



REGION 8
DENVER, CO 80202

August 23, 2024

FILED

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U.S. EPA REGION 8
HEARING CLERK

Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Hagens Estates Homeowners' Association, Inc.,
Mr. Alan Klitz, Board Member
Hagens Estates Public Water System
alan.klitz@yahoo.com

Subj: Administrative Order issued to Hagens Estates Homeowners' Association, Inc.
regarding Hagens Estates Public Water System, PWS ID #WY5601739,
Docket No. SDWA-08-2024-0040

Dear Mr. Klitz:

Enclosed is an Administrative Order (Order) issued by the U.S. Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that Hagens Estates Homeowners' Association, Inc. (Respondent) as owner and operator of the Hagens Estates Public Water System (System), has violated the EPA's drinking water regulations at 40 C.F.R. part 141 (Part 141). The EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141.

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 (e.g., any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served). If the EPA does not hear from you, the EPA will assume this information is correct. If you, as the Respondent comply with the Order, the EPA may close the Order without further action. Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$69,733 (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; 88 Fed. Reg. at 89309 (December 27, 2023).

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 Respondent in addressing the outstanding violations.

The violations identified in the Order are classified as violations requiring Tier 3 public notice within one year of learning of the violation, according to 40 C.F.R. § 141.204. Please submit a copy of the notice and certification to the EPA within 10 calendar days after providing public notice. 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>.

If you have any questions or to request an informal conference with the EPA, please contact Marlon Bell via email at Bell.marlon@epa.gov, or by phone at (800) 227-8917, extension 6539, or (303) 312-6539. Any questions from the Respondent's attorney should be directed to Noah Stanton, Assistant Regional Counsel, via email at Stanton.Noah@epa.gov or by phone at (800) 227-8917, extension 6163, or (303) 312-6163.

We urge your prompt attention to this matter.

Sincerely,

Tiffany Cantor, Manager
Acting Water Enforcement Branch Manager
Enforcement and Compliance Assurance Division

ENCLOSURES

cc: WY DEQ/DOH (via email)
Campbell County Commissioners
EPA Regional Hearing Clerk
Dale Lee, WY DEQ District Engineer
Alan Klitz, Board Member
Brad Lunt, Registered Agent