Elaine Englehart, Registered Agent
The Sawmill Lodge
1 Fir Road, Union Pass
Dubois, WY 82513

Re: Administrative Order
Docket No. **SDWA-08-2008-0068**
PWS ID # WY5601543

Dear Ms. Englehart:

Enclosed is an Administrative Order issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq. Among other things, the Order describes how the Sawmill Lodge, Inc. has violated the National Primary Drinking Water Regulations.

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 the Sawmill Lodge, Inc. complies with the Order for 18 months, 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.

Also enclosed is a small business resources information sheet, outlining compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to your situation.

To submit information or request an informal conference with EPA, contact Lisa Kahn at the above address (with the mail code 8ENF-W) or by phone at (800) 227-8917, extension 6896 or (303) 312-6896. For legal questions, the attorney assigned to this matter is Jean Belille, who can be reached at the above address (with the mail code 8ENF-L) or by phone at (800) 227-8917, extension 6556 or (303) 312-6556.

We urge your prompt attention to this matter.

Sincerely,

Diane L. Sipe, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures

Order

Information sheet

cc: WY DEQ (via email)
WY DOH (via email)



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DENVER, CO 80202-1129
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2008 JUN 11 10:11:37

IN THE MATTER OF)	
)	
The Sawmill Lodge, Inc.)	
1 Fir Road, Union Pass)	
Dubois, WY 82513)	ADMINISTRATIVE ORDER
)	PWS ID# WY5601543
<u>Respondent</u>)	Docket No. SDWA-08-2008-0068

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) in the Public Health Service Act as amended by and hereafter referred to as the "Safe Drinking Water Act" or the "Act," 42 U.S.C. § 300f, as properly delegated to the undersigned officials.

2. The Sawmill Lodge, Inc. (Respondent) is a corporation that owns and/or operates the Sawmill Lodge water system (the system) in Dubois County, Wyoming which provides piped water to the public for human consumption. The system is supplied by a groundwater source consisting of three wells, and serves approximately 65 people through 2 service connections from May through March. The system is a transient non-community water system as defined in 40 C.F.R. § 141.2. Respondent is subject to the requirements of the Act and the National Primary Drinking Water Regulations (drinking water regulations), at 40 C.F.R. part 141.

VIOLATIONS

3. Respondent is required to monitor the system's water at least once per quarter to determine compliance with the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. §§ 141.21, 141.63. Respondent failed to monitor the system's water for contamination for total coliform bacteria during the 2nd (April to June) and 4th (October to December) quarters of 2007 and, therefore, violated this requirement.

4. Respondent is required to report any failure to comply with a coliform monitoring requirement to the EPA within ten days after the system learned of the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report the noncompliance detailed in paragraph 3 above and, therefore, violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions:

5. Upon receipt of this Order, Respondent shall monitor for total coliform bacteria at least once per quarter and remain within the MCL, as defined in the regulations. 40 C.F.R. §§ 141.21, 141.63. Respondent shall report analytical results to the EPA within the first ten days following the month in which sample results are received, as required by the drinking water regulations. 40 C.F.R. § 141.31(a). Respondent shall comply with 40 C.F.R. § 141.21(g)(2) by reporting any failure to comply with coliform monitoring requirements under 40 C.F.R. § 141.21 to EPA within 10 days of discovery.

6. All reporting required by this order shall be directed to:

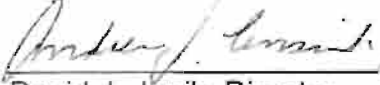
U.S. EPA Region 8 (8P-W-MS)
1595 Wynkoop
Denver, CO 80202-1129
Telephone number: 800-227-8917

GENERAL PROVISIONS

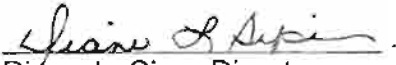
7. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

8. Violation of any part of this Order, the Act, or the drinking water regulations may subject Respondent to a civil penalty of up to \$32,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3(g)(3); 40 C.F.R. part 19.

6/10/08
Date


David J. Janik, Director
Matthew Cohn, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

6/10/08
Date


Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice