



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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EPA Region VIII

Hearing Clerk

Ref: 8ENF-W-SDW

Walter Hodgson  
LT Campgrounds, LLC d/b/a  
Custer/Mount Rushmore KOA  
[walter@custerkoa.com](mailto:walter@custerkoa.com)

RE: Administrative Order on Consent Closure (Docket Number SDWA-08-2016-0011)  
Class V UIC Rule Authorization: Large Capacity Septic System  
LT Campgrounds, LLC d/b/a Custer/Mount Rushmore

Dear Mr. Hodgson:

On June 15, 2016 an Administrative Compliance Order on Consent (AOC) between LT Campgrounds, LLC d/b/a Custer/Mount Rushmore (LT) and the EPA was filed and effective. The AOC was issued based on findings that LT was in violation with 40 C.F.R. part 144.12. 40 C.F.R. part 144.12 (a) includes a prohibition of movement of fluid into an underground source of drinking water if the presence of a contaminant may cause a violation of any primary drinking water regulation under 40 C.F.R. part 142 or may otherwise adversely affect the health of persons. 40 C.F.R. part 144.12 (c) states that, if at any time the Director learns that a Class V well may cause of violation of primary drinking water regulations under 40 C.F.R. part 142, he or she shall: require the injector to obtain an individual permit, or take such actions (including, where required, closure of the injection well) as may be necessary to prevent the violation or to take enforcement action.. Under the AOC, LT agreed to manage the sanitary waste fluids generated by the facility at full capacity in a manner this is compliant with the Safe Drinking Water Act (the Act) and its implementing regulations and any county and state permitting requirements. The agreed date for completion of the system was October 31, 2016. Additionally, LT agreed to operate the facility in a manner that does not violate the Act and its implementing regulations or in a manner that exceeds the wastewater capacity that can be managed by the existing septic system, whether the existing septic system is expanded or not. The Final Report was due fifteen days after all construction was completed.

The *Custer/Mount Rushmore KOA Waste Water System 2016-2017 Modifications Report* dated June 22, 2017 noted upgrades to the facility's wastewater system including two 4,200 gallon tanks, an injector pit, injector pumps and trenching and installation of additional piping. In the report, management practices include weekly drain field inspections for saturation and monthly sampling as well as annual pumping of all tanks and flushing of the system following yearly park closure in October. Additionally, the report noted that fifteen inspection ports in the drain field will be checked each week for the presence of effluent and a copy of the monitoring form will be made available to the EPA on a monthly basis.

The EPA asked that LT enlarge the size of the facility's leach field in addition to enlarging the size of the septic tanks due to concerns the facility may be discharging non-sanitary wastes from the RV dump station. LT did not agree to the enlargement of the leach field. Following an extension of the deadline, on November 16, 2016, a letter was sent to LT as a result of discussions with the EPA where LT agreed to sample the system during the months of May through September, for years 2017 through 2019, to ensure that the leach field was working properly. The list of required constituents (i.e., contaminants that needed to be sampled for) and sampling methods were enclosed in that letter. Sampling reports submitted for the required months in 2017 note the sampling analysis was not complete as many of the constituents were not analyzed. The EPA extended the requirement for sampling through 2020.

Results of the required sampling noted several excursions of the stated limits for the wastewater analyzed and collected from the injector pit. Many of the constituents noted non-detections above the required constituent concentrations, such as asbestos with a maximum contaminant level (MCL) of 7 and a non-detect at 10 MCL noting the sample results show a detection limit above the standard. The sample collected September 27, 2017 noted an ammonia concentration of 78.1 mg/L while the noted Human Advisory Lifetime limit is 30 mg/L. Over the 3-year course of sampling, ammonia concentrations ranged from 31.3 mg/L to 217 mg/L. While the EPA has some concerns regarding proper analysis throughout the sampling, and the consistent exceedance of the 1990 EPA health advisory for ammonia, according to Barbara Friedeman, Environmental Scientist, with the South Dakota Department of Environment and Natural Resources (SD DENR) in the Water Program, the facility has been in compliance with the nitrate and nitrite standard of 10 mg/L for the last 10 years. The EPA last inspected the facility in 2018 and did not find standing water in the previous area of concern.

The original concern at the facility was a coliform exceedance in 2008 from a sample collected from the public water system (PWS) for the campground. Although past records noted ongoing concerns with intermittent chlorination, apparently the issue was resolved when a chlorinator was installed in May of 2015. Results from the facility's PWS wells for microbiological sampling between January 1, 2017 and September 23, 2020 noted that total coliform and *E. coli* were observed to be at safe levels at tested locations. Please keep in mind that while the EPA has taken into consideration the result of the onsite PWS, the underground injection control (UIC) program is protective of all underground drinking water sources and cognizant of the fact that there may down gradient supply wells within the aquifer to consider.

Given the facility's upgrades and investments to come into compliance, the EPA is choosing to exercise enforcement discretion at this time. The EPA will continue to work closely with the SD DENR to ensure the protection of drinking water and public water supply systems. LT is responsible for meeting all applicable UIC requirements under the Act. Please note that this letter does not impact LT's obligation to comply with other federal, state or local laws, or the EPA's authority to take future enforcement actions regarding the injection well at this facility. If additional information becomes available indicating that the injection well activities at this facility are inadequate, then LT is required to notify the EPA, and further actions may be required.

Thank you for your assistance in this matter. If you have any questions, please contact Larry Granato by email at [granato.lawrence@epa.gov](mailto:granato.lawrence@epa.gov).

Sincerely,

Tiffany A.  
Cantor

Digitally signed by Tiffany  
A. Cantor  
Date: 2021.01.11 13:37:30  
-07'00'

Tiffany Cantor, Chief  
SDWA Enforcement Section  
Water Enforcement Branch  
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