



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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9/6/2022

9:28am

Received by
EPA Region VIII
Hearing Clerk

September 6, 2022

Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Hilltop Funding, Inc. and Milestone Financial LLC,
c/o Mr. Will Stewart, President
wsmilestone@gmail.com

Re: Second Violation of Hilltop Funding Inc. and Milestone Financial LLC, Administrative Order, Docket No. SDWA-08-2020-0005, Evergreen Mobile Home Park Public Water System, PWS ID #WY5600021

Dear Mr. Stewart:

The purpose of this letter is to notify Hilltop Funding and Milestone Financial LLC, (Respondents) that civil penalties and/or a federal court injunction may be ordered against Respondents for violations of the Safe Drinking Water Act, 42 U.S.C. section 300f, *et seq.* (Act) at the Evergreen Mobile Home Park Public Water System (System). Specifically, on October 10, 2019, the EPA issued the above-referenced Administrative Order (Order), directing Respondents to comply with the National Primary Drinking Water Regulations (Part 141) issued by the EPA under the Act. Our records indicate that the System is in violation of the Order.

Among other things, the Order included the following requirements, which have not been properly completed:

Nitrate Monitoring.

Summarized from paragraph 15 of the Order: Respondents shall monitor the System's water for nitrate quarterly, in accordance with 40 C.F.R. § 141.23(a) and (d). Respondents shall report monitoring results to the EPA within the first 10 days following either (1) the month in which the result is received or (2) the end of the required monitoring period as stipulated by the EPA, whichever is shortest. 40 C.F.R. § 141.31(a).

- Violation: Failure to Timely Conduct Nitrate Monitoring.
 - Respondents did not timely collect nitrate samples for the fourth quarter of 2019, the first quarter of 2020, or the first quarter 2022. Respondents properly sampled for the second quarter of 2022 on May 10, 2022. No corrective action is required for this violation.

Consumer Confidence Report (CCR) Certification.

Summarized from paragraph 18 of the Order: Respondents shall (1) prepare an annual CCR (to include all information required by 40 C.F.R. §§ 141.153 and 154) for the System and distribute the CCR to the System's customers and the EPA and (2) certify to the EPA that the CCR has been distributed to the System's customers and that its information is correct and consistent with monitoring data previously provided to the EPA. Thereafter, Respondents shall prepare and distribute annual CCRs and provide certifications as required by 40 C.F.R. §§ 141.151-141.155.

- Violation: Failure to Submit CCR Certification to the EPA.
 - Respondents have not submitted a CCR for 2020. This violation must be corrected by October 1, 2022.

Violation of any part of this Order, the Act, or Part 141 may subject Respondents to a civil penalty of up to \$62,689 (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; 87 Fed. Reg. at 1679 (January 12, 2022).

EPA acknowledges that the COVID-19 pandemic may be impacting the System. If the Respondents have specific COVID-19 issues that would affect the timeframes listed herein, please contact Steven Latino at the contact information provided below. The EPA may, in its discretion, consider granting an extension.

For assistance with actions necessary to come into compliance, please contact Steven Latino via email at latino.steven@epa.gov or by phone at (800) 227-8917, extension 6440, or (303) 312-6440. Any questions from your attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at [Bearley.Mia@epa.gov](mailto: Bearley.Mia@epa.gov) or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

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

Enclosures

cc: WY DEQ/DOH (via email)
Laramie County Commissioners
EPA Regional Hearing Clerk
Rick Redella, Operator
Bruce Asay, Attorney