



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

2017 SEP 26 PM 1:53

FILED
EPA REGION VIII
HEARING CLERK

SEP 26 2017

Ref: 8ENF-W-SDW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Donna H. Shepherd, Registered Agent
SSDA, LLC
1055 Gregory Lane
P.O. Box 4338
Jackson, Wyoming 83001

Re: Administrative Order regarding the Snake River Mobile Home Park Public Water System,
PWS ID# WY5600214, Docket No. **SDWA-08-2017-0037**

Dear Ms. Shepherd:

Enclosed is an Administrative Order (Order) issued by the U.S. Environmental Protection Agency 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 SSDA, LLC (LLC), as owner and/or operator of the Snake River Mobile Home Park Public Water System (System), has violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (Drinking Water Regulations).

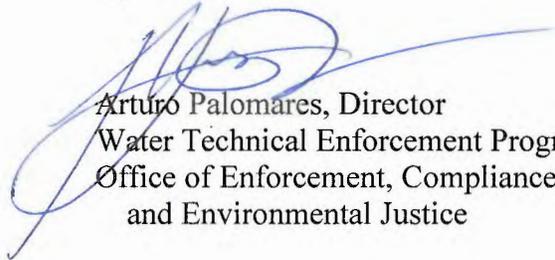
The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any information the LLC believes the EPA may not have (for example, monitoring that may have been done but not submitted). If the EPA does not hear from the LLC, the EPA will assume the information in the Order is correct.

If the LLC 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.

To submit information or to request an informal conference with the EPA, please contact Jill Minter at (800) 227-8917 extension 6084 or 303-312-6084, or by email at minter.jill@epa.gov. Any questions from your attorney should be directed to Mia Bearley, Enforcement Attorney, at (800) 227-8917, extension 6554, or (303) 312-6554, or by email at bearley.mia@epa.gov.

We urge your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Arturo Palomares', is written over the typed name and title.

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

Enclosure

cc: Alan Bybee, Snake River MHP (a.bybee@bresnan.net)
Henley West, Snake River MHP (henley@scottsre.com)
WY DEQ/DOH (via email)
Melissa Haniewicz, EPA Regional Hearing Clerk



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Ref: 8ENF-W-SDW

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

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

Re: Notice of Safe Drinking Water Act Enforcement Action regarding Snake River Mobile Home Park Public Water System, PWS ID #5600214 **Docket No. SDWA-08-2017-0037**

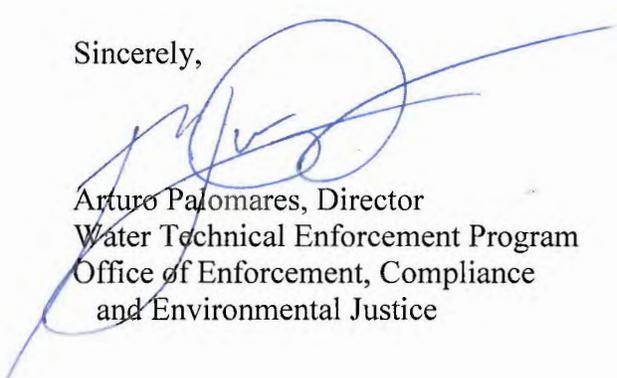
Dear Commissioners:

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

An Administrative Order (Order) is being issued to SSSA, LLC (LLC), as owners and/or operators of the Snake River Mobile Home Park Public Water System, located in Teton County, Wyoming, directing the LLC to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include failure to monitor for nitrate, lead and copper, synthetic organic contaminants, and volatile organic contaminants, failure to adequately prepare and certify delivery of annual consumer confidence reports, failure to provide public notice, and failure to notify the EPA 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 Jill Minter at (303) 312-6084.

Sincerely,



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

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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IN THE MATTER OF:)
)
SSDA, LLC,)
(Snake River Mobile Home Park))
)
Respondent.)

Docket No. SDWA-08-2017-0037

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. SSDA, LLC 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 uses two wells to access a groundwater source under the influence of surface water. The water is filtered with sand and microfiltration and then treated with ultraviolet light (UV) and chlorination.
4. The System has approximately 28 service connections used by year-round residents and/or regularly serves an average of approximately 65 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 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 quarterly for nitrate. 40 C.F.R. § 141.23(d). Respondent failed to monitor the System’s water for nitrate during the 4th (October-December) quarter of 2016 and, therefore, violated this requirement. Respondent subsequently monitored the 1st and 2nd quarters of 2017.
8. Respondent is required to monitor the System’s tap water for lead and copper every three years. 40 C.F.R. § 141.86(d). Respondent failed to adequately monitor the System’s water for lead and copper during the 2013-2015 monitoring period and, therefore, violated this requirement. Respondent subsequently monitored in March and December 2016.

9. Respondent was required to monitor the System's water quarterly for synthetic organic contaminants (SOCs). 40 C.F.R. § 141.24(h). Respondent failed to monitor the System's water for SOC's during the 4th (October-December) quarter of 2015 and, therefore, violated this requirement. Respondent has subsequently completed quarterly monitoring.

10. Respondent was required to monitor the System's water quarterly for volatile organic contaminants (VOCs). 40 C.F.R. § 141.24(f)(6). Respondent failed to monitor the System's water for VOCs during the 4th (October-December) quarter of 2015 and, therefore, violated this requirement. Respondent has subsequently completed quarterly monitoring requirements.

11. Respondent is required to prepare and deliver an annual Consumer Confidence Report (CCR) to the System's customers and the EPA by July 1st of each year and to certify to the EPA that they have done so by October 1. 40 C.F.R. §§ 141.151-141.155. Among other things, the CCR must include information on drinking water violations that occurred during the year covered by the report. 40 C.F.R. § 141.153. Respondent failed to include the required information on the violations listed in paragraphs 8, 9, and 10 above, in the 2015 CCR and failed to provide a certification to the EPA by October 1, 2015, and October 1, 2016, for the 2014 and 2015 CCRs and, therefore, violated these requirements. 40 C.F.R. §§ 141.151-141.155.

12. 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 8, 9, and 10 above 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 through 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 for nitrate as required by the Drinking Water Regulations. 40 C.F.R. § 141.23.

15. Respondent shall monitor the System's water for lead and copper as required by the Drinking Water Regulations. 40 C.F.R. § 141.86(d). Within the first 10 days following the end of each monitoring period, Respondent shall report analytical results to the EPA. 40 C.F.R. § 141.90.

16. Respondent shall monitor the System's water for SOC's as required by the Drinking Water Regulations. 40 C.F.R. § 141.24(h).

17. Respondent shall monitor the System's water for VOCs as required by the Drinking Water Regulations. 40 C.F.R. § 141.24(f)(6).

18. Within 30 days after receipt of this Order, Respondent shall certify to the EPA that the 2014, 2015, and 2016 CCRs have been distributed to the System's customers. Thereafter, Respondent shall prepare and distribute annual CCRs and provide certifications as required by 40 C.F.R. §§ 141.151-141.155.

19. Within 30 days after receipt of this Order, Respondent shall notify the public of the violations cited in paragraphs 8, 9, and 10, above, in compliance with 40 C.F.R. part 141, subpart Q. Templates and instructions are available at: <https://www.epa.gov/region8-waterops/reporting-forms-and-instructions-reporting-forms%23new#pn>. Within 10 days after providing public notice, Respondent shall submit a copy of the notice to the EPA. 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.

20. Respondent shall report nitrate, SOC, and VOC 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).

21. Respondent shall 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, as required by 40 C.F.R. § 141.31(b).

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

23. 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.

24. Respondent shall send all reporting and notifications required by this Order to the EPA via email: R8DWU@epa.gov or fax: (877) 876-9101.

GENERAL PROVISIONS

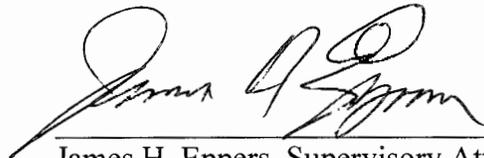
25. This Order shall not constitute a waiver, suspension or modification of any requirement of the Act or the Drinking Water Regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

26. Violation of any part of this Order or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$54,789 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 81 Fed. Reg. 43091 (January 12, 2017).

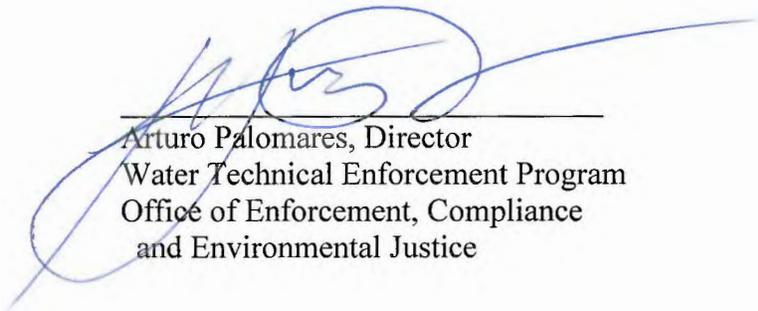
27. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

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

Issued: September 26th, 2017.



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



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