



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

2014 MAR -7 PM 4:36

FILED  
EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-W

MAR 07 2014

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Diana Alexander, Registered Agent  
Mountain Village Parks, Inc. (Administratively Dissolved)  
P.O. Box 1226  
Big Piney, WY 83113

Diana Alexander, Owner  
Mountain Village Park Mobile Home Park  
P.O. Box 1226  
Big Piney, WY 83113

Daniel Alexander, Owner  
Mountain Village Park Mobile Home Park  
P.O. Box 1226  
Big Piney, WY 83113

RE: Emergency Administrative Order, Mountain Village Parks Public Water System, PWS ID #WY5600221, Docket No. SDWA-08-2014-0008

Dear Ms. and Mr. Alexander:

Enclosed is an Emergency Administrative Order (Order) issued by the U.S. Environmental Protection Agency (EPA) to you and Mountain Village Parks, Inc., as owners and/or operators of the Mountain Village Parks Public Water System, under section 1431 of the Safe Drinking Water Act (Act), 42 U.S.C. § 300i. The EPA has determined that conditions exist at the Mountain Village Park Public Water System (System) that may present an imminent and substantial endangerment to the persons served by the System. The EPA has made this determination based on notification from the Wyoming Department of Environmental Quality and confirmed by the System's backup operator of a service interruption and loss of pressure in the northern portion of the system's distribution system caused by the malfunction of a valve and well pump servicing that portion of the system's distribution system.

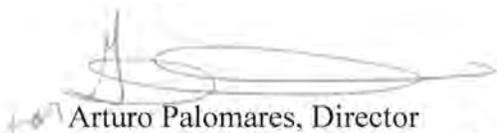
Pursuant to its authority set forth in section 1431 of the Act, 42 U.S.C. § 300i, the EPA is authorized to take actions necessary to protect human health. This Order and its requirements are necessary to ensure adequate protection of public health at the System.

The enclosed Order sets forth the actions that must be taken to ensure that the people served by the System are provided with safe drinking water. The Order requires, in part, that you: provide an alternate source of water; issue a Boil Order and public notice until notified by EPA to discontinue; flush and disinfect the affected portion of the distribution system, and take additional total coliform bacteria samples, among other steps. The penalties for failing to comply are set forth in the Order.

If you have any questions or wish to discuss this Order, please contact Mario Mérida at (800) 227-8917 extension 6297 or 303-312-6297. Any questions from counsel to Mountain Village Parks, Inc., should be directed to Amy Swanson, Enforcement Attorney, at the above 800 number, extension 6906, or at (303) 312-6906.

Thank you for your attention to this matter.

Sincerely,

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

Enclosures

Emergency Administrative Order

cc: Tina Artemis, EPA Regional Hearing Clerk  
Daniel Alexander, Operator, Mountain Village Parks PWS (via email)  
Todd Brown, Backup Operator, Mountain Village Parks PWS (via email)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2014 MAR -7 PM 4:36

IN THE MATTER OF )  
 )  
Mountain Village Parks, Inc., )  
and )  
Diana and Daniel Alexander, )  
Owners and/or Operator )  
 )  
PWS ID 5600221 )  
 )  
Respondents. )  
 )

Docket No. SDWA-08-2014-0008

FILED  
EPA REGION VIII  
HEARING CLERK

**EMERGENCY ADMINISTRATIVE ORDER**

**AUTHORITY**

1. This Emergency Administrative Order (Order) is issued by the Environmental Protection Agency (EPA) pursuant to the authority of section 1431(a) of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300i(a). The undersigned officials have been properly delegated this authority.
2. Failure to comply with this Order may result in civil penalties of up to \$21,500 per day, 42 U.S.C. § 300i(b); 40 C.F.R. part 19.
3. The EPA may issue an order pursuant to section 1431(a) of the Act, 42 U.S.C. § 300i(a), when certain conditions exist which may present an imminent and substantial endangerment to the health of humans, and other state or local authorities have not acted, or do not have the authority to act, to protect human health.
4. Respondent Mountain Village Parks, Inc., is a Wyoming corporation (Company), and Respondents Diane and Daniel Alexander are individuals. Respondents own and/or operate the Mountain Village Parks Public Water System (System) which provides piped water to the public in Sublette County, Wyoming.
5. Respondents are “persons” as that term is defined in the Act, 42 U.S.C. § 300f(2).
6. Systems that have at least 15 service connections or regularly serve at least 25 people per day at least 60 days per year are “public water systems” as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4), and, therefore, are subject to the requirements of the Act and the National Primary Drinking Water Regulations (NPDWRs) at 40 C.F.R. part 141.
7. The System has approximately 224 service connections used by year-round residents and/or regularly serves an average of approximately 150 year-round residents, and is, therefore, a public water system as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4).

8. The EPA has determined that this Order is necessary to protect human health.
9. Prior to issuing this Order, the EPA consulted with the System and State and/or local governmental authorities to confirm the facts stated in this Order and to confirm that State and local governments are unable to act to protect public health in this instance.
10. The EPA has determined that conditions exist at the System that may present an imminent and substantial endangerment to the health of humans, based on the facts indicated below.
11. On March 5, 2014, the EPA was advised by the Wyoming Department of Environmental Quality (WDEQ) that WDEQ had received a citizen complaint that there had been a line break at the System which caused interruption of water services to users of the System. Respondent Dan Alexander later advised the EPA that the service interruption affecting the north end of the System's distribution system resulted from, first, a malfunctioning valve and, it was later discovered, an inadequately functioning pump on the well servicing this portion of the System. The EPA was advised by the System's backup operator that some users have a "trickle" of water while others have no water available. While the faulty valve was reportedly repaired, the System will need to replace the pump in order to restore service to the affected portion of the distribution system.
12. Loss of pressure in a drinking water distribution system may cause a net movement of water from outside its pipes to the insides through cracks, breaks, or joints in the distribution system that are common in all water systems. Backsiphonage is also a condition resulting from low or no pressure. Such system failures carry a high potential that fecal contamination or other disease causing organisms could enter a distribution system.
13. On March 5, 2014, the EPA advised Respondent Dan Alexander and the backup operator that they should issue a boil water advisory to System users. The EPA has been advised that Respondents issued this advisory to the homes impacted by the pressure loss.
14. On March 7, 2014, the EPA emailed guidance on cleaning storage tanks to the System's backup operator.

#### **FINDINGS**

15. Respondents are required to consult with the EPA as soon as practical, but no later than 24 hours after learning of a violation of the NPDWRs or any situation with significant potential to have serious adverse effects on human health as a result of short-term exposure.  
40 C.F.R § 141.202(b)(2).
16. Respondents failed to notify the EPA within 24 hours following the loss of pressure in the north end of the distribution system on March 5, 2014.

**ORDER**

**INTENT TO COMPLY**

17. Within 24 hours of receipt of this Order, Respondents shall notify the EPA in writing of their intention to comply with the terms of this Order. Notification by e-mail is acceptable.

**BOIL ORDER AND PUBLIC NOTICE**

18. Within 24 hours of receipt of this Order, Respondents shall continue to provide information to the public of the situation described in this Order in the affected area and notify the public that a boil water advisory is still in effect for the homes impacted by the pressure loss. Respondents shall submit a copy of the notice to EPA within 24 hours of its distribution. Respondents shall continue providing the public notice until EPA provides written notice that public notice may be discontinued.

**ALTERNATE WATER SUPPLY**

19. Using the public notice required in paragraph 18, above, Respondents shall notify the public that an alternate potable water supply is available. Respondents shall provide at least two liters of potable water daily per person at a central location that is accessible to all persons served by the System. Respondents may also opt to provide an alternate water supply that is either 1) provided by a licensed water distributor, 2) purchased bottled water, or 3) provided by another public water system that meets the requirements of the NPDWRs. In that case, the alternate water supply shall be made available at no cost to all users of the System as needed for drinking and cooking until water service is restored to affected users of the System and Respondents receive written notification from the EPA that alternate water is no longer necessary.

**DISTRIBUTION SYSTEM DISINFECTION AND MONITORING REQUIREMENTS**

20. Within 48 hours of receipt of this Order, or when pump repairs have been completed and service has been restored for the north portion of the System's distribution system, Respondents shall flush and disinfect the affected portion of the System's distribution system.

21. Within 24 hours after flushing and disinfecting the System as required by paragraph 20, above, Respondents shall collect consecutive daily (one sample per day) special purpose (defined in 40 C.F.R. § 141.21(a)(6)) samples from the impacted portion of the System's distribution system. Respondents shall ensure that each sample is analyzed for total coliform and *E.coli*.

22. After Respondents receive written notification from the EPA that they may discontinue daily total coliform sampling, Respondents must collect weekly bacteriological samples (one sample per week) from the impacted portion of the System's distribution system to determine compliance with the total coliform MCL as stated in 40 C.F.R. § 141.63.

23. After Respondents receive written notification from the EPA that they may discontinue weekly total coliform sampling, Respondents shall thereafter resume monthly total coliform sampling as required by 40 C.F.R. §§ 141.21.
24. Respondents shall remain obligated to comply with all applicable requirements of 40 C.F.R. part 141, including, but not limited to the requirements in 40 C.F.R. § 141.21 to collect four repeat samples within 24 hours of being notified of a total coliform-positive sample result and to collect five routine total coliform samples in the month following a total coliform-positive sample result.
25. Respondents shall collect all total coliform sampling at sites that are representative of water throughout the impacted portion of the distribution system. Additionally, Respondents shall report all sampling results to the EPA by telephone or fax immediately upon (i.e., as soon as practicable, and in no event more than 24 hours after) receiving the results.
26. The EPA may require Respondents to increase total coliform sampling at any time while this Order is in effect.

### **COMPLIANCE MEASURES**

27. Within 30 days of the effective date of this Order, Respondents shall provide the EPA with a plan and schedule that outlines actions to be taken that will ensure that there is no future loss of pressure to the system. The plan shall identify the cause of the valve malfunction and pump failure and resulting pressure loss, and describe efforts that Respondents will take to prevent a recurrence of pressure loss in the System. This shall include steps to bring the System into compliance with requirements for community public water systems in the Wyoming Water Quality Chapter 12 Rules and Regulations requiring redundancy features, e.g., multiple wells, alternate power sources, and storage servicing the entire system. If applicable, the plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project and compliance with the Order and federal requirements. The proposed schedule shall include specific milestone dates and a final compliance date (to be within six months from the date of EPA's approval of the plan). The schedule must be approved by the EPA before construction or modifications may commence. The EPA's approval of Respondents' schedule does not substitute for any State of Wyoming approval of plans and specifications (engineering plans) that may also be required before modifications can be made to the System.
28. The schedule required by paragraph 27, above, will be incorporated into this Order as an enforceable requirement upon written approval by the EPA. The EPA may incorporate the above required schedule into a new administrative order. If implementation of the plan fails to achieve permanent compliance, the EPA may order further steps and/or seek penalties for noncompliance.

**REPORTING**

29. Respondents must give daily updates to the EPA on progress of returning the System to compliance. Daily updates must be submitted to the EPA until the EPA notifies the System that reports may be discontinued. These reports may be submitted via phone, fax, or e-mail.

30. Any notices or reports required by this Order to be submitted to the EPA shall be submitted to:

Mario Mérida, 8ENF-W  
US Environmental Protection Agency  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Telephone (800)227-8917, ext. 6297, or (303) 312-6297  
Fax (303) 312-7518  
e-mail: [merida.mario@epa.gov](mailto:merida.mario@epa.gov)

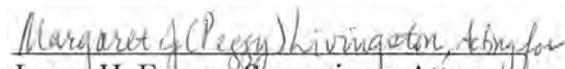
31. This Order does not relieve the Respondents from complying with any applicable federal, state, or local law.

32. This Order constitutes final agency action. Respondents may seek federal judicial review of this Order under section 1431 of the SDWA, 42 U.S.C. § 300(i), pursuant to section 1448(a) of the SDWA, 42 U.S.C. 300j-7(a).

33. Issued and effective this 7 day of July, 2014.



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

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