



REGION 8

DENVER, CO 80202

FILED

9/12/2024

9:00 AM

**U.S. EPA REGION 8
HEARING CLERK**

September 12, 2024

Ref: 8ECA-W-S

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Tracy Baiotto, President
Rafter J Ranch Homeowner's Association
Office@RafterJ.Org

Subj: Administrative Order issued to Rafter J Ranch Homeowner's Association regarding
Rafter J Subdivision HOA Public Water System, PWS ID #WY5600822,
Docket No. SDWA-08-2024-0044

Dear Ms. Baiotto:

Enclosed is an Administrative Order (Order) issued by the United States 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 Rafter J Ranch Homeowner's Association (Respondent), as owner and operator of the Rafter J Subdivision HOA Public Water System (System), has violated the EPA's drinking water regulations at 40 C.F.R. part 141 (Part 141). The EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141.

The Order is effective upon the date received. Please review the Order and within 10 business 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). If the EPA does not hear from you, the EPA will assume this information is correct. If Respondent complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties 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 Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small entities, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist Respondent in addressing the outstanding violations.

If you have any questions or to request an informal conference with the EPA, please contact Chris Brown via email at brown.christopher.t@epa.gov, or by phone at (800) 227-8917, extension 6669, or (303) 312-6669. Any questions from Respondent's attorney should be directed to Noah Stanton, Assistant Regional Counsel, via email at stanton.noah@epa.gov or by phone at (800) 227-8917, extension 6163, or (303) 312-6163. We urge your prompt attention to this matter.

Sincerely,

Tiffany Cantor, Acting Manager
Water Enforcement Branch
Enforcement and Compliance Assurance Division

ENCLOSURES

cc: WY DEQ/DOH
Teton County Commissioners (mnewcomb@tetonwyo.org)
EPA Regional Hearing Clerk (r8_hearing_clerk@epa.gov)
Cory Kulacz, Maintenance Supervisor (Maintenance@RafterJ.Org)
Dave Stickel, Contract Operator
Bradley Ellis, WY DEQ District Engineer (bradley.ellis@wy.gov)