

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**



IN THE MATTER OF:)
)
AX MHC Snake River, LLC) Docket No. SDWA-08-2025-0019
)
Respondent.) **ADMINISTRATIVE ORDER**
)
Snake River Mobile Home Park)
Public Water System)
PWS ID #WY5600214)

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. AX MHC Snake River, LLC (Respondent) is a Delaware limited liability company that owns and operates the Snake River Mobile Home Park Public Water System (System), which provides piped water to the public in Teton County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source under the direct influence of surface water accessed via two wells. The water is treated through two pressure media filters followed in series by a 5-micron cartridge filter and a 1-micron absolute cartridge filter. The water then flows through a UV unit, after which it is treated with sodium hypochlorite.
4. The System has approximately 26 service connections used by year-round residents and regularly serves an average of approximately 100 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 was required to monitor the System’s water triennially for lead and copper. 40 C.F.R. § 141.86(d). Respondent monitored the System’s water for lead

and copper on September 20, 2019, and the next sampling was required between June 1, 2022, and September 30, 2022. Respondent failed to monitor the System's water for lead and copper during that period, and therefore, violated this requirement. Due to Respondent's failure to monitor triennially in 2022, reduced annual monitoring was revoked, and Respondent was required to monitor for lead and copper annually.

7. Beginning in 2023 and continuing until November 2024, Respondent was required to monitor the System's tap water for lead and copper annually. See 40 C.F.R. § 141.86(d). Pursuant to 40 C.F.R. § 141.86(d), this annual monitoring must occur during June through September. Respondent failed to monitor the System's water for lead and copper between June 1 and September 30, 2023, and therefore, violated this requirement.
8. Respondent is required to monitor the residual disinfectant concentration in the water entering the System's distribution system and to record the lowest value each day. 40 C.F.R. § 141.74(c)(2). Respondent failed to monitor the System's residual disinfectant level daily during the month of February 2024, and therefore, violated this requirement. [Note that the violation was subsequently returned to compliance when the residual disinfectant level was monitored daily for the month of March 2024.]
9. Respondent is required to maintain a residual disinfectant level in the water entering the System's distribution system. This level may not be less than 0.2 milligrams per liter (mg/L) for any period of more than four hours. 40 C.F.R. § 141.72(b)(2). From February 18, 2024, to February 28, 2024, the residual disinfectant level in the System was reported as less than 0.2 mg/L for four hours or longer, and therefore, Respondent violated this requirement.
10. Respondent is required to monitor the chlorine residual at the same time that monthly Revised Total Coliform Rule (40 C.F.R. part 141 Subpart Y) samples are collected; the measured residual value must be reported on the same sampling slip that is sent to the laboratory and, ultimately, to EPA. See 40 C.F.R. §§ 141.74(b), 141.75(a), and 141.132(c)(1). Respondent failed to monitor and report the chlorine residual corresponding to the July 2023, June 2023, and May 2022 Revised Total

Coliform Rule monitoring violations cited in paragraph 11, below, and therefore, violated this requirement. [Note that the violations were subsequently returned to compliance when chlorine residual was monitored at the same time the Revised Total Coliform Rule samples were collected during the months of August 2023 and June 2022, respectively.]

11. Respondent is required to monitor the System's water monthly for total coliform bacteria. 40 C.F.R. §§ 141.853-858. Respondent failed to monitor the System's water for total coliform bacteria during July 2023, June 2023, May 2022, and September 2021, and therefore, violated this requirement. [Note that the violations were subsequently returned to compliance when the System monitored for total coliform bacteria in August 2023, June 2022, and October 2021, respectively.]
12. Respondent is required to monitor the System's water quarterly for nitrate at every entry point to the distribution System which is representative of each well after treatment. 40 C.F.R. §§ 141.23(a) and (d). Respondent failed to monitor the System's water for nitrate during the first quarter 2023, and third quarter 2021 and therefore, violated this requirement. [Note that the violations were subsequently returned to compliance when the System monitored for nitrate during the second quarter 2023 and fourth quarter 2021.]
13. Respondent is required to notify the public of certain violations of Part 141 and, within 10 calendar 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.
 - a. The violations identified in paragraphs 6, 7, 8, 10, 11, and 12, above, are classified as violations requiring Tier 3 public notice within 1 year, according to 40 C.F.R. § 141.204. The EPA's records reflect that the Respondent failed to notify the public of the violation cited in paragraphs 6, 7, 8, 10, 11, and 12 and failed to submit a copy of the public notice and certification to the EPA and therefore, violated this requirement.
 - b. The violation identified in paragraph 9, above, is classified as a violation requiring Tier 2 public notice within 30 calendar days, with the public notice to be repeated every three months and for notice to remain in place for as long as the violation or situation persists, 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 9 and failed to submit a copy of the public notice and certification to the EPA and therefore, violated this requirement.

14. Respondent is required to report to the EPA as soon as possible, but no later than the end of the next business day (1) any time the residual disinfectant in the water entering the System's distribution System falls below 0.2 mg/L, and (2) whether the residual was restored to 0.2 mg/L within four hours. 40 C.F.R. § 141.75(b)(3)(iii). Respondent failed to report to the EPA (1) that beginning on February 18, 2024, and continuing until February 28, 2024, the residual fell below 0.2 mg/L and (2) whether the residual was restored within four hours, and therefore, violated these requirements.
15. 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 paragraphs 7 and 8, 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):

16. Respondent is ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited above.
17. Between June 1 and December 31, 2025, Respondent shall monitor the System's water for lead and copper, and thereafter as directed by the EPA, in accordance with the System's Lead and Copper Rule Tap Sample Site Plan, as required by 40 C.F.R. § 141.86(a)-(d). Within the first 10 calendar days following the end of each monitoring period, Respondent shall report analytical results to the EPA, as required by 40 C.F.R. § 141.90. Within 3 calendar days of receiving monitoring results, Respondent shall deliver a consumer notice of individual tap results from lead tap water monitoring to the persons served at each sampled site, in accordance with 40 C.F.R. 141.85(d). If the consumer notice was made by phone call or voice message, a follow-up written notice to consumers must be hand delivered or postmarked within 30 days of the water system learning of the tap monitoring

- results. 40 C.F.R. 141.85(d). Within 90 calendar days following the end of each monitoring period, Respondent shall submit to the EPA a sample copy of the consumer notification along with a certification that the notification has been distributed, in accordance with 40 C.F.R. 141.90(f)(3).
18. Respondent shall report any violation of lead and copper monitoring requirements to the EPA within 48 hours, as required by 40 C.F.R. § 141.31(b).
 19. Respondent shall monitor the residual disinfectant concentration of the water entering the System's distribution System. Monitoring shall be either continuous or based on grab samples consisting of at least one grab sample per day if the System serves up to 500. If at any time the Respondent is using grab sampling, the residual disinfectant falls below 0.2 mg/L, Respondent must take a grab sample every four hours until the residual disinfectant concentration reaches at least 0.2 mg/L, as required by 40 C.F.R. § 141.74(c)(2). Within 10 calendar days after the end of each month Respondent shall report results to the EPA as required by 40 C.F.R. § 141.75(b)(2).
 20. Respondent shall maintain a residual disinfectant level in the water entering the System's distribution system of not less than 0.2 milligrams per liter (mg/L). 40 C.F.R. § 141.72(b)(2).
 21. Respondent shall monitor the chlorine residual at the same time and location that monthly Revised Total Coliform Rule (40 C.F.R. part 141 Subpart Y) samples are collected and report the measured residual value on the same sampling slip that is sent to the laboratory as required by 40 C.F.R. §§ 141.74(b), 141.75(a), and 141.132(c)(1).
 22. Respondent shall monitor the System's water monthly for total coliform bacteria. If a sample is positive for total coliform, within 24 hours of being notified of the positive result, Respondent shall collect a set of three repeat samples for each total coliform-positive sample. 40 C.F.R. § 141.853-858. Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).
 23. Within 30 calendar days after receipt of this Order and as required by Part 141 thereafter, Respondent shall monitor the System's water quarterly for nitrate, in

accordance with 40 C.F.R. §§ 141.23(a) and (d). Respondent shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).

24. Within 30 calendar days after receipt of this Order, Respondent shall notify the public of the violations cited in paragraphs 6, 7, 8, 10, 11, and 12 above. 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>.
25. Within 30 calendar days after receipt of this Order, and quarterly thereafter, for as long as the violation cited in paragraph 9, above, persist, Respondent shall notify the public of these violation[s]. 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>.
26. 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.
27. 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.

28. Respondent must send all reporting and notifications required by this Order to the EPA at: Email: RSDWU@epa.gov, and Bell.marlon@epa.gov

GENERAL PROVISIONS

29. This Order is binding on Respondent, its successors, assigns, and any person (*e.g.*, employee, contractor, or other agent) acting in concert with Respondent.
30. 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.
31. 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).
32. 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: May 13, 2025.

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