



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Denver, CO 80202-1129
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2019 OCT 10 AM 8:54

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EPA REGION VIII
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OCT 10 2019

Ref: 8ENF-W-SD

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Keith and Ms. Betty Troll
251 South Railway
Arvada, Wyoming 82831

Re: Administrative Order issued to Keith and Betty Troll regarding Arvada Mobile Home Park Public Water System, PWS ID WY5601506 Docket No. **SDWA-08-2020-0004**

Dear Mr. and Ms. Troll:

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 Arvada Mobile Home Park Public Water System (System), have violated the National Primary Drinking Water Regulation (Drinking Water Regulation) at 40 C.F.R. part 141. EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with the Safe Drinking Water Act.

The Order is effective upon the date received. Please review the Order and within 10 business 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 number of service connections and/or individuals served). If the EPA does not hear from the 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 civil administrative penalties and/or a federal court injunction ordering compliance.

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small governments, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or the Drinking Water Regulation. Also enclosed are several templates and fact sheets to assist you in addressing the outstanding violations.

If you have any questions or to request an informal conference with the EPA, please contact Christina Carballal via email at carballal-broome.christina@epa.gov, or by phone at (800) 227-8917, extension 6046, or (303) 312-6046. Any questions from your attorney should be directed to Matthew Castelli, Assistant Regional Counsel, via email at castelli.matthew@epa.gov or by phone at (800) 227-8917, extension 6491, or (303) 312-6491.

We urge your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Colleen Rathbone".

Colleen Rathbone, Chief
Water Enforcement Branch

cc: WY DEQ/DOH (via email)
Sheridan County Commissioners (mnickel@sheridancounty.com)
Melissa Haniewicz, EPA Regional Hearing Clerk
Chris Troll (christroll@yahoo.com)

Enclosures

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

IN THE MATTER OF:)
)
)
Keith and Betty Troll)
Arvada Mobile Home Park Public Water System)
PWS#WY5601506)
)

Respondents.)

2019 OCT 10 AM 8:54

Docket No. **SDWA-08-2020-0004**

ADMINISTRATIVE ORDER

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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. Keith and Betty Troll (Respondents), are individuals who own and/or operate the Arvada Mobile Home Park Public Water System (System), which provides piped water to the public in Sheridan County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via one well. The water is treated using sodium hypochlorite at the pump house.
4. The System has approximately 17 service connections and regularly serves an average of approximately 14 individuals year-round and 15 transient individuals, totaling 29 individuals, 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. Respondents are subject to the Act and 40 C.F.R. part 141 (Drinking Water Regulation). The Drinking Water Regulation is an “applicable requirement” as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. The Drinking Water Regulation includes monitoring requirements. The EPA has sent Respondents annual notifications of the specific monitoring requirements that apply to the System.

VIOLATIONS

7. Respondents are required to complete corrective action of a significant deficiency in accordance with an EPA approved corrective action schedule or within 120 days of receiving written notification from EPA of a significant deficiency. 40 C.F.R. § 141.404(a). 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). Respondents received a letter from the EPA on November 2, 2017, which detailed significant deficiencies, and required Respondents to complete all the corrective actions by May 2, 2018. Respondents failed to complete all corrective actions by May 2, 2018, and therefore violated this requirement.
8. Respondents are required to develop a written total coliform sample siting plan that identifies sampling sites and a sample collection schedule that are representative of water throughout the distribution system by April 1, 2016, and submit it to the EPA for review. 40 C.F.R. § 141.853(a)(1).

Respondents failed to submit a sample siting plan to the EPA and therefore violated this requirement.

9. Respondents are required to monitor the System's water monthly for total coliform. 40 C.F.R. §§ 141.853-858. Respondents failed to monitor the System's water for total coliform bacteria in November 2017, and February 2019, and, therefore, violated this requirement.

10. Respondents are required to notify the public of certain violations of the Drinking Water Regulation. 40 C.F.R. §§ 141.201-141.211. Respondents failed to notify the public of the violations cited in paragraphs 7 and 9, above and failed to submit a copy to the EPA, and therefore violated this requirement.

11. 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 Regulation specify a different time period). 40 C.F.R. § 141.31(b). Respondents failed to report the violations cited in paragraphs 7 and 8 above, to the EPA and therefore violated this requirement.

12. Respondents are required to report to the EPA any failure to comply with the coliform monitoring requirement within 10 days for monitoring after discovering the violation. 40 C.F.R. § 141.861(a). Respondents failed to report the violations cited in paragraph 9, above, to the EPA and therefore violated this requirement.

ORDER

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

13. Within 90 days of receipt of this Order, Respondents shall complete corrective action of the following significant deficiencies and notify the EPA within 30 days after their completion:

- a. Tank ST01 - Storage Tank (86K Gal) must be cleaned and inspected per the Finished Water Storage Tank Inspection/Cleaning Checklist.
- b. Well WL01 - Arvada Well must be fitted with a functioning sanitary seal that is tightly bolted and does not allow contamination to enter the well.
- c. The overflow of Tank ST01 - Storage Tank (86K Gal) must discharge over a drainage inlet structure, splash plate, or engineered rip-rap.
- d. The overflow of Tank ST01 - Storage Tank (86K Gal) must be piped to an elevation between 12 and 24 inches above the ground surface.
- e. The air vent and access hatch of Tank ST01 - Storage Tank (86K Gal) must be inspected and the structure/condition must be compared to the Tech Tips for Finished Water Storage Facilities to determine if corrective action is needed.

Respondents shall provide evidence to the EPA including photographs, of the corrective actions. Thereafter, Respondents shall complete corrective action of significant deficiencies and notify the EPA of their completion as required by 40 C.F.R. §§ 141.403(a) and 141.405(a)(2).

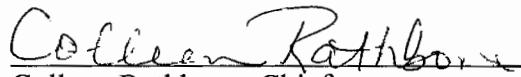
14. Within 30 days of receipt of this Order, Respondents shall develop a written total coliform sample siting plan and submit it to the EPA for review. The plan must identify sampling sites (both routine and repeat) and a sample collection schedule that is representative of water throughout the distribution system, as required by 40 C.F.R. § 141.853(a)(1). A template can be found at <https://www.epa.gov/region8-waterops/revise-total-coliform-rule-sample-siting-plan>.
15. Respondents 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, Respondents shall collect a set of three repeat samples for each total coliform-positive sample. 40 C.F.R. § 141.853-858. Respondents shall report total coliform analytical results to the EPA within the first ten days following the end of the System's required monitoring period. See, 40 C.F.R. § 141.31(a).
16. Within 30 days after receipt of this Order, Respondents shall notify the public of the violations cited in paragraphs 7, and 9, above. 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>. Within 10 days after providing public notice, Respondents shall submit a copy of the notice to the EPA. Thereafter, following any future violation of the Drinking Water Regulations, Respondents shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q.
17. For any future violation of the Drinking Water Regulation for which this Order does not specify a reporting period, Respondents shall 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 the Drinking Water Regulation specifies a different time period for reporting the particular violation, Respondents shall report the violation to the EPA within that different period.
18. Respondents 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).
19. If the population or number of connections served by the System at least 60 days of the year falls below 25 individuals or 15 connections, Respondents shall notify the EPA in writing within 10 days by submitting a completed basic information form. The form is available at: <https://www.epa.gov/region8-waterops/reporting-forms-and-instructions-reporting-forms#new>.
20. If Respondents (a) lease or sell the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondents shall, within ten 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, Respondents shall remain obligated to comply with this Order.
21. Respondents shall send all reporting and notifications required by this Order to the EPA at:

Email: R8DWU@epa.gov, and carballal-broome.christina@epa.gov

GENERAL PROVISIONS

22. 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.
23. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or the Drinking Water Regulation. 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, the Act, or the Drinking Water Regulation may subject Respondents to a civil penalty of up to \$57,317 (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; 84 Fed. Reg. at 2059 (February 6, 2019).
25. Respondents may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

Issued: October 9, 2019.


Colleen Rathbone, Chief
Water Enforcement Branch