UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

MAY 2 0 2014

CERTIFIED MAIL – RETURN RECEIPT REQUESTED: 7005 1820 0003 7451 3165

Ms. Louise Vigil
d/b/a El Rancho Mobile Home Park
64 Evergreen Lane
Santa Fe, NM 87506

Re: Administrative Order, Docket Number: SDWA-06-2014-1326
PWS ID Number: NM3570426

Dear Ms. Vigil:

Enclosed is an Administrative Order (Order) issued to you, doing business as El Rancho Mobile Home Park, for violation of the Safe Drinking Water Act (Act), 42 U.S.C. § 300f, et seq., and its implementing regulations, 40 C.F.R. Part 141. Specifically, this Order is issued for failure to provide drinking water that complies with the maximum contaminant level (MCL) for uranium. The Environmental Protection Agency (EPA) finds that El Rancho Mobile Home Park owns or operates the public water system (PWS) identified in the Order and is therefore subject to these regulations. This Order requires certain actions and information demands.

This Order requires compliance with the MCL for uranium as set forth in Section 1412 of the Act, 42 U.S.C. § 300g-1. If immediate compliance is not possible, you must submit a treatment alternative with a construction and/or repair schedule that will achieve compliance no later than eighteen (18) months from the effective date of the enclosed Order. Compliance with the uranium MCL is based on a running annual average. As described in the enclosed Order, El Rancho Mobile Home Park is required to deliver drinking water that meets the national standard for uranium and to conduct quarterly monitoring to ensure compliance with the MCL. Please be aware that failure to comply with this Order may subject you to additional enforcement action by EPA, including the initiation of legal proceedings to seek monetary penalties.

The PWS is also required to comply with all applicable New Mexico regulations and provisions of 20.7.10.100 NMAC, incorporating 40 C.F.R. § 141. Most treatment options require the submittal of engineering plans and specifications to the New Mexico Environment Department (NMED). Please send engineering submittals to NMED's Drinking Water Bureau address referenced in Section "9(e)" in the enclosed Order and include the EPA Docket number.

If you need assistance, or have questions regarding the Order, please contact Ms. Tonia Biggs, of my staff, at (214) 665-8551.

Sincerely,

John Blevins
Director
Compliance Assurance and
Enforcement Division

Enclosure

cc: Maria J. Medina, Enforcement Coordinator
New Mexico Environment Department
Drinking Water Bureau
P.O. Box 5469
Santa Fe, NM 87502-5469

U.S. ENVIRONMENTAL PROTECTION AGENCY-REGION 6
FINDINGS OF VIOLATION, COMPLIANCE ORDER, AND
INFORMATION DEMAND
In the Matter of El Ranch Mobile Home Park Public Water System
Owned/Operated by Louise Vigil, d/b/a El Rancho Mobile Home Park, Respondent
Docket No. SDWA-06-2014-1326, PWS ID # NM3570426

STATUTORY AUTHORITY

The following findings are made and Order issued under the authority vested in the Administrator of the United States Environmental Protection Agency ("EPA"), by Sections 1414(g) and 1445 of the Safe Drinking Water Act ("the Act"), 42 U.S.C. §§ 300g-3(g) and 300j-4. The Administrator delegated the authority to issue this Order to the Regional Administrator of EPA Region 6 who delegated such authority to the Director of the Compliance Assurance and Enforcement Division.

FINDINGS

1. Ms. Louise Vigil, doing business as El Rancho Mobile Home Park ("Respondent"), is a "person," as defined by Section 1401(12) of the Act, 42 U.S.C. § 300f(12).

2. At all times relevant to the violations alleged herein ("relevant time period"), Respondent owned or operated the El Rancho Mobile Home Park water system, a public water system ("PWS"), as defined by Section 1401(4) of the Act, 42 U.S.C. § 300f(4), located in Santa Fe, Santa Fe County, New Mexico ("facility"), designated as PWS number NM3570426.

3. As a PWS and a "supplier of water," Respondent is subject to the regulations promulgated by EPA pursuant to Section 1412 of the Act, 42 U.S.C. § 300g-1, entitled National Primary Drinking Water Regulations ("NPDWR").

4. During the relevant time period, Respondent's PWS served as a "community water system," as defined by Section 1401(15) of the Act, 42 U.S.C. § 300f(15).

5. The New Mexico Environment Department ("NMED") and EPA have enforcement authority for the PWS provisions of the Act in the State of New Mexico. NMED and EPA have consulted regarding this Order, and it has been agreed that EPA would initiate this enforcement action.

6. During the relevant time period, Respondent's PWS was required to conduct monitoring to determine compliance regarding uranium, which is a radionuclide. Respondent is required to comply with a running annual average maximum contaminant level ("MCL") of 30 µg/L for uranium as specified in 40 C.F.R. § 141.66(e). Respondent monitored for uranium during the last four quarters from the 2nd quarter of 2013 through the 1st quarter of 2014, resulting in a running annual average of 39.75 µg/L, at sampling point "SP704260011,"and in a running annual average of 39 µg /L at sampling point "SP704260021," which is a violation of the MCL specified in 40 C.F.R. § 141.66(e).

7. Respondent is required to comply with the uranium requirements of the Act, as set forth in Section 1412 of the Act, 42 U.S.C. § 300g-1.

SECTION 1414(g) COMPLIANCE ORDER

8. Based on these findings and pursuant to the authority of Section 1414(g) of the Act, 42 U.S.C. § 300g-3(g), EPA orders Respondent to take the following actions:

a. Respondent shall comply with 40 C.F.R. § 141.31(b) and notify both EPA and NMED within forty-eight (48) hours in the event of uranium MCL violations.

b. If Respondent has not provided public notice, as required by 40 C.F.R. § 141.201, regarding the violations specified in paragraph 6, Respondent shall, within thirty (30) days of issuance of this Order, provide a public notice of the violations as set forth in 40 C.F.R. § 141.201. Respondent shall submit a copy of the public notice for uranium to EPA and NMED within forty (40) days of the effective date of this Order.

c. Within fifteen (15) calendar days of the effective date of this Order, Respondent shall contact Ms. Tonia Biggs, in writing, informing her whether Respondent will comply with the terms of this Order.

d. Respondent shall immediately comply with 40 C.F.R. § 141.66(e) regarding the uranium MCL. If immediate compliance is not technically feasible, then Respondent must comply with "8e" in the Compliance Order and "9a" through "9e" in the Information Demand below.

e. Respondent shall achieve and maintain compliance with 40 C.F.R. § 141.66(e) no later than eighteen (18) months after the effective date of this Order.

SECTION 1445 INFORMATION DEMAND

9. Based on these findings and pursuant to the authority of Section 1445 of the Act, 42 U.S.C. § 300j-4, Respondent is required to do the following:

a. Within ninety (90) days of the effective date of this Order, Respondent shall submit to EPA an initial report on the progress made to bring the PWS into compliance with the uranium MCL. Following the initial report, a quarterly progress report shall be submitted to EPA within ten (10) days after the end of each calendar quarter. Respondent shall notify EPA when all improvements have been completed.

b. Within one hundred and twenty (120) days of the effective date of this Order, Respondent shall submit to EPA a detailed plan to bring the System into compliance with the MCL for uranium. The plan shall include: 1) a system modification proposal; 2) a cost analysis of system modifications; and 3) a construction schedule for the project. The schedule shall include specific milestone dates and a final compliance date that is no later than eighteen (18) months from the effective date of this Order. The plan must be submitted to EPA for approval before construction can commence.

c. The approved schedule for construction and completion of modifications will be incorporated into this Order or an Amended Administrative Order will be issued incorporating the approved schedule for construction and completion of modifications.

d. The reporting required by this Order must be provided by Respondent to EPA at the following address:

Ms. Tonia Biggs
Water Enforcement Branch (6EN-W)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

e. Regarding Parts "8a" and "8b" in the Order Section, Respondent shall submit a copy of the public notice to NMED at the following addresses:

Maria J. Medina, Enforcement Coordinator
New Mexico Environment Department
Drinking Water Bureau
P.O. Box 5469
Santa Fe, NM 87502-5469

GENERAL PROVISIONS

This Order is effective upon receipt by Respondent.

Respondent may seek federal judicial review of the Order pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706. Section 706, which is set forth at http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title5-section706&num=0&edition=prelim, states the scope of such review.

This Section 1414(g) Compliance Order and the Section 1445 Information Demand do not constitute a waiver, suspension, or modification of the requirements of 40 C.F.R. Part 141 or other applicable federal and state requirements, which remain in full force and effect. Issuance of this Section 1414(g) Compliance Order and Section 1445 Information Demand is not an election by EPA to forego any civil or any criminal action otherwise authorized under the Act.

Violation of any term of this Section 1414(g) Compliance Order and the Section 1445 Information Demand or the Act may subject Respondent to an administrative civil penalty of up to $32,500 under Section 1414(g) of the Act, 42 U.S.C. § 300g-3(g), or a civil penalty of not more than $37,500 per day per violation, assessed by an appropriate United States District Court under Section 1414(g)(3)(A) of the Act, 42 U.S.C. § 300g-3(g)(3)(A).

This Order shall be binding on the PWS cited herein and all its successors and assigns. No change in ownership of the PWS shall alter the responsibility of the PWS under this Order.

5.20.14
Date

John Blevins
Director
Compliance Assurance and
Enforcement Division