

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

FILED

11/21/2024

8:05 AM

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

IN THE MATTER OF:

Alpine 4-H Camp, Inc.,

Respondent.

Alpine 4-H Camp

PWS ID #WY5601530

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Docket No. SDWA-08-2025-0002

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 official.
2. Alpine 4-H Camp, Inc. (Respondent) is a Wyoming nonprofit corporation that owns and operates the Alpine 4-H Camp Public Water System (System), which provides piped water to the public in Lincoln County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via one well. The water is untreated. The System is operated seasonally from June 1 to August 31.
4. The System has approximately 39 service connections and regularly serves an average of approximately 250 individuals daily at least 60 calendar 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. Further, the System is a non-community water system that does not regularly serve at least 25 of the same persons over six months per year and, as such, is also a “transient non-community water system” as defined in 40 C.F.R. § 141.2.
5. Respondent is a “person” as defined in section 1401(12) of the Act, 42 U.S.C. § 300f(12) and is subject to the Act and 40 C.F.R. part 141 (Part 141). Part 141 is an “applicable requirement” as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. Part 141 includes 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 complete seasonal start-up procedures as required by 40 C.F.R. §§ 141.854-861. Prior to opening to the public each year, Respondent must send to the EPA a signed certification of its completed start-up procedures using the EPA's approved checklist (see link in paragraph 13, below). Respondent failed to complete seasonal start-up procedures and failed to submit a signed copy of the completed checklist to the EPA prior to opening to the public in June 2023 and June 2024 and therefore, violated these requirements.
8. Respondent is required to correct any sanitary defect found through either a Level 1 or 2 assessment in compliance with an EPA-approved schedule and, further, must notify the EPA when each scheduled corrective action is completed. 40 C.F.R. § 141.859(c). The EPA's record reflects that Respondent failed to timely correct all sanitary defects found during an assessment conducted July 7, 2022, and failed to notify the EPA of corrective action completion and therefore, violated these requirements. (Note: Respondent subsequently submitted proof of correction on August 17, 2023).
9. Respondent is required to monitor the System's water annually for nitrate at every entry point to the distribution System which is representative of each well after treatment. 40 C.F.R. §§ 141.23(a) and (d). Respondent failed to monitor the System's water for nitrate during 2019 and therefore, violated this requirement. (Note: Respondent subsequently sampled for nitrate on June 2, 2020, and according to schedule thereafter).
10. Respondent is required to notify the public of certain violations of Part 141 and, within 10 calendar days after completing public notice, provide a copy of the public notice and certification to the EPA. 40 C.F.R. §§ 141.31(d) and 141.201-141.211. The violations identified in paragraph 7, above, are classified as violations requiring Tier 2 public notice within 30 calendar days, according to 40 C.F.R. § 141.203. The EPA's records reflect that the Respondent failed to notify the public of the violations cited in paragraph 7 and failed to submit a copy of the public notice and certification to the EPA and therefore, violated this requirement.

11. Respondent is required to report any failure to comply with Part 141 to the EPA within 48 hours (except where Part 141 specifies a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraphs 7 through 9, above, to the EPA and therefore, violated this requirement.

ORDER

Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

12. Respondent is ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited above.
13. Respondent shall complete the 2025 seasonal start-up procedures as required by 40 C.F.R. §§ 141.854-861. The EPA approved start-up procedures checklist can be found at https://www.epa.gov/sites/production/files/2014-12/documents/rtrcr_seasonal_startup_checklist.pdf. Prior to opening to the public each year, Respondent shall send to the EPA a signed copy of the completed start-up procedures checklist.
14. Respondent shall comply with all provisions of 40 C.F.R. § 141.859(c) regarding any identified sanitary defects at the System.
15. Respondent shall monitor the System's water for nitrate, in accordance with 40 C.F.R. §§ 141.23(a) and (d). Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).
16. Within 30 calendar days of opening for the season, and quarterly thereafter as long as the violations cited in paragraph 7, above, persist, Respondent shall notify the public of these violations. Thereafter, following any future violation of Part 141, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 calendar days after providing public notice, Respondent shall submit a copy of the notice and certification to the EPA. 40 C.F.R. § 141.31(d). Templates and instructions are available at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#pn>.

17. For any future violation of Part 141 for which this Order does not specify a reporting period, Respondent must report the violation to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if Part 141 specifies a different time period for reporting the particular violation, Respondent must report the violation to the EPA within that different period.
18. If the population or number of connections served by the System at least 60 days of the year falls below 25 individuals or 15 connections, Respondent must notify the EPA in writing within 10 calendar days by submitting a completed basic information form. The form is available at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#new>.
19. If Respondent (a) leases or sells the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondent must, within 10 calendar days, provide a copy of this Order to the lessee, purchaser, or contractor and notify the EPA in writing of the change. In either of these circumstances, Respondent will remain obligated to comply with this Order.
20. Respondent must send all reporting and notifications required by this Order to the EPA at:
Email: R8DWU@epa.gov, and
Tyson.Elizabeth@epa.gov

GENERAL PROVISIONS

21. This Order is binding on Respondent, Respondent's successors and assigns, and any person (*e.g.*, employee, contractor, or other agent) acting in concert with Respondent.
22. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or Part 141. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

23. Violation of any part of this Order, the Act, or Part 141 may subject Respondent to a civil penalty of up to \$69,733 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 88 Fed. Reg. at 89309 (December 27, 2023).
24. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

Issued: November 21, 2024.

Emilio Llamozas, Acting Manager
Water Enforcement Branch
Enforcement and Compliance Assurance Division