

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

FILED

Aug 29, 2025

9:30 am

U.S. EPA REGION 8
HEARING CLERK

IN THE MATTER OF:)

Garden North Homeowners
Association, Inc.)

Respondent)

Garden North Homeowners Association
PWS ID # WY5600774)

Docket No. SDWA-08-2025-0037

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 official.
2. Garden North Homeowners Association, Inc. (Respondent) is a Wyoming nonprofit corporation that owns and operates the Garden North Homeowners Association 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 one well. The water is treated with sodium hypochlorite, stored, pressurized, and pumped to the distribution through the booster pumps.
4. The System has approximately 120 service connections used by year-round residents and regularly serves an average of approximately 300 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).

VIOLATIONS

6. Respondent is required to complete corrective actions of a significant deficiency or comply with an EPA-approved corrective action plan and schedule within 120 calendar days (or earlier if instructed by the EPA) of receiving written notification

from the EPA of a significant deficiency. 40 C.F.R. § 141.404(a). Respondent is required to notify the EPA within 30 calendar days of completion of a significant deficiency corrective action. 40 C.F.R. § 141.405(a)(2). The EPA sent the Respondent a sanitary survey report dated January 3, 2024, which detailed significant deficiencies. The EPA's record reflects that Respondent failed to complete all corrective actions and notify the EPA of corrective action completion by August 6, 2024, as set out on the January 3, 2024, sanitary report, and therefore, violated these requirements.

7. For each calendar year, Respondent is required, no later than July 1st of the following year, to prepare and distribute a Consumer Confidence Report (CCR) to the EPA and the System's customers. Within three months thereafter, Respondent is required to certify to the EPA that it has distributed the CCR to the System's customers. 40 C.F.R. §§ 141.151-141.155. Respondent failed to prepare and distribute an annual CCR by July 1, 2022, for calendar 2021 to the System's customers and to the EPA and failed to provide a certification by October 1, 2022, to the EPA for 2021. Therefore, Respondent violated these requirements. On September 27, 2022, EPA received the 2021 CCR Report but not the corresponding certification.
8. Respondent is required to notify the public of certain violations of Part 141 and, within 10 days after completing public notice, provide a copy of the public notice and certification to the EPA. 40 C.F.R. §§ 141.31(d) and 141.201-141.211. The violation identified in paragraph 6, above, is classified as a Tier 2 violation, requiring public notice within 30 days, according to 40 C.F.R. § 141.203. The EPA's records reflect that the Respondent failed to notify the public of the violation cited in paragraph 6 and failed to submit copies of the public notices and certifications to the EPA and therefore violated these requirements.
9. Respondent is required to report any failure to comply with Part 141 to the EPA within 48 hours (except where Part 141 specifies a different time period). 40 C.F.R. § 141.31(b). Respondent failed to report the violations cited in paragraph 6 and 7, above, to the EPA and therefore, violated this requirement.

ORDER

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

10. Respondent is ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited above.
11. Within 30 calendar days of receipt of this Order, Respondent shall consult with the EPA regarding action to correct significant deficiencies and shall submit a proposed schedule and plan to the EPA for completion of all corrective actions specified below. The plan shall include proposed modifications to the System and estimated costs of modifications. The EPA will review the proposed schedule, and any approved schedule (Schedule) shall be incorporated into this Order with each milestone to be an enforceable requirement upon written approval by the EPA. Within 10 calendar days after completing all tasks included in the Schedule, Respondent shall notify the EPA of the project's completion. Respondent shall provide sufficient evidence of the project's completion to the EPA, including photographs of the corrective actions. Thereafter, if the EPA identifies any significant deficiency at the System, Respondent shall complete corrective action for each significant deficiency and provide notification to the EPA within 30 calendar days of completion, as required by 40 C.F.R. §§ 141.403(a) and 141.405(a)(2).

Corrective Actions:

- The air vent and access hatch for Tank ID: ST01 - Storage Tank must be inspected and the structure and condition compared to the Tech Tips for Finished Water Storage Facilities. The finished water storage tank integrity checklist must be filled out for air vent and access hatch for Tank ID: ST01 - Storage Tank. Pictures must be taken with a measuring device for each criterion on the checklist.
12. For each calendar year, Respondent shall prepare and distribute a CCR by July 1st of the following year and provide a certification to the EPA within three months, as required by 40 C.F.R. §§ 141.151- 155. Within 30 calendar days after receipt of this Order, Respondent shall certify to the EPA that the CCR for calendar year 2021

was distributed to the System's customers, and that the information is correct and consistent with compliance monitoring data previously submitted to the EPA.

Thereafter, Respondent shall provide CCR certifications as required by 40 C.F.R. § 141.155.

13. Within 30 calendar days after receipt of this Order, and quarterly thereafter (*e.g.*, in the third month of each calendar quarter (September, December, March, and June), for the duration of the Order) as long as the violation cited in paragraph 6, above, persists, Respondent shall notify the public of this violation. 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. Within 10 calendar days after providing public notice, Respondent shall submit a copy of the notice and certification to the EPA. 40 C.F.R. § 141.31(d). 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>.
14. For any future violation of Part 141 for which this Order does not specify a reporting period, Respondent must 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 must 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 must, 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 will remain obligated to comply with this Order.
16. Respondent must send all reporting and notifications required by this Order to the EPA at:

Email: R8DWU@epa.gov, and carballal-broome.christina@epa.gov

GENERAL PROVISIONS

17. This Order is binding on Respondent, Respondent's successors and assigns and any person (*e.g.*, employee, contractor, or other agent) acting in concert with Respondent.
18. This Order does 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 penalty of up to \$71,545 (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; 90 Fed. Reg. at 1375 (January 8, 2025)).
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: August 26, 2025.

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