



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 10 2013**

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Albany County Commissioners  
c/o Tim Sullivan, Chairman  
525 E. Grand, Ste. 202  
Laramie, WY 82070

Re: Notice of Safe Drinking Water Act Enforcement  
Action against the Lake Owen Campground  
Public Water System  
PWS ID # WY5680254

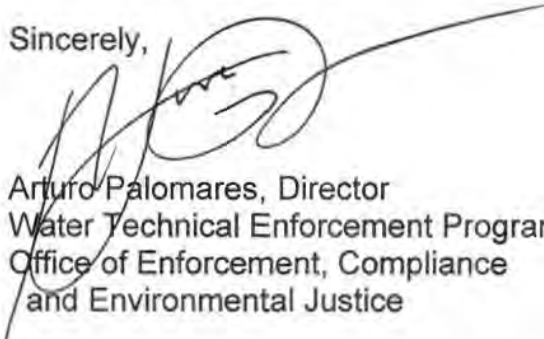
Dear Commissioners:

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

The EPA is issuing an Administrative Order (Order) to the USDA Forest Service, Medicine Bow and Routt National Forests and Thunder Basin National Grasslands, which owns the Lake Owen Campground public water system, located in Albany County, WY, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include: failing to monitor for nitrate and failing to report certain violations to the EPA.

For more details, a copy of the Order is enclosed. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Mario Mérida at (303) 312-6297.

Sincerely,



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

Enclosure:  
Order



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RETURN RECEIPT REQUESTED

Mr. Phil Cruz, Forest Supervisor  
USDA Forest Service  
Medicine Bow and Routt National Forests  
and Thunder Basin National Grassland  
2468 Jackson Street  
Laramie, WY 82070-6535

Re: Administrative Order  
Lake Owen Campground  
Public Water System  
Docket No. **SDWA-08-2013-0034**  
PWS ID #WY5680254

Dear Mr. Cruz:

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 the USDA Forest Service, Medicine Bow and Routt National Forests, as owner and/or operator of Lake Owen Campground public water 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 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 numbers of connections and/or individuals served, etc.)

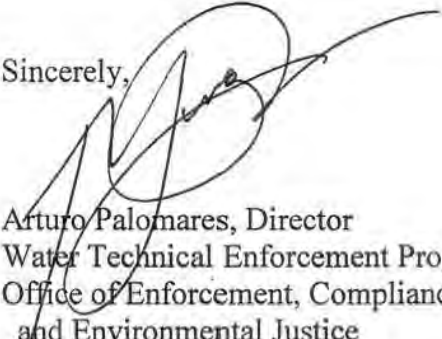
If the USDA Forest Service, Medicine Bow and Routt National Forests, complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties ordering compliance.

To submit information or to request an informal conference with the EPA, please contact Mario Mérida at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6297, or (303) 312-6297. Any questions from the USDA Forest Service's attorneys should be directed to Mr.

Dana Stotsky, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6905, or (303) 312-6905.

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

cc: Tina Artemis, EPA Regional Hearing Clerk  
WY DEQ/DOH (via email)  
Mary Sanderson, Recreation Planner, Medicine Bow and Routt National Forests (via email)

bcc:

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2013 JUN 10 AM 8:44

FILED  
EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF: )  
 )  
USDA Forest Service, )  
Medicine Bow and Routt National Forests )  
and Thunder Basin National Grasslands, )  
 )  
Respondent )

Docket No. SDWA-08-2013-0034

ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States 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. The USDA Forest Service (Respondent) is a federal agency that owns and/or operates the Medicine Bow and Routt National Forests and Thunder Basin National Grasslands Lake Owen Campground Public Water System (System), which provides piped water to the public in Albany County, Wyoming, for human consumption. The System operates seasonally from May to September.
3. The System is supplied by four wells. The water is not treated.
4. The System has approximately 4 service connections and regularly serves at least 100 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. 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 annually for nitrate, collecting one sample for analysis at each entry point to the distribution (of the sampling points SP01, SP02, SP03 and SP04). 40 C.F.R. § 141.23(a) and (d). While Respondent collected a sample for nitrate analysis on July 25, 2012, from sampling point SP01, Respondent failed to monitor the System's water for nitrate during 2012 from sampling points SP02, SP03 and SP04, and, therefore, violated this requirement.

8. 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 violations cited in paragraph 7, 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):

9. Within 30 days of receipt of this Order, and as required by the Drinking Water Regulations thereafter, Respondent shall monitor the System's water for nitrate at all designated sampling points shown on the System's schematic (attached). 40 C.F.R. § 141.23. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent received sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the nitrate monitoring requirements to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b).

10. Respondent shall send all reporting and notifications required by this Order in writing to:

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

### **GENERAL PROVISIONS**

11. 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 the EPA to forgo any civil or criminal action.

12. Violation of any part of this Order may subject Respondent to a civil penalty of up to \$32,500 per day of violation (as adjusted for inflation). Violation of the Act or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$32,500 per day per violation (as adjusted for inflation). 42 U.S.C. §§ 300g-3, 300j-6, 300j-8; 40 C.F.R. part 19.


13. Respondent may seek federal judicial review of the Order pursuant to section 1448(a) of the Safe Drinking Water Act, 42 U.S.C. § 300j-7(a).



14. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: June 10, 2013.

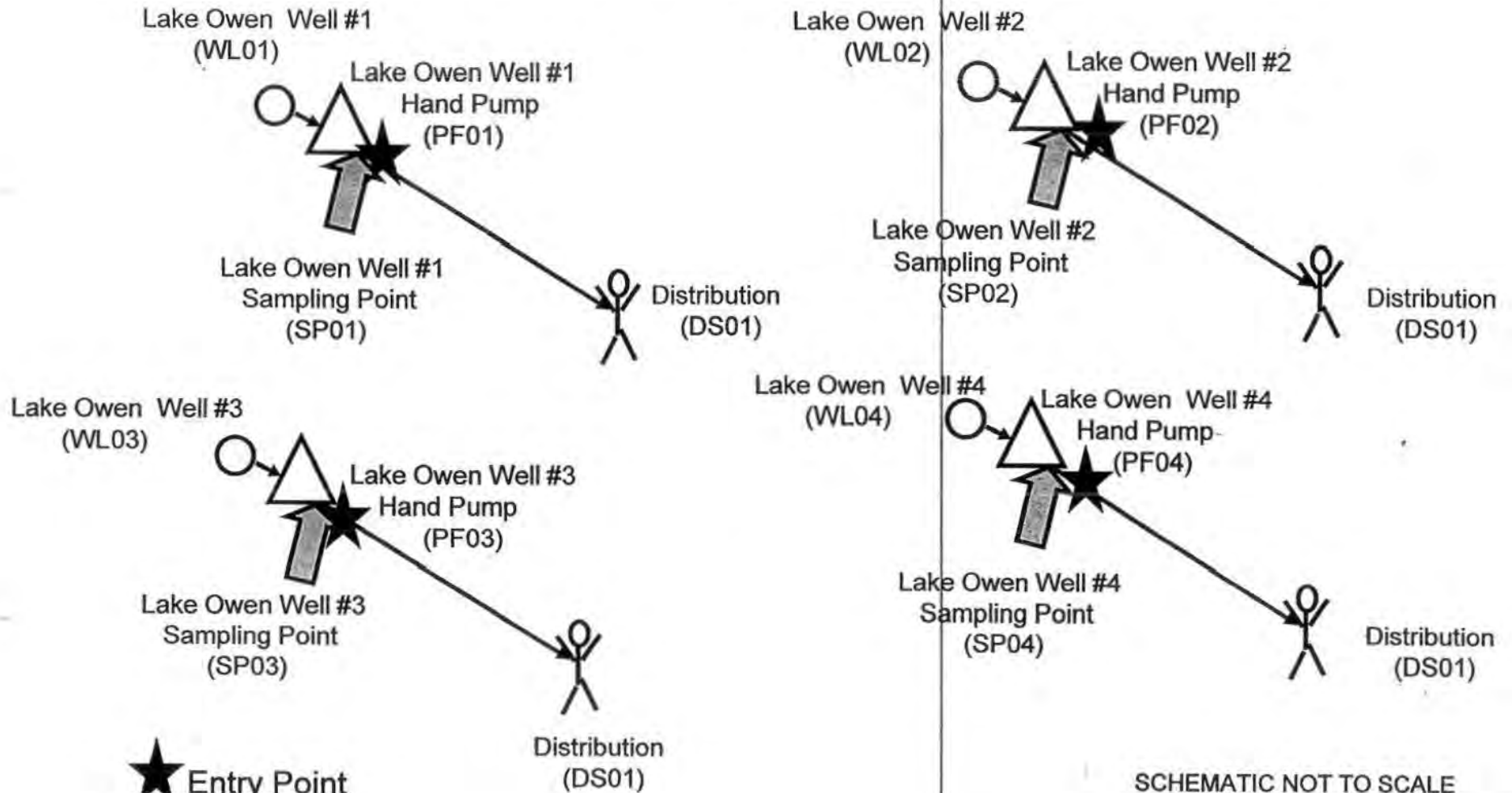
Margaret J. (Peggy) Livingston, Acting for  
James H. Eppers, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

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



# Medicine Bow NF – Lake Owen CG

PWS ID #WY 5680254 NC



SCHEMATIC NOT TO SCALE  
10/20/10  
Chuck Lamb

Agreed to by

X \_\_\_\_\_

Date \_\_\_\_\_

**Sample Points are for Nitrates.**