



REGION 2

NEW YORK, N.Y. 10007

April 29, 2025

Via Electronic Mail to: krystalspringllc@gmail.com

Mr. Sunni Christopher
Krystal Springs, LLC
P.O. Box 504
Frederiksted, VI 00840

RE: In the Matter of: Krystal Springs (Well) (PWS ID No. VI3000531) Administrative Order, Docket No. SDWA-02-2025-8058

Dear Mr. Sunni Christopher:

Enclosed you will find an Administrative Order (“AO”). The AO finds that Krystal Springs Well owns and/or operates the Krystal Springs (Well) “public water system” as defined by the Safe Drinking Water Act (“SDWA”) and 40 C.F.R. Part 141.2, and is, therefore, subject to its requirements. The Environmental Protection Agency (“EPA”) also finds that Krystal Springs failed to comply with the requirements of the Revised Total Coliform Rule (RTCR) and has been in persistent noncompliance with the maximum contaminant level for *E. coli*.

While I fully anticipate that you will comply, I must advise you that the violation of an Order may subject the violator to an administratively assessed civil penalty not to exceed \$49,848, or a court-imposed penalty not to exceed \$71,545 per day of violation.

EPA’s free Water Technical Assistance ([WaterTA](#)) supports communities to identify water challenges, develop plans, build technical, managerial, and financial capacity, and develop application materials to access water infrastructure funding. If you need water infrastructure funding or capacity building support, we encourage you to complete and submit a webform request on the EPA WaterTA website using the following link: <https://www.epa.gov/water-infrastructure/forms/water-technical-assistance-request-form>.

If you have any questions, need technical assistance, or would like help understanding how respond to EPA regarding this matter, please contact Nicole Foley Kraft, Supervisor, Safe Drinking Water Act Compliance Section at (212) 637-3943 or kraft.nicole@epa.gov.

Thank you in advance for your cooperation in this matter.

Sincerely,

**KATHLEEN
ANDERSON** Digitally signed by
KATHLEEN ANDERSON
Date: 2025.04.29
13:51:20 -04'00'

Kathleen Anderson, Director
Enforcement and Compliance Assurance Division

Enclosure

cc: Harold Mark, VIDPNR (electronic), harold.mark@dpr.vi.gov
Jason Henry, VIDPNR (electronic), Jason.henry@dpr.vi.gov

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
290 BROADWAY
NEW YORK, NY 10007-1866**

IN THE MATTER OF:

Krystal Springs, LLC
Krystal Springs (Well) Public Water System
40 Ha La Grange
Frederiksted, St. Croix, USVI

PWS ID: VI3000531

Respondent

Proceedings pursuant to Sections 1414(a) and (g) of the Safe Drinking Water Act, 42 U.S.C. Section 300g-3(g)

ADMINISTRATIVE ORDER

Docket No.

SDWA-02-2025-8058

I. STATUTORY AUTHORITY

The following FINDINGS are made and Order (“Order”) issued under the authority vested in the Administrator of the United States Environmental Protection Agency (“EPA”) by Sections 1414(a) and (g) of the Safe Drinking Water Act (“SDWA”), 42 U.S.C. Section 300g-3(g) (“the Act”), and duly delegated to the Director of the Enforcement and Compliance Assurance Division of U.S. EPA Region 2.

II. FINDINGS

1. Kystal Springs, LLC (hereinafter “Respondent”) owns and/or operates the Krystal Springs (Well) “public water system” (“PWS”), within the meaning of Section 1401(4) of the SDWA, 42 U.S.C. § 300f(4) and 40 C.F.R. § 141.2, located in Frederiksted, St. Croix, U.S. Virgin Islands.
2. Respondent is a “supplier of water” within the meaning of Section 1401(5) of the SDWA, 42 U.S.C. § 300f(5), and 40 C.F.R. § 141.2.
3. Respondent is a “person” within the meaning of Section 1401(12) of the SDWA, 42 U.S.C. § 300f(12), and is subject to an Administrative Order (“AO”) issued under Section 1414(g)(1) of the SDWA, 42 U.S.C. § 300g-3(g)(1). Respondent’s public water system (“PWS” or “system”) provides piped water for human consumption and regularly serves a population of at least 25 individuals for at least 6 months per year, and is therefore a “non-transient non-community

water system” as defined by Section 1401(16) of the SDWA, 42 U.S.C. § 300f(16), and 40 C.F.R. § 141.2. Respondent is, therefore, subject to the requirements of Part B of the SDWA, 42 U.S.C. § 300g et seq., and its implementing regulations found at 40 C.F.R. Part 141.

4. EPA published the Revised Total Coliform Rule (“RTCR”) (40 C.F.R. Part 141 Subpart Y) in the Federal Register (“FR”) on February 13, 2013 (78 FR 10269) and minor corrections on February 26, 2014 (79 FR 10665). The RTCR is the revision to the 1989 Total Coliform Rule and is intended to improve public health protection by ensuring the integrity of the drinking water distribution system and monitoring for the presence of microbial contamination. The RTCR establishes a maximum contaminant level (“MCL”) for E. coli and total coliforms to initiate a “find and fix” approach to address fecal contamination that could enter the distribution system. The rule also requires PWSs to perform assessments to identify sanitary defects and subsequently take actions to correct them.
5. The U.S. Virgin Islands Department of Planning and Natural Resources (“VIDPNR”) administers the Public Water System Supervision Program in the U.S. Virgin Islands pursuant to Section 1413 of the SDWA. The approval of primary enforcement authority (“primacy”) from EPA to the VIDPNR was effective as of September 22, 1979. VIDPNR is the “approved State primacy program”, as that term is defined in 40 C.F.R. § 142.2. However, VIDPNR has not yet obtained primary enforcement responsibility for the RTCR. Therefore, as of the date of this Order, the EPA has primary responsibility for enforcement of the RTCR.
6. Pursuant to 40 C.F.R. Part 141, Subpart Y, the RTCR applies to all PWSs except those subject to the Aircraft Drinking Water Rule.
7. Based on information obtained from the Safe Drinking Water Information System (“SDWIS”), Respondent’s PWS serves 25 people and utilizes a ground water source; therefore, was required to begin complying with the compliance monitoring provisions of the RTCR beginning April 1, 2016.
8. Pursuant to 40 C.F.R. §§141.854(b) and 141.854(c), Respondent is required to monitor quarterly for total coliforms.
9. Pursuant to 40 C.F.R. § 141.853(a), Respondent is required to monitor for total coliforms at site(s) which are representative of water throughout the distribution system according to a written sample siting plan that identifies the system’s sample collection schedule and all sample sites, including sites for routine and repeat monitoring.
10. Pursuant to 40 C.F.R. § 141.861(a)(4), systems failing to comply with a coliform monitoring requirement must report the monitoring violation to the State within ten (10) days after the system discovers the violation and notify the public in accordance with 40 C.F.R. § 141, Subpart Q (Public Notification of Drinking Water Violations).

11. Pursuant to 40 C.F.R. § 141.854(f)(2), a system with an *E. coli* MCL violation must increase monitoring to monthly for total coliforms. The system must continue monthly monitoring until it meets the reduced monitoring requirements outlined in 40 C.F.R. § 141.854(g).
12. Pursuant to 40 C.F.R. § 141.859, to protect against potential fecal contamination, coliform treatment technique triggers and assessment requirements are established. Specifically, 40 C.F.R. § 141.859(a)(2)(i), states systems must conduct a Level 2 assessment after an *E. coli* MCL violation.
13. Pursuant to 40 C.F.R. § 141.860, a treatment technique violation occurs when a system exceeds a treatment technique trigger specified in § 141.859(a) and then fails to conduct the required assessment and corrective actions within the timeframes specified in §§ 141.859(b) and (c).
14. Pursuant to 40 C.F.R. § 141.859b(4), Respondent must ensure that a Level 2 assessment consistent with State requirements is conducted if the system exceeds one of the treatment technique triggers in paragraph (a)(2) of 40 C.F.R. § 141.859. Respondent must comply with any expedited actions or additional actions required by the State.
15. Pursuant to § 141.860(c), failure to take every required routine sample in a compliance period is a monitoring violation. And failure to analyze for *E. coli* following a total coliform-positive routine sample is a monitoring violation.
16. 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, the results of any test measurement or analysis required by the monitoring.
17. Based on information provided by VIDPNR, Respondent failed to comply with the *E. coli* MCL requirements of the RTCR on the following dates, and incurred MCL violations pursuant to 40 C.F.R. § 141.860(a):
 - a. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on November 09, 2023.
 - b. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on February 08, 2024.
 - c. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on May 03, 2024.
 - d. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on June 26, 2024.
 - e. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on July 12, 2024
 - f. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on August 09, 2024.
 - g. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on September 06, 2024.
 - h. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on October 04, 2024.
 - i. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on November 06, 2024.
 - j. Exceeded the Maximum Contaminant Level for *E. coli* bacteria on December 06, 2024.
18. Beginning in November 2023, Respondent triggered a Level 2 Assessment pursuant to 40 C.F.R. § 141.859(a)(2)(i). Based on information provided by VIDPNR, Respondent has failed to conduct a Level 2 Assessment and therefore incurred treatment technique violations of the requirements of the RTCR, 40 C.F.R. Part 141, Subpart Y.

19. Based on information provided by VIDPNR, Respondent violated the *E. coli* MCL, failed to conduct the required Level 2 Assessments and incurred treatment technique violation(s) pursuant to 40 C.F.R. § 141.860(b)
20. Based on information provided by VIDPNR, Respondent failed to conduct public notification for the *E. coli* MCL and treatment technique violations.
21. EPA is issuing this Administrative Order to place Respondent on an enforceable schedule, to comply with the requirements of 40 C.F.R. Part 141, Subpart Y and the SDWA.

III. ORDER

Based on the foregoing findings, and pursuant to the authority of Section 1414(g) of the SDWA, **EPA hereby Orders:**

22. Upon receipt of this Order, Respondent must promptly email EPA and VIDPNR to acknowledge receipt of this Order, confirm Respondent has read and understands the terms of this Order and provide the operational status of the treatment system.
23. Public Notification: Within twenty-four (24) hours of receipt of this Order, Respondent must post Tier 1 public notice as required by 40 C.F.R. § 142.202 and include all required public notice elements of 40 C.F.R. § 141.205(a). The posting must remain in place until the violations persist, but in no case less than 48 hours (even if violations are resolved). Respondent must also take pictures of the posted notice at the different locations (one of the photos must be a close-up that is readable and others showing the expanded view of the general area where it is posted) and email them to EPA and VIDPNR with the finalized notice.

Public notice must include mandatory language on health effects (from Appendix B to 40 CFR 141 Subpart Q), alternative sources of water, corrective actions Respondent is taking [40 C.F.R. 141.205(a)(7)] and when Respondent expects to return to compliance or resolve the situation [40 CFR 141.205(a)(8)]. Interim steps taken to ensure safety of drinking water, including correcting all identified sanitary defects prior to submitting the Level 2 Assessment should be included. And after issuing the notice, make sure to send a copy of each type of notice and a certification that you have met all the public notification requirements to VIDPNR and the EPA within 10 days, after the original or any repeat notice(s) [40 C.F.R. 141.31(d)].

24. Level 2 Assessment: Within forty-eight (48) hours of receipt of this Order, Respondent must contact VIDPNR's approved entity for conducting Level 2 Assessment(s) and arrange for the assessment to be completed as soon as possible, but no later than within five (5) days of receipt of this Order.

Below is the contact information for VIDPNR's approved entity for conducting Level 2 Assessments:

Austin L. Moorehead, Manager
Quinguma Hills, LLC.
PO Box 24303
Christiansted, VI 00824-0303
Tel: 340-718-5052; Cell: 340-277-2708

Respondent shall submit a completed Level 2 Assessment to EPA and VIDPNR within seven (7) days of receipt of this Order. The Level 2 Assessment form must describe sanitary defects detected, corrective actions completed, and a proposed timetable for any corrective actions not already completed. A proposed timetable for corrective action will be reviewed and approved by EPA, in consultation with the VIDPNR.

25. Sample Siting Plan: Within one week of the Effective Date of this Order, Respondent shall review its current sample siting plan developed pursuant to 40 C.F.R. § 141.853, to ensure consistency with the RTCR, at 40 C.F.R. Part 141, subpart Y, and simultaneously provide a copy of the current sample siting plan to the EPA and VIDPNR for their concurrent review. The sampling plan must include the required sample locations (routine and repeat sites), a sample collection schedule representative of water throughout the distribution system and must reflect that sampling is being conducted at regular intervals throughout the month, in accordance with 40 C.F.R. § 141.853(a). EPA will review and approve in consultation with VIDPNR. Upon receipt of approval from EPA of the new plan, Respondent shall monitor in accordance with this plan.
26. In the event Respondent's sample siting plan requires revision because it is not in compliance with the RTCR, at 40 C.F.R. Part 141, subpart Y, Respondent must submit to EPA and VIDPNR a new plan within one week of notice from EPA.
27. Monitoring & Reporting: Until otherwise directed, Respondent must conduct monitoring monthly for total coliform in accordance with 40 C.F.R. § 141.853 and its approved monitoring plan. Samples must be analyzed in accordance with 40 C.F.R. § 141.853. Respondent must also complete any routine or repeat monitoring in accordance with RTCR.
28. Until otherwise directed, Respondent must submit to EPA, the results of total coliform monitoring by the 10th day of the month following the end of the monitoring period. This reporting is in addition to routine reporting to VIDPNR.
29. Respondent shall comply with all provisions of the SDWA and its implementing regulations.

IV. GENERAL PROVISIONS

30. All notices, reports, or other submissions by Respondent shall contain the following certification:

“I certify, under penalty of law, that the information contained in or accompanying this submission is true, accurate and complete based on representations as to accuracy and completeness made to me either orally or through submission of documentation by appropriate personnel with responsibility for the matters contained herein.”

31. All information required by this Order must be submitted electronically to EPA and VIDPNR to the following:

Nicole Foley Kraft, Supervisor
Safe Drinking Water Act Section
U.S. Environmental Protection Agency
(212) 637-3093
Region2_SDWAEnforcement@epa.gov

and

Harold Mark, Environmental Protection Managers
Division of Environmental Protection
U.S. Virgin Islands Department of Planning and Natural Resources
Harold.mark@dpr.vi.gov

32. Notwithstanding Respondent’s compliance with any requirement of this Order. Respondent’s failure to comply with all of the requirements of the Act and Part 141 may subject Respondent to additional enforcement action, including but not limited to judicial, administrative and equitable actions.
33. This Order shall not prohibit, prevent, or otherwise preclude EPA from taking whatever action it deems appropriate to enforce the Act in any manner and shall not prohibit, prevent, or otherwise preclude EPA from using this Order in subsequent administrative or judicial proceedings. Nothing in this Order shall constitute a waiver, suspension or modification of the requirements of the Act, or the rules and regulations promulgated there under which remain in full force and effect. Issuance of this Order is not an election by EPA to forgo any civil or criminal action otherwise authorized under the Law.
34. The Respondent may be subject to an administrative civil penalty of up to \$49,848 pursuant to Section 1414(g)(3)(B) of the Act, 42 U.S.C. § 300g-3(g)(3)(B) or a civil penalty assessed by an appropriate United States District Court that exceeds \$49,848 pursuant to Section 1414(g)(3)(C) of the Act, 42 U.S.C. § 300g-3(g)(3)(C). A violation of any term of this Order may also subject the Respondent to a judicial civil penalty of up to \$71,545 per day of violation pursuant to Section 1414(b) of the Act, 42 U.S.C. § 300g-3(b).
35. Respondent may seek federal judicial review of the Order pursuant to Section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).
36. This Order does not relieve Respondent of any responsibilities or liabilities established pursuant to any applicable federal, State or local law.

37. This Administrative Order shall take effect upon the signature of the Director, Enforcement and Compliance Assurance Division.

IT IS SO ORDERED

KATHLEEN Digitally signed by
ANDERSON KATHLEEN ANDERSON
Date: 2025.04.29
13:52:09 -04'00'

Kathleen Anderson, Director
Enforcement and Compliance Assurance Division