



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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

APR 30 2014

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Peter C. Nicolaysen, Registered Agent
HR Camp Foundation
140 N. Center St.
Casper, WY 82601

Re: Administrative Order issued to the HR Camp Foundation Public Water System,
PWS ID # WY5601600, Docket No. **SDWA-08-2014-0013**

Dear Mr. Nicolaysen:

Enclosed is an Administrative Order (Order) issued by the United States 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 HR Camp Foundation (Foundation), as owner and/or operator of the HR Camp Foundation, also known as the Wyoming Wilderness Camp, Public Water System (System), has violated the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141.

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 number of service connections and/or individuals served, etc.)

If the Foundation 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 and/or a federal court injunction ordering compliance.

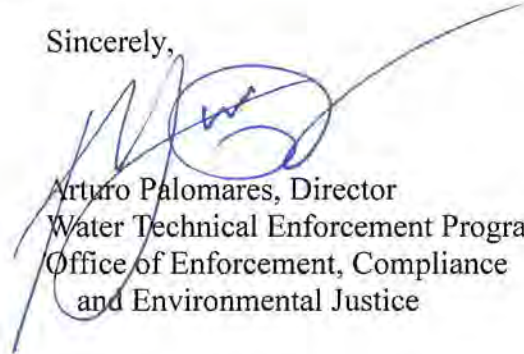
The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small governments, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or the Drinking Water Regulations.

The Order requires the Foundation to notify the public of having violated the Drinking Water Regulations. Enclosed please find a public notice template explaining the public notice requirements in more detail.

To submit information, to request paper copies of public notice forms and instructions, or to request an informal conference with the EPA, please contact Jill Minter at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6084, or (303) 312-6084. Any questions from the Foundation's attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

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
SBREFA Information Sheet
Public Notice Template

cc:

Rev. Cannon Tristan English, Administrative Contact, HR Camp Public Water System and
Canon, Episcopal Diocese of Wyoming
Bishop John Smylie, President and Director, HR Camp Foundation
WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk



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APR 30 2014

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Converse County Commissioners
c/o Jim Willox, Chairman
107 North 5th St., Suite 114
Douglas, WY 82633

Re: Notice of Safe Drinking Water Act Enforcement Action against the HR Camp Foundation Public Water System, PWS ID # WY5601600

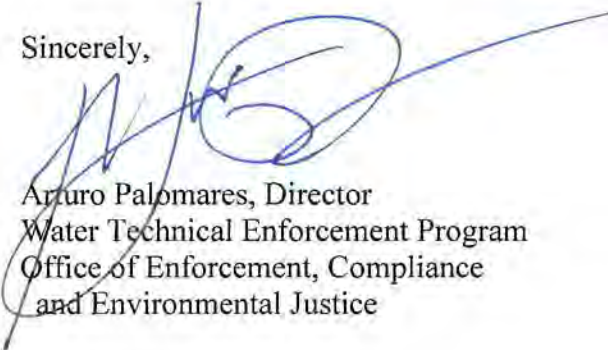
Dear Commissioners:

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

An Administrative Order (Order) is being issued to HR Camp Foundation, which owns the HR Camp Foundation, also known as the Wyoming Wilderness Camp, Public Water System, located in Converse County, WY, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include: failing to monitor for nitrates, failing to monitor for total coliform bacteria, failing to notify the public of certain violations, 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 Jill Minter at (303) 312-6084.

Sincerely,



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

Enclosure:

Administrative Order

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2014 APR 30 AM 8:44

IN THE MATTER OF:)
)
HR Camp Foundation)
)
)
)
Respondent.)

Docket No. **SDWA-08-2014-0013**

EPA REGION VIII
HEARING ROOM

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. HR Camp Foundation (Respondent) is a Wyoming nonprofit corporation that owns and/or operates the HR Camp Foundation, also known as the Wyoming Wilderness Camp, Public Water System (System), which provides piped water to the public in Converse County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source consisting of one well. The water is disinfected with a hypochlorite tablet chlorinator prior to being stored and passes through a UV-unit prior to distribution. The System's water is not treated to at least a 4-log, 99.99% removal of viruses.
4. The System has approximately two service connections and/or regularly serves an average of approximately 40 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. The 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. 40 C.F.R. § 141.23(d). Respondent failed to monitor the System's water for nitrate during 2012, and, therefore, violated this requirement. Respondent did monitor the System's water for nitrate during 2013, taking a sample on June 3, 2013.
8. Respondent is required to monitor the System's water for total coliform bacteria during the 2nd (April – June) and 3rd (July – September) quarters. 40 C.F.R. § 141.21(a)(3). Respondent failed to monitor the System's water for total coliform bacteria during the 3rd quarter of 2013 and, therefore, violated this requirement.

9. Within 24 hours of being notified that any routine sample of the System's water is positive for total coliform, Respondent is required to collect a set of four repeat samples. 40 C.F.R. § 141.21(b). Respondent failed to take four repeat samples of the System's water within 24 hours of being notified that a May 19, 2009, sample was positive for total coliform and, therefore, violated this requirement.

10. If the System has one or more sampling results that are positive for total coliform, Respondent is required to collect at least five additional routine samples during the next month the System provides water to the public. 40 C.F.R. § 141.21(b)(5). After the System's water tested positive for total coliform on May 19, 2009, Respondent failed to take a sufficient number of routine samples of the System's water in June 2009 and, therefore, violated this requirement. Respondent took only one of five samples on June 30, 2009.

11. Respondent is required to notify the public of certain violations of the Drinking Water Regulations. 40 C.F.R. §§ 141.201-141.211. Respondent failed to notify the public of the violations cited in paragraphs 7, 9 and 10, above, and, therefore, violated this requirement. The public notice for the violation in paragraph 8, above, is not yet overdue.

12. Respondent is required to report any failure to comply with any coliform monitoring requirement to the EPA within 10 days after discovering the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report the violations cited in paragraph 8, 9 and 10, above, to EPA and, therefore, violated this requirement.

13. 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 paragraphs 7 and 11, 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):

14. Respondent shall monitor the System's water annually for nitrate. 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 C.F.R. § 141.31(b).

15. Respondent shall monitor the System's water for total coliform bacteria during the 2nd (April – June) and 3rd (July – September) quarters and, if any sample is positive for total coliform, conduct repeat and additional routine monitoring, as required by 40 C.F.R. § 141.21. Respondent shall report analytical



results to the EPA within the first 10 days following the month in which Respondent receives sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of coliform monitoring requirements in 40 C.F.R. part 141 to the EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.21(g)(2).

16. When the camp opens this year for the summer season, Respondent shall notify the public of the violations cited in paragraphs 7, 8, 9 and 10, above, following the instructions provided with the public notice template enclosed with this Order. Thereafter, following any future violation of the Drinking Water Regulations, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondent shall submit a copy of the notice and certification to the EPA.

17. For any future violation of the Drinking Water Regulations for which this Order does not specify a reporting period, Respondent shall 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 the Drinking Water Regulations specify a different time period for reporting the particular violation, Respondent shall report the violation to the EPA within that different period.

18. If the number of individuals served by the System falls below an average of 25 daily at least 60 days of the year, Respondent shall notify the EPA in writing within 10 days.

19. This Order shall be binding on Respondent, its successors and assigns, and any person (e.g., employee, contractor, or other agent) acting in concert with Respondent.

20. 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 shall, no later than the date of such lease, sale, or other contract, provide a copy of this Order to the lessee, purchaser, or contractor and, no later than 10 days thereafter, notify the EPA in writing of the lease, sale, or other contract, with such notification to include the name and contact information of the person who has leased, bought, or contracted to operate the System. Respondent shall remain obligated to comply with this Order even if Respondent leases the System to another person or entity or hires another person or entity to operate the System.

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

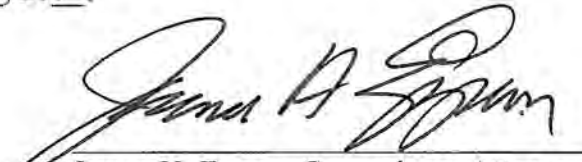
U.S. EPA Region 8 (8P-W-DW)
1595 Wynkoop
Denver, Colorado 80202-1129

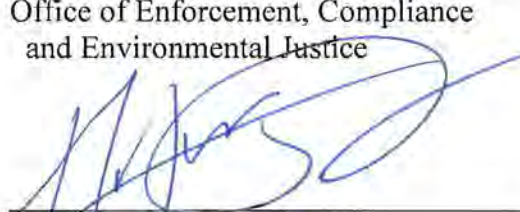


GENERAL PROVISIONS

22. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or the Drinking Water Regulations. 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 or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19.
24. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Safe Drinking Water Act, 42 U.S.C. § 300j-7(a).
25. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: April 30, 2014


James H. Eppers, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice


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



IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring Requirements Not Met for HR Camp

Our water system violated several drinking water regulations over the compliance period shown below. Even though these were not emergencies, as our customers, you have a right to know what happened and what we did to correct these situations.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are indicators of whether or not your drinking water meets health standards. During 2012, we did not monitor for nitrate and during 2009 and 2013, we did not conduct all required monitoring for total coliform bacteria. Therefore, we cannot be sure of the quality of your drinking water during these times.

What should I do?

There is nothing you need to do at this time.

The table below lists the contaminants we did not properly test for during the compliance period, how often we are supposed to sample and how many samples we are supposed to take, when samples should have been taken and the date on which follow-up samples were taken.

Contaminant	Required sampling frequency and number of samples	When samples should have been taken	When samples were taken
Nitrate	One sample in 2012	Between 1/1/2012 and 12/31/2012	6/3/2013
Total coliform bacteria	1 sample/quarter during the 2 nd quarter (Apr-Jun) and 3 rd quarter (Jul-Sep)	3 rd quarter, 2013	
Total coliform bacteria	4 repeat samples within 24 hours following a positive total coliform	5/20/2009	No repeats taken
Total coliform bacteria	5 additional routine samples during next month following a positive total coliform	6/2009	1 of 5 taken 6/30/2009

What happened? What is being done?

(Describe corrective action.)

For more information, please contact _____ at _____
(name of contact) (phone number)

or _____
(mailing address)

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or distributing copies by hands or mail.

This notice is being sent to you by HR Camp, Public Water System ID# WY5601600.

Date distributed: _____.

ATTENTION: PWS Operator/Responsible Party

For monitoring violations, you must provide public notice to persons served within one year after you learn of the violation (141.204(b)).

Community systems must use one of the following methods of delivery (141.204(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following methods of delivery (141.204(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use another method reasonably calculated to reach others if they would not be reached by the first method (141.204(c)). Such methods could include newspapers, email, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week (141.204(b)). If you mail, post, or hand deliver, print your notice on letterhead, if available.

Corrective Actions

In your notice, describe corrective actions you took or are taking. This could include information stating that you have since taken or are in the process of taking the required samples.

After Issuing the Notice

Within ten days after issuing the notice, you must send to EPA a copy of each type of notice, along with a certification (see example below) that you have met all the public notice requirements. Mail copies to:

Jill Minter
 US EPA Region 8
 Drinking Water Enforcement (8ENF-W)
 1595 Wynkoop Street
 Denver, CO 80202-1129

Or, you can fax a copy to: Attn: Jill Minter at **(303) 312-7518**.

Certification of Public Notification

I _____ certify that the attached public notification was issued
(PWS Operator/Responsible Party)

From _____ to _____
(Date) (Date)

The attached notice was issued by _____
(Method of delivery)

Signature _____ Date _____

U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

EPA's Small Business Websites

Small Business Environmental Homepage - www.smallbiz-enviroweb.org

Small Business Gateway - www.epa.gov/smallbusiness

EPA's Small Business Ombudsman - www.epa.gov/sbo or 1-800-368-5888

EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/
business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

www.ccar-greenlink.org or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printed Wiring Board Manufacturing

www.pwbrc.org

Printing

www.pneac.org

Ports

www.portcompliance.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

Hotlines, Helplines and Clearinghouses

www.epa.gov/epahome/hotline.htm

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Antimicrobial Information Hotline

info-antimicrobial@epa.gov or
1-703-308-6411

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Emergency Planning and Community Right-To-Know Act

[www.epa.gov/superfund/resources/
infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or
734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline - to report oil and hazardous substance spills

www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC)

www.epa.gov/opptintr/ppic or
1-202-566-0799

Safe Drinking Water Hotline

[www.epa.gov/safewater/hotline/index.
html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline

tsca-hotline@epa.gov or 1-202-554-1404

Wetlands Information Helpline

www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

State and Tribal Web-Based Resources

State Resource Locators

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

EPA's Tribal Compliance Assistance Center

www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

EPA's Tribal Portal

www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at www.sba.gov/ombudsman.

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.