



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

U.S. Environmental Protection Agency  
2019 FEB 11 10 34 46  
REGIONAL HEARING CLERK

FEB 11 2020

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**Article Number: 7019 1120 0002 0279 1345**

Joseph Matters, Mayor  
Mansfield Township  
100 Port Murray Rd.  
Port Murray, NJ 07865

Re: In the Matter of: Consent Agreement and Final Order  
Mansfield Township Municipal Building, PWS ID: NJ2116333  
Docket No. SDWA-02-2019-8404

Dear Mayor Matters:

Enclosed is the fully executed Consent Agreement and Final Order (CAFO) that resolves the above referenced matter. I have been advised that a check for \$1000 from the Township has already been received by our finance center. Upon filing of this CAFO with the Regional Hearing Clerk, the finance center will apply the payment.

Thank you for your cooperation and assistance to bring this matter to a mutually satisfactory resolution.

Sincerely,

Nicole Foley Kraft, Chief  
Safe Drinking Water Act Compliance Section

Enclosure

cc: Karen Maples, Regional Hearing Clerk  
Helen Ferrara, Regional Judicial Officer  
Kristin Tedesco, NJDEP  
Rich Paull, NJDEP  
Patricia L. Gardner, NJDEP

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

U.S. Environmental Protection Agency  
2019 FEB 11 11:07 AM  
REGIONAL CLERK  
JAN 29 2020  
Enforcement  
Compliance Branch

IN THE MATTER OF:

Mansfield Township  
Mansfield Township Municipal Complex  
100 Port Murray Road  
Port Murray, NJ 07865

Respondent

Proceeding Pursuant §1414(g)(3)(B)  
of the Safe Drinking Water Act, 42 U.S.C.  
§300g-3(g)(3)(B)

CONSENT AGREEMENT  
AND  
FINAL ORDER

Docket No.  
SDWA-02-2019-8404

**I. Preliminary Statement**

1. This administrative proceeding for the assessment of a civil penalty was instituted pursuant to Section 1414(g)(3)(B) of the Safe Drinking Water Act (the "Act"), 42 U.S.C. §300g-3(g)(3)(B).
2. The Complainant in this proceeding, the Director of the Enforcement and Compliance Assurance Division (formerly known as Division of Enforcement and Compliance Assistance), Region 2, United States Environmental Protection Agency ("EPA"), issued a "Complaint, Findings of Violation, Notice of Proposed Assessment of a Civil Penalty and Notice of Opportunity to Request a Hearing" ("Complaint") to Mansfield Township ("Respondent") on April 25, 2019.
3. The Complaint charged Respondent with violating the terms and conditions of an Administrative Order issued to Respondent pursuant to Section 1414(g) of the Act, 42 U.S.C. §300g-3(g), requiring compliance with an applicable requirement of the Act at Respondent's Mansfield Municipal Township Complex public water system, located in Port Murray, New Jersey.

**II. Findings of Fact and Conclusions of Law**

4. Respondent owns and/or operates the Mansfield Township Municipal Complex "public water system," ("PWS") within the meaning of Section 1401(4) of the

SDWA, 42 U.S.C. §300f(4), and 40 C.F.R. §141.2, located in Port Murray, New Jersey.

5. Respondent is a “supplier of water” within the meaning of Section 1401 (5) of the SDWA, 42 U.S.C. §300f (5), and 40 C.F.R. §141.2.
6. Respondent, is a “person” as defined in Section 1401(12) of SDWA, 42 U.S.C. §300f(12), and 40 C.F.R. §141.2, and is subject to an Administrative Order issued under Section 1414(g)(1) of the SDWA, 42 U.S.C. §300g-3(g)(1).
7. The Mansfield Township Municipal Complex PWS provides piped water for human consumption and regularly serves a population of at least 25 individuals per day for at least 6 months per year, and is therefore a “transient non-community water system” (TNCWS) as defined by Section 1401(16) of the SDWA, 42 U.S.C. §300f(16) and 40 C.F.R. §141.2.
8. On March 20, 2018, after repeated efforts by NJDEP to provide compliance assistance, NJDEP requested EPA pursue appropriate action to address Respondent’s violation of the RTCR including its failure to complete a Level 2 Assessment within 30 days of being notified the Level 2 Assessment had been triggered.
9. On April 4, 2018, EPA issued Administrative Order (“AO”), Docket Number SDWA-02-2018-8048, requiring respondent to, among other things, complete and submit a Level 2 Assessment as required by 40 C.F.R. Part 141 Subpart Y.
10. EPA made repeated attempts to collect the information required by the AO including phone calls made on June 4, 5, 11, 2018 and February 4, 2019, and follow-up letters and emails sent June 27, 2018, February 6 and 13, 2019 and March 26, 2019.
11. On September 27, 2019, Respondent submitted a Level 2 Assessment and sampling site plan to EPA and NJDEP. NJDEP approved both submissions on October 4, 2019.
12. With the September 27, 2019 submission, and NJDEP’s subsequent approval, EPA has deemed that Respondent has satisfied the compliance requirements of EPA’s Administrative Order, and such AO is now closed.

### **III. Consent Agreement**

Based upon the foregoing, and pursuant to Section 1414(g)(3)(B) of the Act, 42 U.S.C. §300g-3(g)(3)(B), and the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits" (“CROP”) (40 C.F.R. §22.18), it is hereby agreed by and between the parties and Respondent voluntarily and knowingly agrees as follows:

