



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region8>

**FILED**

**10/10/2023**

**12:48 PM**

**U.S. EPA REGION 8  
HEARING CLERK**

October 10, 2023

Ref: R08-ORC-LEB-RES

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
NO.

Ms. Nancy J. Brown, Registered Agent  
Leisure Valley, Inc.  
3910 Muddy String Rd.  
P.O. Box 299  
Thayne, Wyoming 83127

Re: Complaint and Notice of Opportunity for Hearing  
Docket No. SDWA-08-2024-0004

Dear Ms. Brown:

Enclosed is an administrative Complaint and Notice of Opportunity for Hearing (Complaint) filed against Leisure Valley, Inc. (Leisure Valley) under section 1414(g)(3) of the Safe Drinking Water Act (SDWA), 42 U.S.C § 300g-3(g)(3). The United States Environmental Protection Agency (EPA) alleges in the Complaint that Leisure Valley failed to comply with an administrative order issued by the EPA on November 14, 2018. The violations are described in the Complaint.

By law, Leisure Valley has the right to request a hearing regarding the matters set forth in the Complaint. If Leisure Valley does not file an answer to the Complaint within 30 days of receipt, a default judgment may be entered and the proposed civil penalty may be assessed without further proceedings. In its answer Leisure Valley may request a hearing. Leisure Valley has the right to be represented by an attorney at any stage of these proceedings.

The EPA encourages all parties against whom it files any complaint proposing assessment of a penalty to pursue the possibilities of settlement through an informal conference. Any such settlement shall be finalized by the issuance of a final order by the Regional Administrator or Regional Judicial Officer, EPA Region 8. If a representative of Leisure Valley signs a consent agreement that is finalized by a final order, Leisure Valley will waive its right to request a hearing on the penalty.

Whether or not Leisure Valley requests a hearing, its representative(s) may confer informally with the EPA concerning the alleged violations and/or the amount of the proposed penalty. However, an informal



settlement conference does **not** substitute for filing a written answer and requesting a hearing. A request for an informal conference also does not extend the 30-day period during which Leisure Valley must submit a written answer and a request for a hearing. Leisure Valley may pursue settlement and have informal conferences with the EPA even if it is also litigating the case.

For any questions specific to the violations or penalty, the most knowledgeable people at the EPA regarding this matter are Steven Latino, Physical Scientist, who can be reached at 303-312-6440, and, for questions from counsel, if any, Peggy Livingston, Enforcement Attorney, who can be reached at 303-312-6858.

We urge your prompt attention to this matter.

Sincerely,

Colleen Rathbone, Manager  
Water Enforcement Branch  
Enforcement and Compliance Assurance Division

Enclosure

Complaint and Notice of Opportunity for Hearing

cc: EPA Regional Hearing Clerk  
Mr. Harold Stewart, President  
Robert Bingham, Operator