



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

APR 2 2015

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jeremy and Amy Hanson
A&J Mobile Home Park
180 Cathedral Drive
Riverton, WY 82501

Re: Administrative Order issued to Jeremy and Amy Hanson, A&J Mobile Home Park Public Water System, PWS ID #5600179, Docket No. **SDWA-08-2015-0010**

Dear Mr. and Mrs. Hanson:

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 you, as owners and/or operators of the A&J Mobile Home Park Public Water System (System) have violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (Drinking Water Regulations). This is the second Order issued to you in the last year.

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 numbers of connections and/or individuals served, etc.). If the EPA does not hear from you, the EPA will assume this information is correct.

If you comply 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.

The Order requires completion of corrective action on the lack of a sanitary seal and insufficient well height on the System's wells by September 1, 2016, and completion of public notification of the violation of the Drinking Water Regulations identified in the Order. Enclosed please find a public notice template explaining the public notice requirements in more detail.

To submit information or request an informal conference with the EPA, please contact Kathelene Brainich at the above address (with the mailcode 8ENF-W), by phone at (800) 227-8917, extension 6481, or (303) 312-6481, or by email at brainich.kathelene@epa.gov. 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), 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,



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

Enclosures

- Order
- Public Notice template

cc: WY DEQ/DOH (via email)
Tina Artemis, EPA Regional Hearing Clerk





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APR 2 2015

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Fremont County Commissioners
Doug Thompson, Chair
450 North 2nd Street, Room 205
Lander, Wyoming 82520

Re: Notice of Safe Drinking Water Act Enforcement Action against the A&J Mobile Home Park, PWS ID 5600179

Dear Commissioners:

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

An Administrative Order (Order) is being issued to Amy and Jeremy Hanson, as owners and/or operators of the A&J Mobile Home Park Water System, located in Fremont County, directing them to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order are failure to complete corrective action of significant deficiencies in accordance with their approved corrective action schedule and failure to notify the public and the EPA of this violation.

For more details, a copy of the Order is enclosed for your information. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Kathelene Brainich at (303) 312-6481.

Sincerely,



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

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2015 APR -2 AM 8: 33

IN THE MATTER OF:)
)
Jeremy and Amy Hanson,)
)
Respondents.)

Docket No. SDWA-08-2015-0010

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. Jeremy and Amy Hanson (Respondents) are individuals who own and/or operate the A&J Mobile Home Park 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 by three wells. The System's water is untreated.
4. The System has approximately 36 service connections used by year-round residents and/or regularly serves an average of approximately 70 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. Respondents are 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).

VIOLATIONS

6. Respondents are required to complete corrective action of a significant deficiency in compliance with an EPA-approved corrective action schedule or within 120 days of receiving written notification from the EPA of the significant deficiency. 40 C.F.R. § 141.404. Respondents are required to notify the EPA within 30 days of completion of a significant deficiency corrective action. 40 C.F.R. § 141.405(a)(2). By letter dated April 3, 2013, the EPA approved a November 22, 2013, schedule extension request from Respondents, extending the corrective action completion date to August 1, 2014. Respondents failed to complete corrective action of the significant deficiencies by August 1, 2014, and/or failed to notify the EPA of the completion of the corrective actions by September 1, 2014, and, therefore, violated this requirement. The EPA received documentation on January 21, 2015, of the completion of corrective actions on well #2 and a request for an extension to September 30, 2016, for completion of corrective actions on wells #1 and #3.

7. Respondents are required to prepare and deliver an annual Consumer Confidence Report (CCR) to the system's customers by July 1 of each year and to certify to EPA of having done so. Among other things, it is required that the CCR include any EPA identified significant deficiency that is uncorrected at the time of the report. 40 C.F.R. §§ 141.153 and 154. Respondents failed to include the uncorrected significant deficiencies in paragraph 6, above, in the 2013 CCR, and, therefore, violated this requirement.

8. Respondents are required to notify the public of certain violations of the drinking water regulations. 40 C.F.R. § 141.201 *et seq.* Respondents did not notify the public of the violation cited in paragraph 6 above within 30 days and, therefore, violated this requirement.

9. Respondents are 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). Respondents failed to report the violations cited in paragraphs 6, 7 and 8, above, to the EPA and, therefore, violated this requirement.

ORDER

Based on the above violations, Respondents are ordered to perform the following actions upon Respondents' receipt of this Order (unless a different deadline is specified below):

10. No later than September 30, 2016, Respondents shall complete corrective actions of the following significant deficiencies, as required by 40 C.F.R. § 141.403(a).

- a) Lack of a sanitary seal on wells #1 and #3 casings. The sanitary seal must be configured such that the water discharge piping, electrical cables and/or other securing cables or ropes entering the well casing are sealed so contaminants cannot enter the well through openings.
- b) Insufficient well height, wells #1 and #3. Permanent casing for all groundwater sources must project at least 12 inches above the pumphouse floor or concrete apron surface and at least 18 inches above final ground surface. If a concrete floor or apron is utilized, it must slope away from the casing at a slope of one inch per foot.

11. No later than August 30, 2016, Respondents shall notify the EPA of the completion of the corrective actions, as required by 40 C.F.R. § 141.405(a)(2). Respondents shall provide evidence to the EPA, including photographs of the completed corrective actions and the following certification signed by a person of authority in the System that the corrective actions have been completed: "I certify under penalty of perjury that Jeremy and Amy Hanson have completed all corrective actions at A&J MHP to address the significant deficiencies identified during the August 1, 2012, sanitary survey site visit."

12. Respondents shall complete any future significant deficiency corrective actions in compliance with an approved corrective action schedule or within 120 days of receiving written notification from the EPA of the significant deficiency. 40 C.F.R. § 141.404. Respondents shall notify the EPA within 30 days of completion of significant deficiency corrective actions. 40 C.F.R. § 141.405(a)(2).

13. Respondents shall prepare and deliver an annual CCR which includes all required information, including any uncorrected significant deficiencies, to the system's customers by July 1 of each year and certify to the EPA of having done so by October 1, as required by 40 C.F.R. §§ 141.153 and 154.

14. Within 30 days of receipt of this Order, Respondents shall notify the public of the violation cited in paragraph 6 above, as required by 40 C.F.R. part 141, subpart Q. Public notice for failure to complete corrective action must be issued every 3 months for as long as the violation persists. Thereafter, following any future violation of the drinking water regulations, Respondents shall comply with the applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days of providing public notice, Respondents shall submit a copy of the notice to EPA.

15. This Order shall be binding on Respondents, their assigns and heirs, and any person (e.g., employee, contractor, or other agent) acting in concert with Respondents.

16. If Respondents (a) lease or sell the System to another person or entity, or (b) contract with or hire any other person or entity to operate the System, Respondents 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, Respondents 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. Respondents shall remain obligated to comply with this Order even if Respondents lease the System to another person or entity or hire another person or entity to operate the System.

17. Respondents shall direct all reporting required by this Order to:

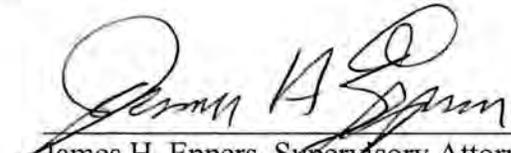
U.S. EPA Region 8 (8P-W-DW)
1595 Wynkoop Street
Denver, CO 80202-1129

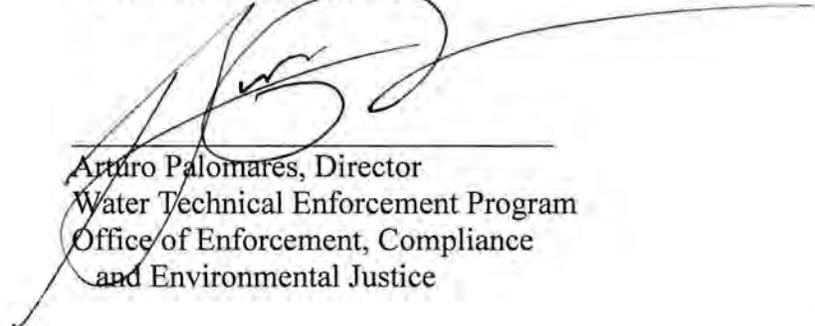
GENERAL PROVISIONS

18. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or Drinking Water Regulations. 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 or the Drinking Water Regulations may subject Respondents 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.
20. Respondents 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).
21. This Order is effective upon receipt by Respondents and will continue to be in effect until closed by the EPA.

Issued: April 2, 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

Instructions for GWR Failure to Take Corrective Action Within Required Time Frame Notice – Template-26

Template on Reverse

A system's failure to take corrective action within the required timeframe or be in compliance with a state-approved corrective action plan and schedule for a significant deficiency under the Ground Water Rule (GWR) is a treatment technique violation and requires Tier 2 notification. You must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [40 CFR 141.203(b)]. You must issue a repeat notice every three months for as long as the violation persists. Your state may have more stringent requirements for treatment technique violations. Check with your state to make sure you meet all requirements.

Community systems must use one of the following methods [40 CFR 141.203(c)]:

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

You must also use *another* method reasonably calculated to reach others if they would not be reached by the first method [40 CFR 141.203(c)].

If you modify the notice, you must still include all required PN elements from 40 CFR 141.205(a) and leave the mandatory language unchanged (see below).

Mandatory Language

Mandatory language on health effects (from Appendix B to Subpart Q) must be included as written (with blanks filled in) and is presented in this notice in italics with an asterisk on either end.

This template also includes mandatory language encouraging further distribution to persons who may not have received the notice [40 CFR 141.205(d)] and is presented in this notice in italics and with an asterisk on either end. However, if you post the notice such that all possible users have access to the notice, this language is not applicable and can be omitted.

Corrective Action

In your notice, describe corrective actions you are taking. Listed below are some steps commonly taken by water systems with Ground Water Rule treatment technique violations. You can use one or more of the following statements, if appropriate, or develop your own text:

- Although we did not meet our deadline, we are now in consultation with the state to develop a corrective action plan.
- The significant deficiency has been addressed.
- We have implemented a short term plan to address the immediate issue while we pursue the long-term solution.

After Issuing the Notice

Make sure to send your state a copy of each type of notice and a certification that you have met all the public notification requirements within ten days after issuing the notice [40 CFR 141.31(d)].

It is a good idea to inform your consumers when the violation has been resolved, especially if you have regular customers. See Template NC-7 for a "problem corrected" notice template.