



REGION 8

DENVER, CO 80202

FILED

Aug 01, 2025

9:59 am

**U.S. EPA REGION 8
HEARING CLERK**

July 31, 2025

Ref: 8ECA-W-S

SENT VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

City of Forbes
c/o The Honorable Carl Kronberg, Mayor
City of Forbes Public Water System
P.O. Box 66
Forbes, ND 58439-0066

Subj: Administrative Order issued to City of Forbes / regarding City of Forbes Public Water System, PWS ID #ND1100346, Docket No. SDWA-08-2025-0027

Dear Mayor Kronberg:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g3(g). Among other things, the Order alleges that the City of Forbes, as owner and operator of the City of Forbes Public Water System (System), has violated the Lead and Copper Rule Improvements (LCRI), specifically 40 C.F.R. § 141.84, 141.85, and 141.90 (Part 141). The EPA is issuing this Order because the State of North Dakota's (State) previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141, and the State has not yet obtained primary enforcement responsibility for the LCRI.

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information you believe the EPA may not have regarding your development or submittal of the required Lead Service Line Inventory. If the EPA does not hear from you, the EPA will assume this information is correct. Please note if the City chooses to submit a plan and schedule to address submitting the Lead Service Line Inventory, the final date should be no greater than six months from the effective date of this order, unless the City can provide documentation of extenuating circumstances. If the City complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may trigger immediate

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action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$71,545 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 90 Fed. Reg. at 1375 (January 8, 2025).

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small entities, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist the City in addressing the outstanding violations.

If you or other representatives of the City of Forbes have any questions or to request an informal conference with the EPA, please contact Elizabeth Tyson via email at tyson.elizabeth@epa.gov, or by phone at (800) 227-8917, extension 6646, or (303) 312-6646. If you have questions regarding North Dakota Drinking Water Regulations and the initial lead service line inventory requirements, please contact Sandi Washek via email at swashek@nd.gov or by phone at (701) 328-5190. If physical mail is preferred to email, physical addresses for addressing correspondence to Elizabeth Tyson or Sandi Washek are provided in the Order. Any questions from the City's attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at bearley.mia@epa.gov or by phone at (800) 227-8917, extension 6554, or (303) 312-6554. We urge your prompt attention to this matter.

Sincerely,

for Suzanne Bohan, Director
Enforcement and Compliance Assurance Division

ENCLOSURES (10):

1. North Dakota Lead Service Line Inventory Spreadsheet Template
2. North Dakota Guidance for Using Lead Service Line Inventory Spreadsheet
3. Tier 2 Public Notice Template – Failure to Develop Lead Service Line Inventory
4. Tier 3 Public Notice Template – Failure to Submit Lead Service Line Inventory
5. North Dakota Lead and Copper Regulations Factsheet **for Water Systems**
6. Federal Lead Service Line Inventory Factsheet **for Water Systems**
7. City of Forbes Template Plan and Schedule
8. North Dakota Lead and Copper Regulations Factsheet **for Customers**
9. North Dakota Children and Lead Factsheet **for Customers**
10. Small Business Information Sheet January 2022

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cc:

Sandi Washek, NDDEQ Lead and Copper Rule Manager (swashek@nd.gov)
Greg Wavra, NDDEQ Drinking Water Program Manager (gwavra@nd.gov)
Brandon Carlson, Dickey County Commissioner District 3 (carlsonbrandon@nd.gov)
EPA Regional Hearing Clerk (r8_hearing_clerk@epa.gov)
Darci Wolff, City of Forbes Auditor (mdwolff@drtel.net)