



REGION 8
DENVER, CO 80202

April 8, 2024

FILED

4/8/2024

3:21 PM

U.S. EPA REGION 8
HEARING CLERK

Ref: 8ECA-W-SD

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Chief Joseph RV Park Public Water System
c/o Mountain Man, LLC, and Mr. Ryan Brandt
mountainmlc@gmail.com

Subject: Violation of Mountain Man, LLC and Mr. Ryan Brandt, Administrative Order
Docket No. SDWA-08-2024-0007
Chief Joseph RV Park Public Water System, PWS ID #WY5601552

Dear Mr. Brandt:

The purpose of this letter is to notify you and Mountain Man, LLC (Respondents) that civil penalties and/or a federal court injunction may be ordered against Respondents for violations of the Safe Drinking Water Act, 42 U.S.C. section 300f, *et seq.* (Act) at the Chief Joseph RV Park Public Water System (System). Specifically, on December 5, 2023, the U.S. Environmental Protection Agency (EPA) issued the above-referenced Administrative Order (Order), directing Respondents to comply with the National Primary Drinking Water Regulations (Part 141) issued by the EPA under the Act. Our records indicate that the System is in violation of the Order.

Among other things, the Order included the following requirements, which have not been properly completed:

Plan and Schedule.

From paragraph 15 of the Order: Within 30 calendar days after receipt of this Order, Respondents shall provide the EPA with a plan and schedule for Respondents to come into compliance with 40 C.F.R. sections 141.70, 141.72 through 141.76, 141.500 through 141.503, and 141.550 through 141.571.

- Violation: Failure to timely provide the EPA with the above-referenced plan and schedule required by the Order.

- The EPA's records reflect that the Order was delivered to Respondents via email on December 5, 2024. The EPA subsequently provided additional time for Respondents to submit the plan and schedule by March 3, 2024. Respondents submitted a plan and schedule on March 4, 2024, after the due date. The EPA determined that the plan and schedule submitted was incomplete and, via a March 11, 2024 email, provided comments, along with additional guidance, to help Respondents satisfy the requirements of paragraph 15 of the Order.
- This violation must be corrected by submitting a complete plan and schedule by May 13, 2024.

Violation of any part of this Order, the Act, or Part 141 may subject Respondents 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).

The EPA may choose not to file a complaint seeking civil penalties if Respondents do not incur any additional violations and if Respondents provide the EPA with Respondents' plan and schedule regarding the above-referenced violations by May 13, 2024. Respondents are advised to carefully review the other requirements in the Order to avoid incurring additional violations. For example, please note the requirements set forth in paragraph 17 of the Order: Respondents shall, prior to serving water to the public from WL01, meet the interim disinfection requirements of 40 C.F.R. § 141.72.

If you have any questions or to discuss this matter further, please contact Jessica Moore via email at moore.jessica@epa.gov, or by phone at (800) 227-8917, extension 6441, or (303) 312-6441. Any questions from the Respondents' attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, 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,

Colleen Rathbone, Manager
Water Enforcement Branch
Enforcement and Compliance Assurance Division

ENCLOSURES

cc: WY DEQ/DOH (via email)
Park County Commissioners

EPA Regional Hearing Clerk
Dale Lee, WY DEQ District Engineer