



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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

**AUG 10 2015**

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Corporation Service Company, Registered Agent for  
Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints  
1821 Logan Ave.  
Cheyenne, Wyoming 82001

Re: Administrative Order issued to Rock Creek Hollow LDS Church Campground Public Water System, PWS ID #WY5601438, Docket No. **SDWA-08-2015-0035**

Dear Madame / Sir:

Enclosed is an Administrative Order (Order) issued by the United States 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 Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints (Church), as owner and/or operator of the Rock Creek Hollow LDS Church Campground public water system, has violated the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141.

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

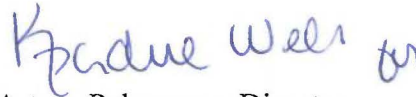
If the Church complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties.

To submit information, or to request an informal conference with the EPA, please contact Mario Mérida, at the above address (with the mailcode 8ENF-W), by phone at (800) 227-8917, extension 6297, or (303) 312-6297, or by email at [merida.mario@epa.gov](mailto:merida.mario@epa.gov). Any questions from the Church's attorneys should be directed to Mia Bearley, Enforcement Attorney, who may be reached at the above address

(with the mailcode 8ENF-L), by phone 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 that reads "Arturo Palomares" followed by a small mark.

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

Enclosures:

Order

cc:

WY DEQ/DOH (via email)

Tina Artemis, EPA Regional Hearing Clerk

Michael Kempton, Facilities Manager, Rock Creek Hollow LDS Church Campground  
(via email)

Roy McDaniel, Natural Resources Section, LDS Church (via email)



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Ref: 8ENF-W

AUG 10 2015

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Fremont County Commissioners  
c/o Douglas L. Thompson, Chairman  
450 North 2nd Street  
Lander, Wyoming 82520

Re: Notice of Safe Drinking Water Act Enforcement Action against the Rock Creek Hollow  
LDS Church Campground Public Water System, PWS ID # WY5601438

Dear Commissioners:

The Safe Drinking Water Act (Act) requires that the U.S. 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 Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, which owns the Rock Creek Hollow LDS Church Campground Public Water System, located in Fremont County, WY, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include: failing to monitor for nitrate and failing to report certain violations to the EPA.

For more details, a copy of the Order is enclosed. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Mario Mérida at (303) 312-6297.

Sincerely,

A handwritten signature in blue ink that reads "Arturo Palomares" followed by a small flourish.

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

Enclosure:

Administrative Order

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2015 AUG 10 AM 10:37

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IN THE MATTER OF: )  
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 )  
Corporation of the Presiding Bishop of the )  
Church of Jesus Christ of )  
Latter Day Saints )  
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 )  
Respondent. )  
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Docket No. ~~SDWA-08-2015-0035~~

FILED  
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 officials.
2. The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints (Church) is a Wyoming non-profit corporation that owns and/or operates the Rock Creek Hollow – LDS Church Public Water System (System), which provides piped water to the public in Fremont County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via 2 wells and the water is not treated.
4. The System has approximately 2 service connections and/or regularly serves an average of approximately 100 individuals daily at least 60 days out of the year. Therefore, the System is 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 “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).
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 annually for nitrate, collecting a sample for analysis at every entry point to the distribution. 40 C.F.R. § 141.23(d). Respondent collected a sample for nitrate analysis from sampling point SP01 on May 23, 2014, but Respondent failed to monitor the System’s water for nitrate during calendar year 2014 from sampling point SP02 (“Willie Hand Pump Well #2”), 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 violation cited in paragraph 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. Within 30 days after receipt of this Order, and as required by the Drinking Water Regulations thereafter, Respondent shall monitor the System's water for nitrate, collecting a sample at each entry point to the distribution system, as shown on the current system schematic, attached. 40 C.F.R. § 141.23. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent received sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the nitrate monitoring requirements to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b).
10. For any future violation of the Drinking Water Regulations 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 the Drinking Water Regulations specify a different time period for reporting the particular violation, Respondent shall report the violation to the EPA within that different period.
11. 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.
12. 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.
13. Respondent shall send all reporting and notifications required by this Order in writing to:

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





**GENERAL PROVISIONS**

14. 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.
15. 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.
16. 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).
17. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: August 10, 2015.



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

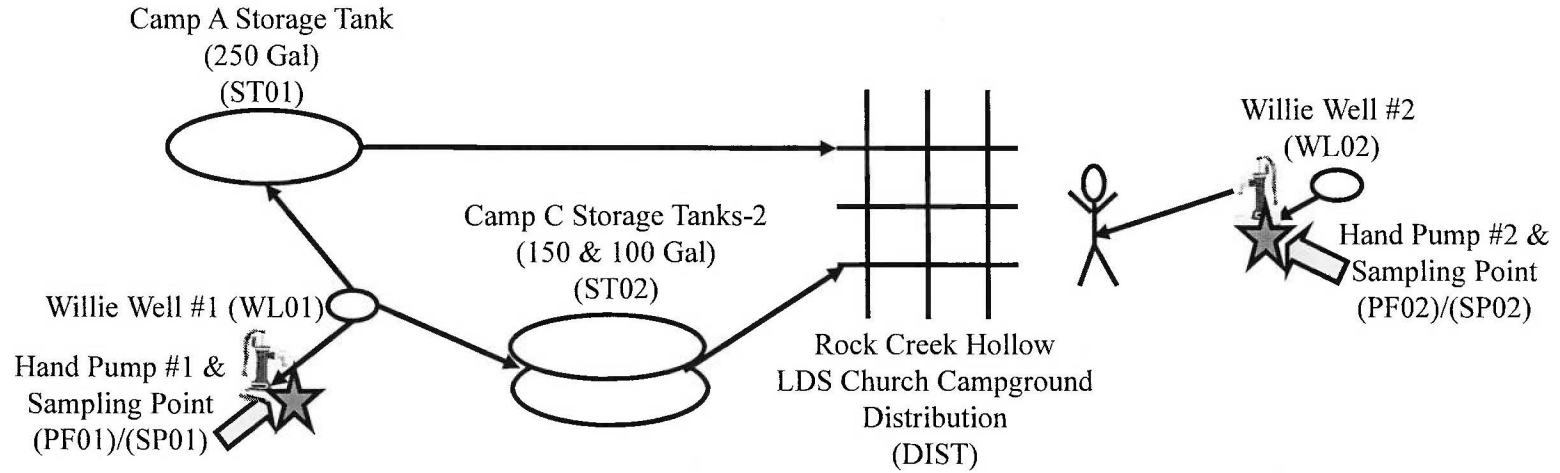


Arturo Palomares, Director  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice



# Rock Creek Hollow LDS Church Campground

PWS ID #WY5601438 NC



★ Entry Point - Sample Points are for Nitrates

Agreed to by: \_\_\_\_\_

Date: \_\_\_\_\_

SCHEMATIC NOT TO SCALE

05/15/1999-A. Majewski

07/31/2002-C. Lamb

03/18/2015-D. Roberts (SS-2013)