

January 26, 2022

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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IN THE MATTER OF: )  
 )  
SSDA, LLC )  
 )  
Respondent. )  
 )  
Snake River Mobile Home Park )  
Public Water System )  
PWS ID #WY5600214 )

Docket No. SDWA-08-2022-0007

Received by  
EPA Region VIII  
Hearing Clerk

**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 official.
2. SSDA, LLC (Respondent), is a Wyoming corporation that owns and/or operates the Snake River Mobile Home Park Public 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 under the direct influence of surface water accessed via 2 wells. The water is treated through 2 pressure media filters followed in series by a 5-micron cartridge filter and a 1-micron absolute cartridge filter. The water then flows through a UV unit, after which it is treated with sodium hypochlorite.
4. The System has approximately 26 service connections used by year-round residents and regularly serves an average of approximately 100 year-round residents. Therefore, the System is a “public water system” and a “community water system” as defined in 40 C.F.R. § 141.2 and section 1401 of the Act, 42 U.S.C. § 300f.
5. Respondent is a “person” as defined in section 1401(12) of the Act, 42 U.S.C. § 300f(12), and is subject to the Act and 40 C.F.R. part 141 (Part 141). Part 141 is an “applicable requirement” as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. Part 141 includes monitoring requirements. The EPA has sent Respondent annual notifications of the specific monitoring requirements that apply to the System.

**VIOLATIONS**

7. The maximum contaminant level (MCL) for nitrate is 10 milligrams per liter (mg/L), with compliance to be based on the average of an initial and a confirmation sample. 40 C.F.R. §§ 141.23(f)(2), (f)(3) and 141.62(b). The initial sample, taken at SP03 on December 27, 2021, was 13.0 mg/L, and the confirmation sample, taken at the same location on January 11, 2022, was 13.8 mg/L. The average of the initial sample and the confirmation sample is 13.4 mg/L, and therefore, Respondent violated the nitrate MCL.

## ORDER

Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

8. Respondent is required to post a Tier 1 public notice after violating the nitrate MCL or when the system fails to take a confirmation sample within 24 hours after receipt of the first sample showing an exceedance of the nitrate MCL as identified in 40 C.F.R. § 141.202(a)(2). On January 11, 2022, the EPA provided Respondent with a public notice (PN) template, and Respondent used this PN to notify persons served by the System of the contamination on January 11, 2022. The PN shall remain posted until notified by EPA. Within 10 calendar days after providing public notice, Respondent shall submit a copy of the certification and notice to the EPA. Thereafter, following any future violation of Part 141, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. Part 141, Subpart Q. Templates and instructions are available at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#pn>.

9. Respondent shall notify the public quarterly beginning on March 1, 2022, by completing a public notice until notified by EPA. Respondent shall submit a copy of the completed PN and appropriate certification 10 calendar days after the PN was provided. 40 C.F.R. §§ 141.31(d) and 141.201(c)(3).

10. Within 30 calendar days after receipt of this Order, Respondent shall submit to the EPA a proposed schedule (Schedule) and plan to bring the System into compliance with the nitrate maximum contaminant level (MCL) as identified in 40 C.F.R. § 141.62(b). The plan shall include proposed modifications to the System and estimated costs of such modifications. The Schedule shall include a project start date, interim milestone deadlines, and a final compliance deadline (which shall be within six months of the project start date). Respondent shall not begin construction or modifications to the System before the EPA has approved Respondent's Schedule.

- a. Each milestone in the Schedule shall be incorporated into this Order as an enforceable requirement upon written approval by the EPA.
- b. Within 90 calendar days after receipt of the EPA's approval of the Schedule, Respondent shall begin to provide the EPA with quarterly reports on the progress made toward bringing the System into compliance with the nitrate MCL. Each quarterly report is due by the 10th calendar day of the month following the relevant calendar quarters (e.g., April 10 for the first calendar quarter).
- c. Within 10 calendar days after completing all tasks included in the Schedule, Respondent shall notify the EPA of the project's completion.

11. The System shall achieve compliance with the nitrate MCL by the final compliance deadline specified in the EPA-approved Schedule. If the Respondent's plan fails to achieve permanent compliance, the EPA may order further steps and/or seek penalties for noncompliance.

12. Respondent shall monitor the System's water for nitrate quarterly at every entry point to the distribution system, which is representative of each well after treatment, in accordance with 40 C.F.R. § 141.23(a) and (d)(2). Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).

13. Within 24 hours of notification of nitrate analytical results that indicate the System's water exceeds the maximum contaminant level (MCL) of 10 mg/L, Respondent shall collect a nitrate confirmation sample from the System's water. 40 C.F.R. §§ 141.62 and 141.23(f)(2). Thereafter, Respondent shall comply with all nitrate monitoring requirements at 40 C.F.R. § 141.23. Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).

14. For any future violation of Part 141 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 Part 141 specifies a different time period for reporting the particular violation, Respondent shall report the violation to the EPA within that different period.

15. 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, within 10 calendar days, provide a copy of this Order to the lessee, purchaser, or contractor and notify the EPA in writing of the change. In either of these circumstances, Respondent shall remain obligated to comply with this Order.

16. Respondent shall send all reporting and notifications required by this Order to the EPA at:

Email: [R8DWU@epa.gov](mailto:R8DWU@epa.gov), and  
[Hicks.nathaniel@epa.gov](mailto:Hicks.nathaniel@epa.gov)

### **GENERAL PROVISIONS**

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

18. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or Part 141. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

19. Violation of any part of this Order, the Act, or Part 141 may subject Respondent to a civil administrative penalty of up to \$62,689 (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; 87 Fed. Reg. at 1679 (January 12, 2022).

20. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

Issued: January 26, 2022.

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