



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
HEARING CLERK

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Ref: 8ENF-W SDW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John R. Alm, Registered Agent
Paint Rock Canyon Enterprises, LLC
1 Hyatt Lane
Hyattville, Wyoming 82428-0010

Joseph Collins, Registered Agent
C5 Youth Foundation of Southern California, Inc.
1334 S. Central Avenue
Los Angeles, California 90021-2210

Re: Administrative Order Violation, Camp Paintrock Public Water System,
PWS ID #5601513, Docket No. SDWA-08-2015-0050

Dear Messrs. Alm and Collins:

On September 28, 2015, the EPA issued an Administrative Order (Order) to Paint Rock Canyon Enterprises, LLC (LLC) and C5 Youth Foundation of Southern California, Inc. (C5), as owners and/or operators of the Camp Paintrock Public Water System, ordering your compliance with the Safe Drinking Water Act (SDWA), 42 U.S.C. Section 300f et seq., and its implementing regulations, the National Primary Drinking Water Regulations (NPDWRs), 40 C.F.R. part 141.

Our records indicate that the LLC and C5 (Respondents) are in violation of the Order. Among other things, the Order included the following requirements (quoted from paragraphs 14 and 15 on page 3 of the Order):

1. Beginning April 1, 2016, the effective date of the EPA Revised Total Coliform Rule, Respondents shall monitor the System's water **monthly** for total coliform bacteria and, if any sample is positive for total coliform, conduct repeat monitoring as required by 40 C.F.R. §141.853-857. If a sample is total coliform-positive, the System must collect a set of three repeat samples for each total coliform-positive sample and continue to collect additional sets of three repeat samples until either total coliforms are not detected in one complete set of repeat samples or the System determines that a coliform treatment technique trigger specified in §141.859(a) has been exceeded as a result of a repeat sample being total coliform-positive. Respondents shall report analytical results to the EPA within the first 10 days following the month in which Respondents receive sample results, as required by 40 C.F.R. § 141.31(a). Respondents shall report any violation of coliform

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

The EPA has not received monthly total coliform analytical results for July and August 2016 and you did not report these violations to the EPA. If you have these monitoring results, send them to the EPA immediately. This lack of monitoring is particularly troubling because the System had multiple total coliform positive sample results during July and August of last year.

2. Within 30 days of opening for the 2016 season, Respondents shall notify the public of the violations cited in paragraphs 6 and 7 of the Order, 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.


The EPA has not received public notice of the violations cited in the Order for failure to complete corrective action of significant deficiencies by April 30, 2015, and failure to monitor for total coliform bacteria during the 2nd (April-June) quarters of 2014 and 2015. The public notice template with instructions that was included with the Order is attached and updated to include the August 2015 total coliform maximum contaminant level violation and the above failure to monitor total coliform violations.

The EPA is considering additional enforcement action as a result of the continued non-compliance with the Order. Violating an administrative order may lead to (1) a penalty of up to \$53,907 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions you may contact Kathelene Brainich via email at brainich.kathelene@epa.gov, or by phone at 1-800-227-8917, extension 6481, or (303) 312-6481. If you are represented by an attorney who has questions, please ask the attorney to direct legal questions to Lauren Hammond, Enforcement Attorney, who may be reached via email at hammond.lauren@epa.gov, by phone at (800) 227-8917, extension 7081, or (303) 312-7081, or at the above address (with the mailcode 8ENF-L),

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: WY DEQ/DOH (via email)
Melissa Haniewicz, EPA Regional Hearing Clerk

DRINKING WATER NOTICE

CAMP PAINTROCK

Failed to Timely Correct Significant Deficiencies, Failed to Monitor for Total Coliform and Nitrate, and Failed to Comply with the Total Coliform Maximum Contaminant Level

Our water system was required to take corrective action of EPA-identified significant deficiencies by March 31, 2015, and to notify the EPA of the completion within 30 days. However, we failed to take all actions by the required date. The deficiencies were corrected June 2016.

We routinely monitor for the presence of drinking water contaminants. More than one coliform bacteria sample taken during August 2015 showed the presence of coliform bacteria. The standard is that no more than 1 sample per month may do so.

We also failed to monitor the water for the following contaminants and, therefore, cannot be sure of the quality of the water at that time:

- quarterly for total coliform bacteria during the 2nd quarters of 2014 and 2015,
- monthly for total coliform bacteria during July and August 2016, and
- annually for nitrate in 2015

What This Means: This was not an emergency. If it had been, you would have been notified within 24 hours. We do not know of any cases of contamination. However, until the problem is corrected, there is an increased chance that disease-causing organisms could contaminate the water supply. The significant deficiencies included lack of proper drainage for well in pit or vault, a leak in the well house, and failure to maintain records at a convenient location.

Inadequately treated water may contain disease-causing organisms. These organisms include bacteria, viruses, and parasites which can cause symptoms such as nausea, cramps, diarrhea, and associated headaches. These symptoms, however, are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice.

You may drink the water. However, if you have specific health concerns, consult your doctor. If you have a severely compromised immune system, have an infant, are pregnant, or are elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water.

Steps We Are Taking: We will monitor as required in the future and corrected the deficiencies.

For more information, please contact _____ at _____.

Please share this information with all the other people who drink this water, especially those who may not have received this notice. You can do this by posting this notice in a public place or distributing copies by hand or mail.

Certification

Post this notice for a minimum of 7 days when the system is open to the public. Sign below, note the dates posted, and send a copy to the completed notice to the EPA at Brainich.kathelene@epa.gov or 1595 Wynkoop St., Attn: Brainich, 8ENF-W, Denver, CO 80202.

.....Dates posted: _____ Signature _____

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.