



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

2015 SEP 28 AM 10:58

FILED
EPA REGION VIII
HEARING CLERK

SEP 28 2015

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Larry K. Dunstan, Registered Agent
Grand Teton Council of the
Boy Scouts of America, Inc.
P.O. Box 7005
Jackson, Wyoming 83002

Re: Administrative Order Treasure Mountain Scout Camp Public Water System
PWS ID #5601495, Docket No. **SDWA-08-2015-0048**

Dear Mr. Dunstan:

Enclosed is an Administrative Order (Order) issued by the U.S. 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 the Grand Teton Council of the Boy Scouts of America, Inc. (BSA), as owner and/or operator of the Treasure Mountain Scout Camp Public Water System (System), has violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (Drinking Water Regulations).

The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to the numbers of connections and/or individuals served, etc.). If the EPA does not hear from you, the EPA will assume this information is correct.

If BSA 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.

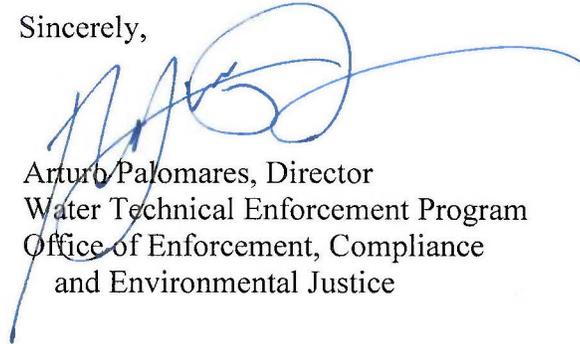
The Order requires public notification of violations of the Drinking Water Regulations. Enclosed please find a public notice template explaining the public notice requirements in more detail. Also enclosed is a Storage Tank Integrity Checklist that must be completed as detailed in the Order.

To submit information or to request an informal conference with the EPA, please contact Kathelene Brainich at the above address (with the mailcode 8ENF-W), via email at brainich.kathelene@epa.gov, or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. Any questions from your attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at the above address

(with the mailcode 8ENF-L), via email at bearley.mia@epa.gov, 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

1. Order
2. Public Notice template
3. Storage Tank Integrity Checklist

cc: David Widdison, Treasure Mountain Scout Camp (via email)
WY DEQ/DOH (via email)
Garth Smelser, Caribou-Targhee National Forest Supervisor
Tina Artemis, EPA Regional Hearing Clerk





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www.epa.gov/region08

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SEP 28 2015

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Teton County Commissioners
c/o Barbara Allen, Chair
P.O. Box 3594
Jackson, Wyoming 83001

DOCKET NO: SDWA-08-2015-0048

Re: Notice of Safe Drinking Water Act Enforcement Action against the Grand Teton Council of the Boy Scouts of America, Inc. Treasure Mountain Scout Camp, PWS ID #5601495

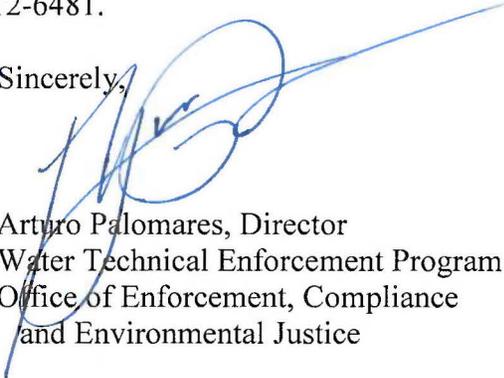
Dear Commissioners:

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

An Administrative Order (Order) is being issued to the Grand Teton Council of the Boy Scouts of America, Inc., as owners/operators of the Treasure Mountain Scout Camp Public Water System, located in the Caribou-Targhee National Forest, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order are for failure to complete corrective action of EPA-identified significant deficiencies and/or failure to notify the EPA of the completion, and failure to notify the EPA and the public of the violations.

For more details, a copy of the Order is enclosed for your information. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Kathelene Brainich at (303) 312-6481.

Sincerely,



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

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2015 SEP 28 AM 10:58

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HEARING CLERK

IN THE MATTER OF:)
)
Grand Teton Council of the)
Boy Scouts of America, Inc.)
)
Respondent.)

Docket No. SDWA-08-2015-0048

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. Grand Teton Council of the Boy Scouts of America, Inc. (Respondent), is a Wyoming nonprofit corporation that owns and/or operates the Treasure Mountain Scout Camp Water System (System), which provides piped water to the public in Teton County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed by one well and the System's water is untreated. The System is operated seasonally from June through September.
4. The System has approximately 35 service connections and regularly serves an average of approximately 300 individuals daily at least 60 days out of the year. Therefore, the System is a "public water system" as defined in section 1401 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).

VIOLATIONS

6. Respondent is required to complete corrective action of a significant deficiency in compliance with an EPA-approved corrective action schedule or within 120 days of receiving written notification from the EPA of the significant deficiency. 40 C.F.R. § 141.404. Respondent is required to notify the EPA within 30 days of completion of a significant deficiency corrective action. 40 C.F.R. § 141.405(a)(2). The System received a letter from the EPA on February 19, 2013, that detailed significant deficiencies. Respondent failed to complete corrective action of the significant deficiencies by June 19, 2013, and/or failed to notify the EPA of the completion

of the corrective actions by July 19, 2013, and, therefore, violated this requirement. The System notified the EPA in October 2014 that the System had corrected two of the significant deficiencies, lack of a vent on the storage tank and a #24-mesh corrosion-resistant screen on the storage tank overflow, but did not provide documentation (pictures) until August 13, 2015. The storage tank integrity and emergency response plan significant deficiencies remain outstanding.

7. Respondent is required to notify the public of certain violations of the drinking water regulations. 40 C.F.R. §§ 141.201 *et seq.* Public notice for failure to complete corrective action must be issued every 3 months for as long as the violation persists. Respondent did not notify the public of the violations cited in paragraph 6 above within 30 days and quarterly, and, therefore, violated this requirement.

8. 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 6 and 7, 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):

9. Prior to opening for the 2016 season, Respondent shall complete corrective action of the following significant deficiencies, as required by 40 C.F.R. § 141.403(a) and shall provide the EPA with evidence of the completion of the significant deficiency corrective actions. 40 C.F.R. § 141.405(a)(2).

- a) Unknown integrity of the storage tank. Requires inspection and completion of the enclosed Unknown Integrity of Water Storage Tanks Checklist (Checklist) by a certified third party;
- b) Emergency Response Plan. Templates and instructions may be found at: <http://www.epa.gov/region8/waterdrops/reporting/forms.html#erp>.

10. Within 30 days of completion of the third party inspection of the storage tank, corrective action of any significant deficiencies identified on the Checklist must be completed.

11. Respondent shall complete any future significant deficiency corrective actions in compliance with an approved corrective action schedule or within 120 days of receiving written notification from the EPA of the significant deficiency. 40 C.F.R. § 141.404. Respondent shall notify the EPA and provide documentation within 30 days of completion of significant deficiency corrective actions. 40 C.F.R. § 141.405(a)(2).

12. Within 30 days of opening for the 2016 season, Respondent shall notify the public of the violations cited in paragraph 6 above, as required by 40 C.F.R. part 141, subpart Q. Thereafter, following any future violation of the Drinking Water Regulations, Respondent shall comply with the applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days of providing public notice, Respondent shall submit a copy of the notice to the EPA.

13. 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.

14. 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. No later than 10 days thereafter, Respondent shall 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.

15. Respondent shall direct all reporting required by this Order to:

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

GENERAL PROVISIONS

16. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or Drinking Water Regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

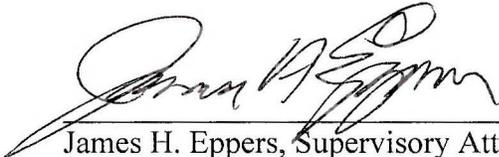
17. Violation of any part of this Order or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19.

18. 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).

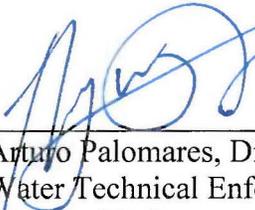
Grand Teton Council of the Boy Scouts of America, Inc.
Treasure Mountain Scout Camp
Page 4 of 4

19. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: September 28, 2015.



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

DRINKING WATER NOTICE

TREASURE MOUNTAIN SCOUT CAMP Failed to Correct and/or Report Corrective Action of Significant Deficiencies Within Required Time Frame

Our water system was required to take corrective action of EPA-identified significant deficiencies by June 19, 2013, and to notify the EPA of the completion. However, we failed to take all actions by the required date and/or failed to provide documentation to the EPA of their completion.

What This Means

This is not an emergency. If it had been, you would have been notified within 24 hours. We do not know of any cases of contamination. However, until the problem is corrected, there is an increased chance that disease-causing organisms could contaminate the water supply. The significant deficiencies included lack of: a vent on the storage tank, a proper #24-mesh corrosion-resistant screen on the storage tank overflow pipe, a storage tank integrity inspection by a certified third party, and an emergency response plan.

Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms, however, 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.

You may drink the water. However, if you have specific health concerns, consult your doctor.

If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water.

Steps We Are Taking

We have completed some items. We will complete action at the beginning of the 2016 season. The

For more information, please contact David Widdison at 208-233-4800.

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

Certification

Issue a repeat notice every three months when the system is open to the public until the system has returned to compliance. Each time sign below, note the dates posted, and send a copy to the completed notice to the EPA at Brainich.kathelene@epa.gov or 1595 Wynkoop St., Attn: Brainich, 8ENF-W, Denver, CO 80202.

Date distributed: _____ Signature _____

Instructions for GWR Failure to Take Corrective Action Within Required Time Frame Notice – Template-26

Template on Reverse

A system's failure to take corrective action within the required timeframe or be in compliance with a state-approved corrective action plan and schedule for a significant deficiency under the Ground Water Rule (GWR) is a treatment technique violation and requires Tier 2 notification. You must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [40 CFR 141.203(b)]. You must issue a repeat notice every three months for as long as the violation persists. Your state may have more stringent requirements for treatment technique violations. Check with your state to make sure you meet all requirements.

Community systems must use one of the following methods [40 CFR 141.203(c)]:

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

You must also use *another* method reasonably calculated to reach others if they would not be reached by the first method [40 CFR 141.203(c)].

If you modify the notice, you must still include all required PN elements from 40 CFR 141.205(a) and leave the mandatory language unchanged (see below).

Mandatory Language

Mandatory language on health effects (from Appendix B to Subpart Q) must be included as written (with blanks filled in) and is presented in this notice in italics with an asterisk on either end.

This template also includes mandatory language encouraging further distribution to persons who may not have received the notice [40 CFR 141.205(d)] and is presented in this notice in italics and with an asterisk on either end. However, if you post the notice such that all possible users have access to the notice, this language is not applicable and can be omitted.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with Ground Water Rule treatment technique violations. You can use one or more of the following statements, if appropriate, or develop your own text:

- Although we did not meet our deadline, we are now in consultation with the state to develop a corrective action plan.
- The significant deficiency has been addressed.
- We have implemented a short term plan to address the immediate issue while we pursue the long-term solution.

After Issuing the Notice

Make sure to send your state a copy of each type of notice and a certification that you have met all the public notification requirements within ten days after issuing the notice [40 CFR 141.31(d)].

It is a good idea to inform your consumers when the violation has been resolved, especially if you have regular customers. See Template NC-7 for a "problem corrected" notice template.

**EPA Region 8 Drinking Water Unit
Unknown Integrity of Finished Water Storage Tanks Checklist**

Fill out one checklist per storage tank & submit labeled photos of each tank component the sanitary surveyor was unable to access and completely evaluate with this form

PWS Name: _____	PWS ID: _____		
Tank Name: _____	Tank ID: _____		
Proposed Inspection Date: _____	Actual Inspection Date: _____		
Name of Person Filling Out Form: _____	Title of Person Filling Out Form: _____		
I certify that this information is complete and accurate:		Date:	

Overall Tank Condition				
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the tank appear to be structurally sound?	If no, what repairs are suggested by the tank inspector? _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Are there any unprotected openings in the tank (breaches, leaks, daylight coming through tank in spots, etc)	If yes, indicate type of breach and how it should be repaired. _____	_____	_____

Air Vent				
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
Above Ground Tanks (Ground Level or Elevated) <input type="checkbox"/> Check if NA				
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<u>Downturned vent:</u> Is the vent at least 24" or 3 pipe diameters above the roof?	If no reconfigure vent to provide proper air gap.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<u>Non-downturned vent:</u> Is there a solid cover down to the bottom of the vent screen?	If no, indicate deficiency and proposed correction: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA	<u>Non-downturned vent:</u> Is the screen at least 8" above the roof surface? What is the height of the start of the screening above the tank? _____	If no, indicate deficiency and proposed correction: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the vent covered with #24 mesh corrosion resistant screening (some exceptions apply)? Mesh Size: _____	If no, indicate deficiency and proposed correction: _____	_____	_____
Buried or Partially Buried Tanks <input type="checkbox"/> Check if NA				
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the vent covered with #24 mesh corrosion resistant screening?	If no, install proper #24 mesh corrosion resistant screening.	_____	_____

<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the air vent terminate downward?	If no, re-configure the vent so that it terminates downward.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the air vent at least 24" above the tank roof or ground surface (whichever is higher)? What is the height of the vent above the roof or ground surface? _____	If no, raise air vent to provide for an appropriate air gap.	_____	_____

Access Hatch				
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the hatch raised at least 4" above the roof (for ground level or elevated tanks) or at least 24 inches above the roof or ground, whichever is higher (for buried or partially buried tanks)? What is the height of the access hatch above the roof or ground surface? _____	If no, the hatch should be raised to the appropriate height above the tank roof or ground.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the hatch have a shoe box lid?	If no, a properly designed shoe box type lid should be installed.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the lid water tight and sealed with a rubber gasket?	If no, the reason for the lack of a seal should be investigated and repaired.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the hatch locked?	If no, the hatch should be equipped with a lock.	_____	_____

Overflow				
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date
<input type="checkbox"/> Yes <input type="checkbox"/> No	Discharge has #24 mesh corrosion resistant screen OR a duckbill valve OR a properly sealed flapper valve with a screen inside (EPA recommends #24 mesh screen)?	If no, indicate proposed correction: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Overflow terminates between 12 and 24 inches above the ground surface? At what height does the overflow discharge? _____	If no, modify overflow to provide for an appropriate air gap.	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Overflow discharges over an inlet structure, splash plate, or engineered rip-rap?	If no, indicate proposed correction: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the overflow directly connected to a sanitary sewer or storm drain?	If yes, indicate proposed correction: _____	_____	_____

<input type="checkbox"/> Yes <input type="checkbox"/> No	Is there blockage in the overflow, an inadequately sized overflow, a malfunction of the level control system, or other issue that is causing the tank to overflow through the hatch or vent?	If yes, indicate what is causing the problem and how it should be repaired: _____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Is the overflow discharge point visible? If no, it is recommended that the discharge point be moved to a location that is visible.		<u>Not Required</u>	

Drain					
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date	
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the drain pipe have an air gap of 3 or more pipe diameters above the entrance to any storm or sanitary sewers?	If no, indicate proposed correction: _____	_____	_____	
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the discharge have a #24 mesh corrosion resistant screen OR a duckbill valve OR a properly sealed flapper valve with a screen inside? If no, EPA recommends that a #24 mesh screen be installed.		<u>Not Required</u>		
<input type="checkbox"/> Yes <input type="checkbox"/> No	Does the drain terminate between 12 and 24 inches above the ground surface and discharges over an inlet structure or splash plate? If no, it is recommended that the discharge point be modified to provide for the appropriate air gap.		<u>Not Required</u>		

Other Items					
Significant Deficiency		Required Correction	Proposed Completion Date	Actual Completion Date	
Describe any other items noted by the inspector that have the potential to cause contamination of the finished drinking water: _____		What repairs are suggested to prevent or eliminate the source of contamination? _____	_____	_____	