

Kenning Springs Pipeline Co.
PO Box 1284
Afton, WY 83110

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FILED
EPA REGION VIII
HEARING CLERK

To whom it may concern:

We are writing to request a public hearing to contest material facts and appropriateness of the penalty detailed in the letter we received from you, the United States Environmental Protection Agency, dated September 30, 2013.

There are a variety of erroneous claims in your letter, but most relevant is paragraph 19 that states we had not notified you of a plan of action for improving our water system. Our contract operator was in phone and email communication with Kathelene Brainich of the EPA on September 10, 2013, and he assured us that the EPA was aware of our exact course of action. After talking to Kathelene by phone, and sending her the email she requested, we received no further communications from her that would have indicated our response was less than satisfactory.

You continue to unfairly criticize us for failing to perform leak detection tests on our spring collection line planned for early this year. We relied on the advice of licensed water operators and consultants before deciding on that course of action. In paragraph 15 of your letter, you, the EPA, the regulatory agency one would expect to understand the water systems under their prevue, state that you approved the plan. A plan that we later discovered, from multiple professional leak detection companies, was impractical if not impossible to implement.

We have been working diligently with our new water operator, engineers, and attorneys to improve our system. We have an engaged board who are eager to finish this process, and we've earned the support of our community.

Issuing a new fine after we've made so much progress cannot accomplish anything but send a message to our community that either our board isn't up to this task, or the EPA is unreasonable.

Sincerely,



Tomi White
Board President

Sent to: Tina Arenis, 8RC

CC'd: Peggy Livingston, 8ENF-L