

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF:)
) Docket No. SDWA-08-2023-0018
 KKSS Schultz, LLC and)
 Raman Suri, Owner)
) **ADMINISTRATIVE ORDER**
 Respondents.)
)
 Desert Trail Mobile Home Park)
 Public Water System)
PWS ID #WY5601608)

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. KKSS Schultz, LLC and Raman Suri (Respondents) are a Wyoming corporation and an individual, respectively, who own and operate the Desert Trail Mobile Home Public Water System (System). The System provides piped water to the public in Sweetwater County, Wyoming for human consumption.
3. The source of the System’s water is supplied by surface water purchased from City of Green River PWS (WY5601181) that purchases water from the Rock Springs/ Green River Joint Powers Board PWS (WY5600050). The purchased water is treated and disinfected by the Rock Springs/ Green River Joint Powers Board wholesaler and delivered via one active consecutive connection (CC01). The System has no storage tanks, booster pumps, or additional treatment.
4. The System has approximately 87 service connections used by year-round residents and regularly serves an average of approximately 174 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. Respondents are a “person” as defined in section 1401(12) of the Act, 42 U.S.C. § 300f(12) and are 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).
6. Part 141 includes monitoring requirements. The EPA has sent Respondents annual notifications of the specific monitoring requirements that apply to the System.

VIOLATIONS

7. Respondents were required to monitor the System’s tap water for lead and copper between June 1 and September 30, 2021 and between June 1 and September 30, 2022. 40 C.F.R. § 141.86(d). Respondents failed to monitor the System’s water for lead and copper in 2021 and 2022 and therefore, violated this requirement. Due to Respondents’ failures to monitor in 2021 and 2022, reduced monitoring was revoked. Respondents must now monitor for lead and copper every six-months, starting between January 1 through June 30, 2023, and July 1 through December 31, 2023.

8. Respondents are required to monitor the System's water monthly for total coliform bacteria. 40 C.F.R. §§ 141.853-858. Respondents failed to monitor the System's water for total coliform bacteria during April 2020, May 2020, June 2020 and April 2021 and therefore, violated this requirement.
9. For each calendar year, Respondents are required, no later than July 1st of the following year, to prepare and distribute a Consumer Confidence Report (CCR) to the EPA and the System's customers. Within three months thereafter, Respondents are required to certify to the EPA that it has distributed the CCR to the System's customers. 40 C.F.R. §§ 141.151-141.155. Respondents failed to prepare and distribute an annual CCR for calendar 2019 to the System's customers. Therefore, Respondents violated this requirement.
10. Respondents are 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. The violations identified in paragraph 8, 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 Respondents failed to notify the public of the violations cited in paragraph 8 and failed to submit a copy of the public notice and certification to the EPA and therefore, violated this requirement.
11. Respondents are 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). Respondents failed to report the violations cited in paragraphs 7, 8 and 9 above, to the EPA and therefore, violated this requirement.
12. Respondents are required to report any violation of total coliform monitoring requirements to the EPA within 10 calendar days after discovering the violation. 40 C.F.R. § 141.861(a)(4). Respondents failed to report the violation/s listed in paragraph 8, 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. Respondents shall monitor the System's water for lead and copper in 6-month monitoring periods between January 1 and June 30, 2023, and again between July 1 and December 31, 2023, and thereafter as directed by the EPA, according to tiering criteria set forth in 40 C.F.R. §§ 141.86. Respondents shall collect a set of ten lead and copper tap water samples during each monitoring period event. Within the first 10 calendar days following the end of each monitoring period, Respondents shall report analytical results to the EPA, as required by 40 C.F.R. § 141.90.
14. Within 30 calendar days of receiving lead monitoring results, Respondents shall deliver a consumer notice of individual tap monitoring results to the persons served at each sampled site, in

Raman Suri, Owner

Desert Trails Mobile Home Park Public Water System, ECN: 600.0178.2023_DesertTrails

Page 3 of 4

accordance with 40 C.F.R. 141.85(d). Within 90 calendar days following the end of each monitoring period, Respondents 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).

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 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).

16. Within 30 calendar days after receipt of this 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 for calendar 2019 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.

17. Within 30 calendar days after receipt of this Order, Respondents shall notify the public of the violations cited in paragraph 8, above. Thereafter, following any future violation of Part 141, Respondents 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, Respondents 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>.

18. For any future violation of Part 141 for which this Order does not specify a reporting period, Respondents 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, Respondents must report the violation to the EPA within that different period.

19. If the population or number of connections served by the System falls below 25 individuals or 15 connections, Respondents must notify the EPA in writing within 10 calendar days by submitting a completed basic information form. The form is available at: <https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#new>.

20. If Respondents (a) lease or sell the System to another person or entity, or (b) contract with or hire any other person or entity to operate the System, Respondents 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, Respondents will remain obligated to comply with this Order.

21. Respondents must send all reporting and notifications required by this Order to the EPA at:

Raman Suri, Owner

Desert Trails Mobile Home Park Public Water System, ECN: 600.0178.2023_DesertTrails

Page 4 of 4

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

GENERAL PROVISIONS

22. This Order is binding on Respondents, their heirs, successors and assigns, and any person (*e.g.*, employee, contractor, or other agent) acting in concert with Respondents.
23. 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.
24. Violation of any part of this Order, the Act, or Part 141 may subject Respondents to a civil penalty of up to \$67,544 (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; 88 Fed. Reg. at 989 (January 6, 2023).
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: June 27, 2023.

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