



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

SEP 23 2013

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Karen Van Valkenburgh, Registered Agent
American Baptist Churches of the Rocky Mountains
9085 E. Mineral Cir., Suite 170
Centennial, CO 80112

Re: Second Administrative Order
Camp Wyoba Public Water System
Docket No. **SDWA-08-2013-0060**
PWS ID #WY5600685

Dear Ms. Van Valkenburgh:

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 American Baptist Churches of the Rocky Mountains (ABCRM), as owner and/or operator of the Camp Wyoba Public Water System (System), has violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (Drinking Water Regulations).

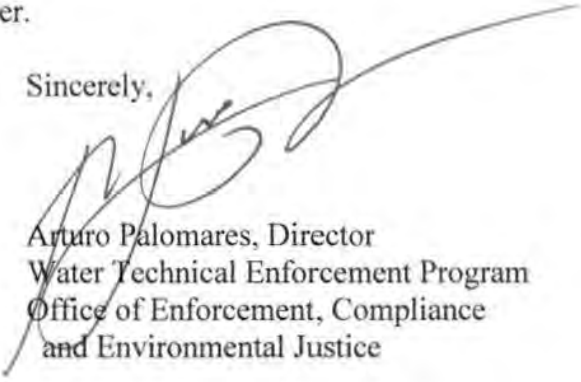
The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any pertinent information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, etc.). Please note: this Order is in addition to the Administrative Order issued to ABCRM on December 12, 2012, and the requirements under that prior Administrative Order remain in effect.

If AMCRM 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 Mario Mérida at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6297, or (303) 312-6297. Any questions from your attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,



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
Amber Shearer, Manager, Camp Wyoba (via email)



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SEP 23 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Natrona County Commissioners
c/o Bill McDowell, Chairman
200 North Center, Ste. 115
Casper, WY 82601

Re: Notice of Safe Drinking Water Act Enforcement
Action against the American Baptist Churches
of the Rocky Mountains
PWS ID # WY5600685

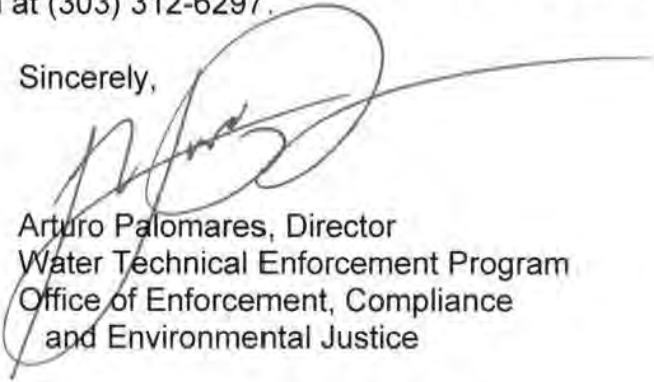
Dear Commissioners:

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

The EPA is issuing an Administrative Order (Order) to American Baptist Churches of the Rocky Mountains, which owns and/or operates the Camp Wyoba public water system, located in Natrona County, WY, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order include: failing to monitor and report for turbidity 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,



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

Enclosure:
Order

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2013 SEP 23 AM 11:21

IN THE MATTER OF:)
)
)
American Baptist Churches of the)
Rocky Mountains)
)
Respondent.)

Docket No. **SDWA-08-2013-0060**

ADMINISTRATIVE ORDER

FILED
EPA REGION VIII
HEARING CLERK

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. American Baptist Churches of the Rocky Mountains (Respondent) is a Colorado non-profit corporation that owns and/or operates the Camp Wyoba Water System (System), which provides piped water to the public in Natrona County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source under the direct influence of surface water consisting of 1 spring and collection box; water at the System is treated by cartridge filtration followed by chlorination and pressure filtration. The System operates from June through August.
4. The System has 8 service connections and/or regularly serves an average of approximately 140 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 filtered water for turbidity at least once per day that the System serves water to the public. 40 C.F.R. § 141.74(c)(1). While Respondent provided turbidity reports for June and July of 2013, a sanitary survey performed on July 23, 2013, revealed that the System did not have an operating turbidimeter and that the turbidity values reported for those months were averages of prior years' readings, rather than the actual turbidity readings, as required. Therefore, Respondent failed to monitor the System's water for turbidity once per day during June and July 2013, and violated this requirement. Note: Public Water System operators are required under the Act and Drinking Water Regulations to ensure that all appropriate drinking water tests are conducted and test results are accurately reported. Legal consequences, as per 42 U.S.C. § 300g-3 and 18 U.S.C. § 1001,

could apply where inaccurate data is intentionally reported. The EPA encourages the System to ensure the accuracy and veracity of its turbidity and other reporting.

8. Respondent was required to report the results of each month's turbidity measurements required by 40 C.F.R. § 141.74(c)(1) to the EPA no later than the 10th day of the following month. 40 C.F.R. § 141.570. Respondent failed to report the results of turbidity measurements taken during June and July of 2013, and, therefore, violated this requirement. Note: The System's operator has since reported to the EPA that a handheld turbidimeter has been purchased and is being used to measure the turbidity of the finished water on a daily basis.

9. 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 and 8, 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):

10. At least once per day that the System provides water to the public, Respondent shall monitor the System's filtered water for turbidity as required by 40 C.F.R. § 141.74(c)(1). Within 10 days after the end of each month after the System serves water to the public, Respondent shall report results of that month's turbidity measurements to the EPA, as required by 40 C.F.R. § 141.75(b)(1) and 141.570.

11. Respondent shall report any violation of the Drinking Water Regulations to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if a different time period for reporting is specified in this Order or the Drinking Water Regulations, Respondent shall report within that different period.

12. 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.

13. 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 and, no later than 10 days thereafter, notify the EPA in writing of the lease, sale, or other contract, with such notification to include the name and contract 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.



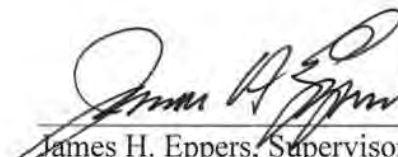
14. Respondent shall send all reporting and notifications required by this Order in writing to:

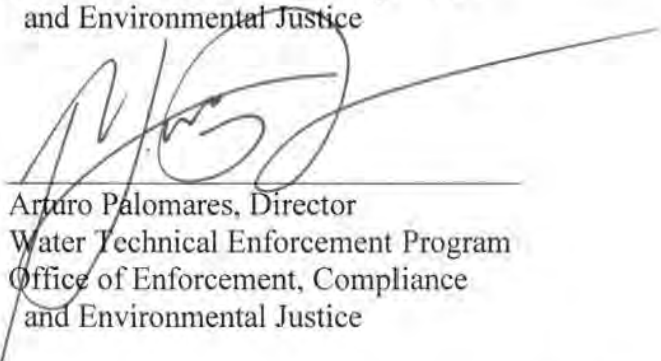
U.S. EPA Region 8 (8P-W-DW)
1595 Wynkoop
Denver, Colorado 80202-1129

GENERAL PROVISIONS

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

Issued: Sept 23, 2013.


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

