



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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

March 25, 2020

Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Mr. Will Stewart, Partner
Milestone Financial LLC, and
Hilltop Funding, Inc
wsmilestone@gmail.com

Re: Violation of Milestone Financial LLC and Hilltop Funding, Inc, Administrative Order,
Docket No. SDWA-08-2020-0005 Evergreen Properties Public Water System, PWS ID
#WY5600021

Dear Mr. Stewart:

The purpose of this letter is to provide notice that the EPA is planning to file a complaint seeking civil administrative penalties. Specifically, on October 10, 2019, the EPA issued the above-referenced Administrative Order (Order), directing Milestone Financial LLC and Hilltop Funding, Inc (Respondents), to comply with the National Primary Drinking Water Regulations issued by the EPA under the Safe Drinking Water Act, 42 U.S.C. section 300f, *et seq.* Our records indicate that the Respondents are in violation of the Order.

Among other things, the Order included the following requirements (summarized from paragraphs 18, 19 and 20 on page 3 of the Order), which have not been fulfilled:

- Within 30 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 2017 and 2018, 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. Respondents must submit a certification form for the 2016 CCR. Thereafter, Respondents shall prepare and distribute annual CCRs and provide certifications as required by 40 C.F.R. §§ 141.151-141.155.
- Within 30 days after receipt of this Order, Respondents shall notify the public of the failure to correct a significant deficiency violation. 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 and certification 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.

- Within 30 days after receipt of this Order, Respondents shall notify the public of the failure to monitor for nitrate and total coliform bacteria (Tier 3). 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 and certification to the EPA. Thereafter, following any future violation of the Drinking Water Regulation, Respondents shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q.

In other words, you were required to submit past due CCR's and CCR certifications and submit respective tier 2 and tier 3 public notifications. Our records indicate that the system failed to submit past due CCR's and failed to post public notifications.

These violations of the EPA's Order may lead to (1) a penalty of up to \$58,328 per day per violation of the Order, (2) a court injunction ordering compliance, or both. Please note that the EPA may choose not to file a complaint if you submit past due CCR's and post the required public notifications regarding the above-referenced violations within 30 calendar days.

For assistance with actions necessary to come into compliance, please contact Steven Latino at (303) 312-6440 or (800) 227-8917 extension 312-6440. If you are represented by an attorney, please ask the attorney to direct any questions or comments to Mia Bearley, Senior Assistant Regional Counsel, at (303) 312-6554 or at bearley.mia@epa.gov.

We urge your prompt attention to this matter.

Sincerely,

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

cc: WY DEQ/DOH (via email)
Laramie County Commissioners (bholmes1942@yahoo.com)
Melissa Haniewicz, EPA Regional Hearing Clerk
Jeanine Smith, Facilities Manager (jgsmithgogo@live.com)
Rick Redella, Operator (redella@gmail.com)