



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

2016 SEP 29 PM 1:40

FILED
EPA REGION VIII
HEARING CLERK

SEP 29 2016

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Weldon Treat, Registered Agent
The Rocky Mountain Conference of Seventh-Day Adventists
P.O. Box 51915
Casper, Wyoming 82601

Re: Administrative Order regarding Mills Spring Ranch Public Water System,
PWS ID #5600631, Docket #SDWA-08-2016-0031

Dear Mr. Treat:

Enclosed is an Administrative Order (Order) issued by the U.S. 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 The Rocky Mountain Conference of Seventh-Day Adventists (RMC) as owner and/or operator of the Mills Spring Ranch Public Water System (System) in Natrona County, Wyoming, has violated the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (Drinking Water Regulations).

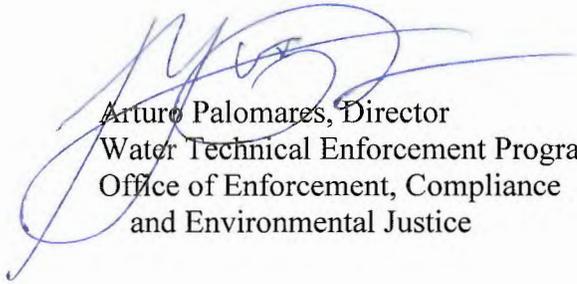
The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any information the RMC believes the EPA may not have (for example, monitoring that may have been done but not submitted, updates to the numbers of connections and/or individuals served). If the EPA does not hear from the RMC, the EPA will assume the information in the Order is correct.

If the RMC 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 Kathelene Brainich at the above address (with the mailcode 8ENF-W), via email at brainich.kathelene@epa.gov, or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. 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), via email at 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.

Sincerely,



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

Enclosure

cc: Matt Moreland, Mills Spring Ranch (via email at mattm@rmcsda.org)
WY DEQ/DOH (via email)
Melissa Haniewicz, EPA Regional Hearing Clerk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

2016 SEP 29 PM 1:41

FILED
EPA REGION VIII
HEARING CLERK

SEP 29 2016

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

Natrona County Commissioners
c/o Forrest Chadwick, Chair
200 North Center, Room 115
Casper, Wyoming 82601

Re: Notice of Safe Drinking Water Act Enforcement Action regarding Mills Spring Ranch
Public Water System, PWS ID #5600631, Docket No.: SDWA-08-2016-0031

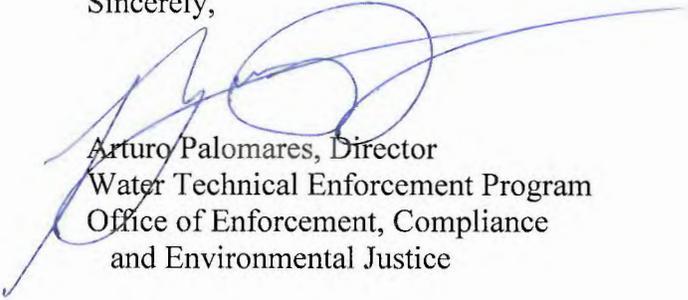
Dear Commissioners:

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

An Administrative Order (Order) is being issued to The Rocky Mountain Conference Seventh-Day Adventists as owner and/or operator of the Mills Spring Ranch Public Water System, located in Natrona County, directing it to comply with the National Primary Drinking Water Regulations. The violations alleged in the Order are failure to monitor for total coliform, nitrate and nitrite, failure to complete seasonal start-up procedures, and failure to notify the public and the EPA of the violations.

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

2016 SEP 29 PM 1:41

IN THE MATTER OF:)
)
The Rocky Mountain Conference of)
Seventh-Day Adventists,)
)
Respondent.)

ADMINISTRATIVE ORDER FILED
EPA REGION VIII
HEARING CLERK
Docket No. : SDWA-08-2016-0031

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. The Rocky Mountain Conference of Seventh-Day Adventists (Respondent) is a Wyoming corporation that owns and/or operates the Mills Spring Ranch Public 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 accessed by one well and one spring. The System's water is not treated. The System is open seasonally June through September.
4. The System has approximately seven service connections and regularly serves an average of approximately 200 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 water monthly for total coliform bacteria, under the Revised Total Coliform Rule (RTCR), effective April 1, 2016. 40 C.F.R. §§ 141.853-858. Respondent failed to monitor the System's water for total coliform bacteria during June, July, and August 2016 and, therefore, violated this requirement.
8. Respondent, prior to the effective date of the RTCR, was required to monitor the System's water quarterly for total coliform bacteria. 40 C.F.R. § 141.21(a). Respondent failed to monitor the System's water for total coliform bacteria during the 2nd (April-June) quarter of 2015 and the 3rd (July-September) quarter of 2014 and, therefore, violated this requirement.

9. Respondent is required each year to complete, sign, and submit to the EPA a Seasonal System Checklist and collect pre-season total coliform samples at each service connection prior to serving water to the public. 40 C.F.R. § 141.854(i)(1). Respondent failed to complete the Seasonal System Checklist and collect pre-season total coliform samples prior to serving the public in June 2016 and, therefore, violated this requirement.
10. Respondent is required to monitor both sources of the System's water annually for nitrate. 40 C.F.R. § 141.23(d). Respondent failed to monitor the System's water at the well source for nitrate during 2015 and, therefore, violated this requirement. The spring source was monitored.
11. Respondent is required to monitor quarterly for nitrite if any sample of the System's water has a nitrite concentration that is equal to or greater than 50 percent of the maximum contaminant level (MCL) of one milligrams per liter (mg/L) specified at 40 C.F.R. § 141.62(b). 40 C.F.R. § 141.23(e). After a sample from the System's well source taken on June 30, 2014, and from the spring source taken on July 10, 2015, and were analyzed for nitrate/nitrite at 1 mg/L (rounded), Respondent failed to monitor for nitrite at the well during the 3rd quarter of 2014 and the 2nd and 3rd quarters of 2015 and at both sources the 2nd and 3rd quarters of 2016 and, therefore, violated this requirement.
12. Respondent is required to notify the public of certain violations of the Drinking Water Regulations. 40 C.F.R. §§ 141.201-141.211. Respondent failed to notify the public of the violations cited in paragraphs 8, 10, and 11 (the 2014-2015 violations), above, and, therefore, violated this requirement. Public notice of the 2016 violations is not yet past due.
13. Respondent is required to report any violation of coliform monitoring requirements to the EPA within 10 days after discovering the violation. 40 C.F.R. §§ 141.21(g)(2) and 141.861(a)(4). Respondent failed to report the violations listed in paragraphs 7 and 8, above, to the EPA and, therefore, violated this requirement.
14. 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 9, 10 and 11, 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):

15. Respondent shall monitor the System's water monthly for total coliform bacteria when it is open to the public. 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 as required by 40 C.F.R. § 141.853-858. Respondent shall report any violation of coliform

monitoring requirements to the EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.861(a)(4).

16. Respondent, each year prior to serving water to the public, shall (a) complete start-up procedures using the Seasonal System Checklist and collect pre-season total coliform samples at each service connection as required by 40 C.F.R. § 141.854(i)(1). The samples shall be marked as “special” for analyses as they are investigative and will not be used for compliance purposes, and (b) sign the checklist and send a copy to the EPA. The checklist can be found at: https://www.epa.gov/sites/production/files/2014-12/documents/rtrc_seasonal_startup_checklist.pdf.

17. Within 30 days after opening for the 2017 season, and as required by the Drinking Water Regulations thereafter, Respondent shall monitor both of the System’s water sources for nitrate as required by 40 C.F.R. § 141.23(d).

18. Between June 1-30, 2017 and again during the 3rd quarter of 2017, and thereafter as notified in writing by the EPA of a different monitoring schedule, Respondent shall monitor both of the System’s water sources for nitrite and have the samples analyzed separately from nitrate. If results exceed the nitrite MCL of 1 mg/L (rounded), Respondent shall take a confirmation sample within 24 hours of notification of the nitrite analytical results, as required by 40 C.F.R. § 141.23(e).

19. Within 30 days after opening for the 2017 season, Respondent shall notify the public of all violations cited in paragraphs 9 through 11, above. Thereafter, following any future violation of the Drinking Water Regulations, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondent shall submit a signed copy of the notice to the EPA that states the dates the notice was completed. Public notice instructions and templates can be found at: <https://www.epa.gov/region8-waterops/public-notification-drinking-water-contaminant-failure-monitor-ftm-template>.

20. 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.

21. 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. No later than 10 days thereafter, Respondent 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. 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.

22. Respondent shall direct all reporting required by this Order to:

U.S. EPA Region 8 (8P-W-DW)
1595 Wynkoop Street
Denver, CO 80202-1129
Email: R8DWU@epa.gov
Fax: (877) 876-9101

GENERAL PROVISIONS

23. 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.

24. Violation of any part of this Order or the Drinking Water Regulations may subject Respondent to a civil penalty of up to \$53,907 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 81 Fed. Reg. 43091 (July 1, 2016).

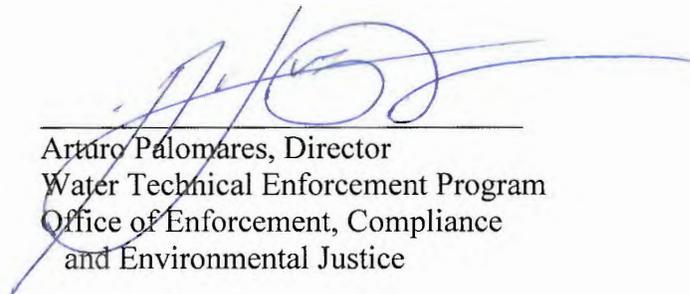
25. Respondent may seek federal judicial review of this Order pursuant to section 1448(a) of the Safe Drinking Water Act, 42 U.S.C. § 300j-7(a).

26. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: September 29, 2016.



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