



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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

**OCT 13 2016**

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
AND VIA EMAIL

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

Daniel and Diane Alexander, Owners  
Mountain Village Parks, Inc. Public Water System  
P.O. Box 1226  
Big Piney, Wyoming 83113

RE: Emergency Administrative Order under Section 1431 SDWA, Mountain Village Parks  
Public Water System, PWS ID #WY5600221, Docket No. SDWA-08-2017-0003

Dear Mr. and Ms. Alexander:

Enclosed is an Emergency Administrative Order (Order) issued by the EPA to you and Mountain Village Parks, Inc., as owners and/or operators of the Mountain Village Parks Public Water System (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 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 Water Quality and the System's administrative contact of a well pump failure leading to a loss of pressure in 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 you to provide an alternate source of water; to issue a Boil Order and public notice until notified by EPA that this notice is no longer required; to replace the System's well pump; to disinfect and flush the System's distribution system; and to take additional total coliform bacteria samples, among other steps. The penalties for failing to comply are set forth in the Order.



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If you have any questions or wish to discuss this Order, please contact Jill Minter at (800) 227-8917 extension 6084 or 303-312-6084, or by email at [minter.jill@epa.gov](mailto:minter.jill@epa.gov). Any questions from your counsel should be directed to Peggy Livingston, EPA Enforcement Attorney, at the above 800 number extension 6858 or (303) 312-6858, or by email at [livigston.peggy@epa.gov](mailto:livigston.peggy@epa.gov).

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arturo Palomares".

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

Enclosures

Emergency Administrative Order  
Boil Order Template

cc: WY DEQ/DOH  
Ms. Missy Haniewicz, EPA Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2016 OCT 13 AM 9:50

\_\_\_\_\_  
IN THE MATTER OF )  
 )  
Mountain Village Parks, Inc. )  
 and )  
Daniel and Diane Alexander, )  
 )  
Respondents. )  
\_\_\_\_\_ )

Docket No. **SDWA-08-2017-0003**

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 \$22,537 per day. 42 U.S.C. § 300i(b); 40 C.F.R. part 19; 81 Fed. Reg. 43091-43096 (July 1, 2016).
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 and Respondents Diane and Daniel Alexander are individuals. Respondents own and/or operate the Mountain Village Parks Public Water System (System) located in Sublette County, Wyoming, which provides water to the public for human consumption through pipes of other constructed conveyances.
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 (NPDWR) at 40 C.F.R. part 141.
7. The System is supplied by a ground water source accessed via one well with no treatment or continuous disinfection provided.
8. The System has approximately 62 service connections and/or regularly serves an average of approximately 150 year-round residents. The System is, therefore, 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 “community water system” as defined in 40 C.F.R. § 141.2.

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 in paragraphs 11 and 12 below. The EPA has determined that this Order is necessary to protect human health.

11. Loss of pressure in a drinking water distribution system may cause a net movement of water from outside the pipe to the inside 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.

12. On the evening of October 7, 2016, Respondents became aware that the pump for the System's water supply well failed, leading to a loss of pressure in the System's distribution system. Respondents have been providing bottled water to the homes impacted by the pressure loss for drinking and cooking. Respondents purchased a new well pump on October 11, 2016, in Salt Lake City. The new well pump was expected to be installed on October 12, 2016.

13. Respondents notified the Wyoming Department of Environmental Quality (WY DEQ) by voice mail late in the afternoon on October 7, 2016, that a well pump had gone down. The WY DEQ reviewed the voice mail message on the morning of October 11, 2016, following the weekend and federal holiday, and immediately notified the EPA of the situation.

14. On October 11, 2016, the EPA provided Respondents with a template for a boil water advisory. The EPA has been advised that Respondents notified customers of the loss of pressure and provided bottled water to the homes impacted by the pressure loss.

### **ORDER**

#### **INTENT TO COMPLY**

15. 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**

16. Upon receipt of this Order, Respondents shall continue to provide information to all users of the System of the situation described in this Order and notify users that a boil water advisory is still in effect for all homes served by the System. The boil water advisory, referenced in paragraph 14 above, will continue until the System's well pump is replaced, monitoring of the

water is conducted, and the EPA provides written notification to Respondents that the public notice may be discontinued. Respondents shall submit a copy of the notice to EPA within 24 hours of its distribution. Respondents must carry out the public notice and other notice requirements as required by 40 C.F.R. part 141, subpart Q.

### **ALTERNATE WATER SUPPLY**

17. Upon receipt of this Order, Respondents shall continue to 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 NPDRWs. 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.

### **DISTRIBUTION SYSTEM DISINFECTION AND MONITORING REQUIREMENTS**

18. Within 48 hours of replacing the well pump, Respondents shall properly disinfect and flush the System's storage tank and distribution system and return pressure to normal, following the guidance that will be emailed to Respondent by Jill Minter of EPA Region 8 by October 12, 2016.

19. Within 24 hours after flushing and disinfecting the System as required by paragraph 18, above, Respondents shall collect consecutive daily (one sample per day) special purpose (defined in 40 C.F.R. § 141.853(b)) samples from the System's distribution system. Respondents shall ensure that each sample is analyzed for total coliform and *E. coli*.

20. 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) to determine compliance with the *E. coli* maximum contaminant level as stated in 40 C.F.R. § 141.63.

21. 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. § 141.855.

22. 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. § 141.858 to collect three repeat samples within 24 hours of being notified of a total coliform-positive sample result and to collect an additional source water sample. If a repeat sample is total coliform or *E. coli* positive, within 24 hours of being notified of the positive sample, Respondents shall consult with the EPA for further compliance requirements.

23. Respondents shall collect all total coliform sampling at sites that are representative of water throughout the System's 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.

24. The EPA may require Respondents to increase total coliform sampling at any time while this Order is in effect.

### **CORRECTIVE MEASURES**

25. Within 15 days of the effective date of this Order, Respondents shall provide the EPA with a plan and schedule that outlines actions taken or 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 well pump failure, if possible, and describe efforts that Respondents will take repair or replace the well pump, restore pressure to the System and prevent a recurrence of pressure loss in the System. If applicable, the plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project. The proposed schedule shall include specific milestone dates and a final completion date (to be within three 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.

26. The schedule required by paragraph 25, 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 correct and/or prevent pressure loss, the EPA may order further steps.

### **REPORTING**

27. Respondents must give weekly updates to the EPA on the progress of its corrective actions. Weekly 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.

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

Jill Minter, 8ENF-W  
US Environmental Protection Agency  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Telephone (800)227-8917, ext. 6084, or (303) 312-6084  
Fax (303) 312-7518  
e-mail: [minter.jill@epa.gov](mailto:minter.jill@epa.gov)

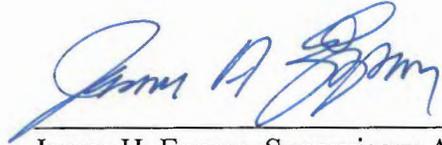
29. This Order does not relieve Respondents from complying with any applicable federal, state, or local law.

30. 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).

31. Issued and effective this 13<sup>th</sup> day of October, 2016.



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



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

# DRINKING WATER WARNING

Mountain Village Parks, Inc. Public Water System  
lost pressure in the distribution system

## BOIL YOUR WATER FOR THREE MINUTES BEFORE USING

The operator for the Mountain Village Parks, Inc. Public Water System was notified on October 7, 2016, that a well pump failed. This led to a loss of pressure in the distribution system, which may cause backpressure, backsiphonage, or a net movement of water from outside the pipe to the inside through cracks, breaks, or joints in the distribution system that are common in all water systems. Such a system failure carries with it a high potential that fecal contamination or other disease-causing organisms could enter the distribution system. These conditions may pose an imminent and substantial health endangerment to persons served by the system.

### What should I do?

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a rolling boil for at least (3) three minutes, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation **until further notice**. Boiling kills bacteria and other organisms in the water. **ALL STORED WATER, DRINK OR ICE MADE RECENTLY FROM THIS SUPPLY SHALL BE DISCARDED.**
- *Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly and people with severely compromised immune systems.*
- The symptoms above are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice. People at increased risk should seek advice about drinking water from their health care providers.

### What happened? What is being done?

- We are replacing the well pump.
- We are providing bottled water for drinking, cooking, brushing teeth, etc. Bottled water can be obtained at \_\_\_\_\_.
- We will disinfect and flush the water system after installation of the new well pump.
- We will inform you when you no longer need to boil your water.

For more information, please contact Dan Alexander at 307-276-3600 or at P.O. Box 1226, Big Piney, Wyoming 83113.

*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 hand or mail.*

This notice is being sent to you by Dan Alexander. Water System ID#: 5600221. Date distributed: \_\_\_\_\_

**ATTENTION: PWS Operator/Responsible Party**

You must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation or loss of pressure (141.202(b)). During this time, you must also contact the EPA. You should also coordinate with your local health department. This public notice shall be posted in conspicuous locations throughout the area served by the water system and **hand delivered to persons served by the water system.**

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. If you post or hand deliver, print your notice on letterhead, if you have it.

**Population Served**

Make sure it is clear who is served by your water system - you may need to list the areas you serve.

**After Issuing the Notice**

It is recommended that you notify health professionals in the area of the violation. People may call their doctors with questions about how the violation may affect their health, and the doctors should have the information they need to respond appropriately. In addition, health professionals, including dentists, use tap water during their procedures and need to know of contamination so they can use bottled water.

**Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)).**

Please send a copy of your notice and dates posted to:

Jill Minter  
US EPA Region 8 (8ENF-W)  
1595 Wynkoop Street  
Denver, CO 80202-1129  
Email: [minter.jill@epa.gov](mailto:minter.jill@epa.gov). Fax: 303-312-7518

**Certification of Public Notification**

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

\_\_\_\_\_ to \_\_\_\_\_  
(Date) (Date)

The attached notice was issued by \_\_\_\_\_  
(Method of delivery)

Signature \_\_\_\_\_ Date \_\_\_\_\_