



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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October 4, 2021

October 5, 2021

12:34 PM

Received by
EPA Region VIII
Hearing Clerk

Ref: 8ENF-W-SD

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Hirst Applegate Registered Agent Services, Inc.
1720 Carey Ave Ste 400
Cheyenne, WY 82001

Re: Violation of Tata Chemicals (Soda Ash) Partners Administrative Order, Docket No. SDWA-08-2020-0024 Tata Chemicals (Soda Ash) Partners Public Water System, PWS ID #WY5600636

Dear Hirst Applegate Registered Agent Services, Inc.:

The purpose of this letter is to provide notice of violations of the above-referenced Administrative Order (Order) and to inform you of the EPA's intention to file an administrative complaint seeking civil penalties if the Tata Chemicals (Soda Ash) Partners- Public Water system (System) accrues additional violations of this Order. Specifically, on April 22, 2020, the EPA issued the above-referenced Order directing Tata Chemicals (Soda Ash) Partners (Respondent), to comply with the National Primary Drinking Water Regulations (Part 141) issued by the EPA under the Safe Drinking Water Act (Act), 42 U.S.C. section 300f, *et seq.* Our records indicate that Respondent violated the Order.

Respondent was required to comply with the TTHMs maximum contaminant level (MCL) and failed to achieve compliance from July 1, 2020, to June 30, 2021. Respondent also was required to achieve compliance with the HAA5s MCL and failed to achieve compliance between July 1, 2020, and June 30, 2021. Additionally, Respondent was required to ensure that the System's water at no time exceeded 1 NTU. The System's water exceeded 1 NTU between August 1 - August 31, 2020, March 1 - March 31, 2021, June 1 - June 30, 2021, and July 1 - July 31, 2021.

Violation of any part of this Order, the Act, or Part 141 may subject Respondent to a civil administrative penalty of up to \$59,017 (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; 85 Fed. Reg. at 83821 (December 23, 2020). Please note that the EPA may choose not to file a complaint seeking civil administrative penalties if Respondent incurs no additional violations of this Order.

In addition, EPA acknowledges that the COVID-19 pandemic may be impacting Respondent. If the System has specific COVID-19 issues that affect the issues listed herein, please contact Lianna Kardeman via email at Kardeman.Lianna@epa.gov, or by phone at (202) 564-6483 within 7 days of receiving this Administrative Order Violation. We will consider nationwide public health developments

and your specific circumstances in determining an appropriate timeline for responding to this Administrative Order Violation, while still pursuing regulatory compliance with the Act as expeditiously as possible.

For assistance with actions necessary to maintain compliance, please contact Lianna Kardeman at the email and phone number listed in the above paragraph. Any questions from Respondent's attorney should be directed to Matt Castelli, Senior Assistant Regional Counsel, via email at castelli.matthew@epa.gov or by phone at (800) 227-8917, extension 6491, or (303) 312-6491.

We urge your prompt attention to this matter.

Colleen Rathbone, Chief
Water Enforcement Branch
Enforcement and Compliance Assurance Division

Enclosures

cc: WY DEQ/DOH (via email)
Sweetwater County Commissioners
Melissa Haniewicz, EPA Regional Hearing Clerk
Ben Farnham, Senior Environmental Engineer
Roger Hoops, Vice President of Manufacturing