



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Denver, CO 80202-1129
Phone 800-227-8917
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1/4/2023

1:51pm

Received by
EPA Region VIII
Hearing Clerk

January 4, 2023

Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Mr. Todd Robinson, Board President
Fairview Water and Sewer District
tlexcavation@gmail.com

Re: Administrative Order issued to Fairview Water and Sewer District regarding Fairview Water and Sewer District Public Water System, PWS ID # WY5600166
Docket No. SDWA-08-2023-0003

Dear Mr. Robinson:

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. § 300g-3(g). Among other things, the Order alleges that Fairview Water and Sewer District (District), as owner and operator of the Fairview Water and Sewer District 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 individuals served). If the EPA does not hear from you, the EPA will assume this information is correct. If the District complies 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 \$62,689 per day of violation, a federal court injunction ordering compliance, or both.

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 District in addressing the outstanding violations.

Please be aware that the District is required to submit to the EPA a plan and schedule for bringing the System into compliance with Part 141. The EPA's approval of the District's schedule does not substitute for any other approval that may be required by any other governmental entity for modifying the System.

The EPA encourages the District to contact any such governmental agency or agencies regarding any applicable approval requirements.

If you have any questions or to request an informal conference with the EPA, please contact Dustin James via email at james.dustin@epa.gov, or by phone at (800) 227-8917, extension 6117, or (303) 312-6117. Any questions from the District'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,

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

Enclosures

cc: WY DEQ/DOH (via email)
Lincoln County Commissioners
EPA Regional Hearing Clerk
Jason Mavy, Operator
Mark Baron, WY DEQ District Engineer