

**NOTICE OF ADMINISTRATIVE PENALTY ORDER UNDER THE  
SAFE DRINKING WATER ACT  
IN THE MATTER OF THE UNITED STATES POSTAL SERVICE BUDD LAKE**

**Respondent:** United States Postal Service  
Budd Lake Mount Olive Branch

**Sites/Facilities:** USPS Budd Lake Mount Olive Branch PWS (NJ1427384)  
1 Mount Olive Rd Ste 102  
Budd Lake, NJ 07828

**Docket No.:** SDWA-02-2022-8401

**Public Notice No.:** 2022-07

**Complainant:** Dore LaPosta, Director  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, New York, NY 10007-1866

**Description of the Violations and Relief Sought:** The United States Environmental Protection Agency (“EPA”) is providing notice of a final administrative penalty order, issued and served on the parties on April 11, 2022, against the United States Postal Service (“Respondent”) for violations of the Safe Drinking Water Act (“SDWA”) and its applicable regulations at the Budd Lake Mount Olive Branch public water system (“PWS”), pursuant to Section 1447(b) of the SDWA and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits (“CROP”), 40 C.F.R. Part 22.

Section 1447 of the SDWA, 42 U.S.C. §300j-6, authorizes EPA to take an enforcement action whenever it determines that a Federal agency is in violation of any requirement of the SDWA, EPA’s regulations thereunder, or any regulation of a state drinking water program which has been authorized by EPA. Pursuant to 42 U.S.C. § 300j-6(b), EPA may issue a penalty order assessing a penalty against any Federal agency that owns or operates any public water system which violates an applicable requirement of the statute.

The Revised Total Coliform Rule (RTCR) requires public water systems serving less than 1,000 persons and utilizing a groundwater source, to begin complying with the compliance monitoring provisions of the RTCR beginning April 1, 2016.

The RTCR, 40 C.F.R. §141.854(f), requires non-community water systems with two or more monitoring violations in a rolling 12-month period to increase monitoring to monthly for total coliforms. In addition, the system must continue monthly monitoring until it meets the reduced monitoring requirements outlined in §141.854(g).

Pursuant to 40 C.F.R. §141.23(d), Respondent is required to monitor annually for nitrate.

Pursuant to 40 C.F.R. §141.31(a)(2), systems are required to report to the State within ten (10) days following the end of the monitoring period in which monitoring is required.

On June 22, 2021, the New Jersey Department of Environmental Protection (NJDEP) referred the USPS Budd Lake Mount Olive Branch public water system (“PWS”) to EPA for appropriate action. Based on information in the Safe Drinking Water Information System (“SDWIS”) and provided by NJDEP, the USPS failed to comply with the monitoring and/or reporting requirements during the following monitoring periods.

#### Total Coliforms

1. FY20 Quarter 1 (October to December 2019).
2. FY20 Quarter 2 (January to March 2020).
3. FY20 Quarter 3 (April to June 2020).
4. FY20 Quarter 4 (July to September 2020).

#### Nitrate

1. 2018 monitoring period.
2. 2019 monitoring period.
3. 2020 monitoring period.

**Action:** Administrative penalty assessed under the Safe Drinking Water Act Section 1447(b), 42 U.S.C. §300j-6(b), of \$3,904. Respondent agreed to pay the penalty. In addition, Respondent took the necessary steps outlined in the settlement agreement and entered into an Administrative Order on Consent with the EPA to initiate resolution of the violations.

**For further information:** Karen Maples, Regional Hearing Clerk, EPA Region 2, 290 Broadway, 16<sup>th</sup> Floor, New York, New York 10007-1866. Phone number (212) 637-3247.

Persons wishing to receive a copy of the CROP or copies of the documents filed in these proceedings should contact the Regional Hearing Clerk. Unless otherwise noted, the administrative record for these proceedings is located in the EPA Regional Office identified above, and the files will be open for public inspection during normal business hours. All pertinent information submitted by the Respondent is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information.

**How to Obtain Review:** Any interested person may obtain review of an administrative penalty order issued under Section 1447(b) of the SDWA. The review may be obtained in the United States District Court for the District of Columbia or in the United States District Court for the district in which the violation is alleged to have occurred by the filing of a complaint with the court within the 30-day period beginning on the date the penalty order becomes final (April 11, 2022). The person filing the complaint shall simultaneously serve a copy of the complaint in accordance with and to all persons described in 40 C.F.R. §135.11(a)(3), including but not

limited to, the EPA Administrator, the EPA Regional Administrator in Region 2, the U.S. Attorney General, the head of the Federal agency, the chief administrative officer of the responsible state agency (if any), and the State Attorney General in which the violation occurred.