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U.S. EPA REGION 8
HEARING CLERK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF:	)	
	)	Docket No. SDWA-08-2026-0039
Akal Energy, LLC,	)	
Manjot Pandher, and	)	
Amandeep Pandher	)	
	)	**ADMINISTRATIVE ORDER**
Respondents.	)	
	)	
Akal Energy-Buford Outpost	)	
Public Water System	)	
PWS ID #WY5601729	)	

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned official.
2. Akal Energy, LLC is a Wyoming corporation, and Manjot Pandher and Amandeep Pandher are individuals. Akal Energy, LLC, Manjot Pandher, and Amandeep Pandher (Respondents) own and/or operate the Akal Energy-Buford Outpost Public Water System (System), which provides piped water to the public in Albany County, Wyoming, for human consumption.
3. The System is supplied by a groundwater source accessed via one well. The water is treated by conventional filtration system.
4. The System has approximately one service connection and regularly serves an average of approximately 44 individuals daily at least 60 calendar days out of the year. Therefore, the System is a "public water system" as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4), and 40 C.F.R. § 141.2. Further, the System is a non-community water system that does not regularly serve at least 25 of the same persons over six months per year and, as such, is also a "transient non-community water system" as defined in 40 C.F.R. § 141.2.
5. Respondents are "persons" as defined in section 1401(12) of the Act, 42 U.S.C. § 300f(12) and are subject to the Act and 40 C.F.R. part 141 (Part 141). Part 141 is an

"applicable requirement" as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).

6. Part 141 includes monitoring requirements. The EPA has sent annual notifications of the applicable monitoring requirements to the System.

VIOLATIONS

7. If the System (1) has more than one positive total coliform sample result within the same month or (2) fails to take three total coliform repeat samples within 24 hours following a routine total coliform positive result, Respondents are required to conduct a Level 1 Assessment and submit it to the EPA within 30 calendar days of learning of the monitoring results. 40 C.F.R. § 141.859. In the September 2023 monitoring period, the System had multiple positive total coliform sample results, and Respondents failed to conduct a Level 1 Assessment and submit it to the EPA within 30 days. In August 2025, Respondents failed to take three total coliform repeat samples within 24 hours following a routine total coliform positive result, and Respondents again failed to conduct a Level 1 Assessment and submit it to the EPA within 30 days. Respondents therefore violated this requirement.

8. If the System does not treat its water to meet at least a 4-log, 99.9% removal of viruses, Respondents are required to conduct triggered source monitoring within 24 hours of being notified that a regular, routine total coliform monitoring sample is positive for total coliform. Respondents must sample each groundwater source and have it analyzed for a fecal indicator (e.g., *E. coli*). 40 C.F.R. § 141.402. Respondents failed to monitor the System's source for a fecal indicator within 24 hours after being notified on September 29, 2023, that a routine sample taken on September 28, 2023, was analyzed as total coliform positive. Respondents again failed to monitor the System's source for a fecal indicator within 24 hours after being notified on July 18, 2025, that a routine sample taken on July 17, 2025, was analyzed as total coliform positive. Respondents therefore violated this requirement.

9. Respondents are required to monitor the System's water monthly for total coliform bacteria. 40 C.F.R. §§ 141.853-858. Respondents failed to monitor the System's water for total coliform bacteria during September 2024 and therefore violated this

requirement. (Note: The System subsequently monitored for total coliform bacteria in October 2024.)

10. Respondents are required to monitor the System's water annually for nitrate at every entry point to the distribution System which is representative of each well after treatment. 40 C.F.R. §§ 141.23(a) and (d). Respondents failed to monitor the System's water for nitrate during 2023 and therefore violated this requirement. (Note: The System subsequently monitored for nitrate in March 2024.)

11. Respondents are required to report monitoring results for nitrate and nitrite to the EPA within the first 10 calendar days following the end of the month in which the results were received or, if sooner, the first 10 calendar days after the end of the monitoring period. 40 C.F.R. § 141.31. Respondents failed to report nitrate and nitrite monitoring results for samples collected on May 23, 2022, by this deadline and therefore violated this requirement. (Note: The System subsequently reported nitrate and nitrite monitoring results on August 26, 2022.)

12. Respondents are required to notify the public of certain violations of Part 141 and, within 10 calendar days after completing public notice, provide a copy of the public notice and certification to the EPA. 40 C.F.R. §§ 141.31(d) and 141.201-141.211. The violation identified in paragraph 7 above is classified as a violation requiring Tier 2 public notice within 30 calendar days, with the public notice to be repeated every three months and for notice to remain in place for as long as the violation or situation persists, according to 40 C.F.R. § 141.203. The EPA's records reflect that the Respondents failed to notify the public of the violation cited in paragraph 7 and failed to submit a copy of the public notice and certification to the EPA and therefore violated this requirement.

13. Respondents are required to notify the public of certain violations of Part 141 and, within 10 calendar days after completing public notice, provide a copy of the public notice and certification to the EPA. 40 C.F.R. §§ 141.31(d) and 141.201-141.211. The violations identified in paragraphs 8, 9, and 10, above, are classified as violations requiring Tier 3 public notice within 1 year, according to 40 C.F.R. § 141.204. The EPA's records reflect that the Respondents failed to notify the public of the

violations cited in paragraphs 8, 9, and 10, and 11 and failed to submit a copy of the public notice and certification to the EPA and therefore violated this requirement.

14. Respondents are required to report any failure to comply with Part 141 to the EPA within 48 hours (except where Part 141 specifies a different time period). 40 C.F.R. § 141.31(b). Respondents failed to report the violations cited in paragraphs 7, 8, and 10, above, to the EPA and therefore violated this requirement.

15. Respondents are required to report any violation of total coliform monitoring requirements to the EPA within 10 calendar days after discovering the violation. 40 C.F.R. § 141.861(a)(4). Respondents failed to report the violation listed in paragraph 9, above, to the EPA and therefore violated this requirement.

ORDER

Respondents are ordered to perform the following actions upon Respondents' receipt of this Order (unless a different deadline is specified below):

16. Respondents are ordered to comply with all provisions of the Act and Part 141, including but not limited to each requirement cited above.

17. Within 15 calendar days of receipt of this Order, Respondents shall conduct a Level 1 assessment and submit the attached Revised Total Coliform Rule Level 1 Assessment form to the EPA. The Assessment shall determine the causes of the 2023 and 2025 total coliform positive samples, identify corrective actions for all sanitary defects, and include a proposed schedule (Schedule) and plan for completion of all corrective actions after consulting with the EPA. The Schedule shall be incorporated into this Order with each milestone to be an enforceable requirement upon written approval by the EPA. Within 10 calendar days after completing all tasks included in the Schedule, Respondents shall notify the EPA of the project's completion. Respondents shall provide sufficient evidence to the EPA, including photographs of the corrective actions. 40 C.F.R. § 141.859.

18. Within 48 hours after receipt of this Order, Respondents shall collect at least one water sample from its groundwater source and have it analyzed for a fecal indicator (e.g., *E. coli*). If a sample is *E. coli* positive, Respondents shall notify the EPA

immediately for appropriate assistance 40 C.F.R. § 141.403(a)(4). Respondents shall comply with the treatment technique requirements, according to 40 C.F.R. § 141.403(a), and provide appropriate public notification pursuant to 40 C.F.R. § 141.402(g) within 24 hours as required by 40 C.F.R. § 141.202(b)(1). Thereafter, Respondents shall comply with all source water monitoring and related requirements in 40 C.F.R. § 141.402. When reporting any triggered source water sample result, Respondents shall specify that it is a triggered source water sample.

19. Respondents shall monitor the System's water monthly for total coliform bacteria. If a sample is positive for total coliform, within 24 hours of being notified of the positive result, Respondents shall collect a set of three repeat samples for each total coliform-positive sample from the sample sites identified on the RTCR sample siting plan. 40 C.F.R. § 141.853-858. Respondents shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).

20. Respondents shall monitor the System's water annually for nitrate, in accordance with 40 C.F.R. §§ 141.23(a) and (d). Respondents shall report results to the EPA within the first 10 calendar days following the end of the required monitoring period. 40 C.F.R. § 141.31(a).

21. For any future violation of Part 141 for which this Order does not specify a reporting period, Respondents must report the violation to the EPA within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). However, if Part 141 specifies a different time period for reporting the particular violation, Respondents must report the violation to the EPA within that different period.

22. Within 30 calendar days after receipt of this Order, and quarterly thereafter as long as the violation cited in paragraph 7, above, persists, Respondents shall notify the public of this violation. Thereafter, following any future violation of Part 141, Respondents shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 calendar days after providing public notice, Respondents shall submit a copy of the notice and certification to the EPA. 40 C.F.R. § 141.31(d). 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.

23. Within 30 calendar days after receipt of this Order, Respondents shall notify the public of the violations cited in paragraphs 8, 9, 10, and 11, above. Thereafter, following any future violation of Part 141, Respondents shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 calendar days after providing public notice, Respondents shall submit a copy of the notice and certification to the EPA. 40 C.F.R. § 141.31(d). 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.

24. If the population or number of connections served by the System at least 60 days of the year falls below 25 individuals, Respondents must notify the EPA in writing within 10 calendar days by submitting a completed basic information form. The form is available at: https://www.epa.gov/region8-waterops/reporting-forms-drinking-water-systems-wyoming-and-tribal-lands-epa-region-8#new.

25. If Respondents (a) leases or sells the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondent must, within 10 calendar days, provide a copy of this Order to the lessee, purchaser, or contractor and notify the EPA in writing of the change. In either of these circumstances, Respondents will remain obligated to comply with this Order.

26. Respondents must send all reporting and notifications required by this Order to the EPA at: Email: R8DWU@epa.gov, and Carballal-Broome.Christina@epa.gov

GENERAL PROVISIONS

27. This Order is binding on Respondents, and any person (*e.g.*, employee, contractor, or other agent) acting in concert with Respondents.

28. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or Part 141. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

29. Violation of any part of this Order, the Act, or Part 141 may subject Respondents to a civil penalty 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).

30. Respondents may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. § 300j-7(a).

Issued: May 19, 2026.

COLLEEN RATHBONE

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Date: 2026.05.19 11:35:25 -06'00'

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