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U.S. EPA REGION 8
HEARING CLERK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF)
)
)
 Leisure Valley, Inc.,) Docket NO. SDW A-08-2024-0004
)
 Respondent.) **ANSWER TO COMPLAINT AND**
) **REQUEST FOR HEARING**
 (Star Valley RV Park, WY560114711))
 _____ /

Comes now Leisure Valley, Inc., a Nevada Corporation (hereinafter “Respondent”), by and through its counsel, Albright, Stoddard, Warnick & Albright, and answers the “Complaint and Notice of Opportunity and Hearing” filed in the above-referenced matter on October 10, 2023 with the United States Environmental Protection Agency, Region 8, Hearing Clerk, and also requests a hearing in this matter.

JUDICIAL ALLEGATIONS

1. Answering Paragraph 1, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.
2. Answering Paragraph 2, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.

GENERAL ALLEGATIONS

3. Answering Paragraph 3, Respondent admits that it is a Nevada Corporation.
4. Answering Paragraph 4, Respondent admits the allegations contained in this paragraph.
5. Answering Paragraph 5, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies the each and every allegation contained in this paragraph.
6. Answering Paragraph 6, Respondent admits the allegations contained in this paragraph.
7. Answering Paragraph 7, Respondent admits the allegations contained in this paragraph.
8. Answering Paragraph 8, Respondent admits the allegations contained in this paragraph.
9. Answering Paragraph 9, Respondent admits the allegations contained in this paragraph.
10. Answering Paragraph 10, Respondent admits the allegations contained in this paragraph.
11. Answering Paragraph 11, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.

12. Answering Paragraph 12, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.
13. Answering Paragraph 13, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.
14. Answering Paragraph 14, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.
15. Answering Paragraph 15, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.
16. Answering Paragraph 16, Respondent denies each and every allegation contained in this paragraph.

VIOLATIONS

Count One

Failure to Monitor for Lead and Copper Contamination

17. Answering Paragraph 17, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.
18. Answering Paragraph 18, Respondent denies each and every allegation in this paragraph.
19. Answering Paragraph 19, Respondent denies each and every allegation in this paragraph.
20. Answering Paragraph 20, Respondent denies each and every allegation in this paragraph.
21. Answering Paragraph 21, Respondent denies each and every allegation in this paragraph.
22. Answering Paragraph 22, Respondent denies each and every allegation in this paragraph.
23. Answering Paragraph 23, Respondent denies each and every allegation in this paragraph.
24. Answering Paragraph 24, Respondent denies each and every allegation in this paragraph.
25. Answering Paragraph 25, Respondent denies each and every allegation in this paragraph.

Count Two

Failure to Submit Timely Consumer Confidence Reports to the EPA

26. Answering Paragraph 26, Respondent denies each and every allegation in this paragraph.
27. Answering Paragraph 27, Respondent denies each and every allegation in this paragraph.
28. Answering Paragraph 28, Respondent denies each and every allegation in this paragraph.
29. Answering Paragraph 29, Respondent denies each and every allegation in this paragraph.
30. Answering Paragraph 30, Respondent denies each and every allegation in this paragraph.

31. Answering Paragraph 31, Respondent denies each and every allegation in this paragraph.
32. Answering Paragraph 32, Respondent denies each and every allegation in this paragraph.
33. Answering Paragraph 33, Respondent denies each and every allegation in this paragraph.

Count Three
Failure to Provide Timely Certifications to EPA

34. Answering Paragraph 34, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.
35. Answering Paragraph 35, Respondent denies each and every allegation in this paragraph.
36. Answering Paragraph 36, Respondent denies each and every allegation in this paragraph.
37. Answering Paragraph 37, Respondent denies each and every allegation in this paragraph.
38. Answering Paragraph 38, Respondent denies each and every allegation in this paragraph.
39. Answering Paragraph 39, Respondent denies each and every allegation in this paragraph.
40. Answering Paragraph 40, Respondent denies each and every allegation in this paragraph.
41. Answering Paragraph 41, Respondent denies each and every allegation in this paragraph.
42. Answering Paragraph 42, Respondent denies each and every allegation in this paragraph.

Count Four
Failure to Report

43. Answering Paragraph 43, Respondent denies each and every allegation in this paragraph.
44. Answering Paragraph 44, Respondent denies each and every allegation in this paragraph.
45. Answering Paragraph 45, Respondent denies each and every allegation in this paragraph.
46. Answering Paragraph 46, Respondent denies each and every allegation in this paragraph.
47. Answering Paragraph 47, Respondent denies each and every allegation in this paragraph.

PROPOSED PENALTY

48. Answering Paragraph 48, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.
49. Answering Paragraph 49, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph, and also alleges and avers that the proposed administrative civil penalty of \$5,000.00 is excessive, unjust, arbitrary, capricious and a violation of due process.

ANSWER AND RIGHT TO REQUEST A HEARING

- 50. Answering Paragraph 50, Respondent admits the allegations in this paragraph.
- 51. Answering Paragraph 51, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.
- 52. Answering Paragraph 52, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph except for the statement in the last sentence of the aforesaid Paragraph 52, all of which is admitted by the Respondent. Respondent also requests a hearing on this matter.
- 53. Answering Paragraph 53, Respondent admits the allegations in this paragraph.
- 54. Answering Paragraph 54, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.

INSTRUCTIONS FOR FILING ANSWER AND OTHER DOCUMENTS

- 55. Answering Paragraph 55, Respondent admits the allegations in this paragraph.
- 56. Answering Paragraph 56, Respondent admits the allegations in this paragraph.

FAILURE TO FILE AN ANSWER

- 57. Answering Paragraph 57, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.

QUICK RESOLUTION

- 58. Answering Paragraph 58, Respondent admits the allegations in this paragraph.
- 59. Answering Paragraph 59, Respondent admits the allegations in this paragraph.
- 60. Answering Paragraph 60, Respondent admits the allegations in this paragraph.
- 61. Answering Paragraph 61, Respondent admits the allegations in this paragraph.
- 62. Answering Paragraph 62, Respondent denies that it has sufficient knowledge or information upon which to base a belief as to the truth or falsity of the allegations contained therein, and therefore denies each and every allegation in this paragraph.

SETTLEMENT CONFERENCE

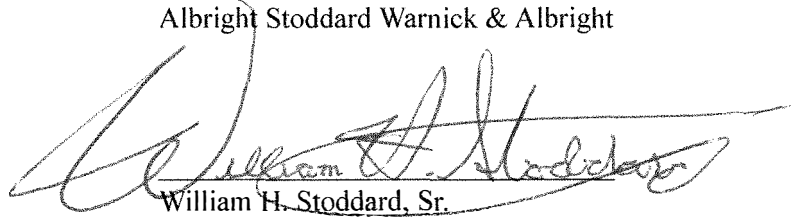
63. Answering Paragraph 63, Respondent admits the allegations in this paragraph.

REQUEST FOR HEARING

64. Respondent requests a hearing in this matter.

Dated this 9th day of April, 2024

Albright Stoddard Warnick & Albright



William H. Stoddard, Sr.
801 S. Rancho Drive, Suite D-4
Las Vegas, NV 89106
Attorney for Respondent
Leisure Valley, Inc. a Nevada Corporation


CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original and a copy of the ANSWER TO COMPLAINT AND REQUEST FOR HEARING were forwarded to the Regional Hearing Clerk, EPA, Region 8, 1595 Wynkoop Street, Denver, Colorado, via email to R8_Hearing_Clarke@epa.gov, on April __, 2024, and that a true copy of the ANSWER TO COMPLAINT AND REQUEST FOR HEARING was sent to the following via Email to livingston.peggy@epa.gov.

Margaret J. (Peggy) Livingston, Enforcement Attorney
Legal Enforcement Program, 8ENF-L
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street
Denver, CO 80202

Dated: 4/9/2024

ALBRIGHT, STODDARD, WARNICK & ALBRIGHT



An Employee of Albright, Stoddard, Warnick & Albright