



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

July 22, 2021

1:07 PM

Ref: 8ENF-W-SD

July 6, 2021

Received by  
EPA Region VIII  
Hearing Clerk

**SENT VIA EMAIL**  
**DIGITAL READ RECEIPT REQUESTED**

Mr. Kellen Lancaster and Ms. Connie Jenkins  
Agents  
Happy Valley Pipeline, Inc.  
[jenkinsconnie@live.com](mailto:jenkinsconnie@live.com)  
[kellenklancaster@gmail.com](mailto:kellenklancaster@gmail.com)

Re: First Violation of Happy Valley Pipeline Inc. Administrative Order, Docket No. SDWA-08-2021-0009 Happy Valley Pipeline Inc. Public Water System, PWS ID # WY5600153,

Dear Mr. Kellen Lancaster and Ms. Connie Jenkins:

The purpose of this letter is to provide notice of the EPA's intention to file a complaint seeking civil administrative penalties. Specifically, on January 22, 2021, the EPA issued the above-referenced Administrative Order (Order), directing Happy Valley Pipeline Inc. to comply with the National Primary Drinking Water Regulations issued by the EPA under the Safe Drinking Water Act, 42 U.S.C. section 300f, *et seq.* Our records indicate that Happy Valley Pipeline Inc. is in violation of the Order.

The Order included the following requirements (summarized from paragraphs 16 and 21 on page 3 and 4 respectively of the Order), which to our knowledge have not been fulfilled yet:

- Within 90 calendar days of receipt of this order, Respondent shall deliver a lead and copper consumer notice of individual tap monitoring results to the persons served at each sampled site for the January 1 through June 30, 2019 monitoring period, in accordance with 40 C.F.R. § 141.85(d). **Not completed.**
- Within 90 calendar days following the end of each monitoring period, Respondent shall submit to the EPA a sample copy of the consumer notification along with a certification that the notification has been distributed, in accordance with 40 C.F.R. § 141.90(f)(3). **Not completed.**

These violations of the EPA's Order may lead to a penalty of up to \$59,017 (as adjusted for inflation) per day per violation of the Order.

The EPA may choose not to file a complaint seeking a civil penalty if you do not incur any additional violations and if you provide the EPA with notice of completed corrective actions regarding the above-referenced violations within 30 calendar days.

In addition, the EPA acknowledges that the COVID-19 pandemic may be impacting Happy Valley Pipeline, Inc. If the Happy Valley Pipeline has specific COVID-19 issues that would affect the timeframes listed herein, please contact Jacob Lunn via email at [lunn.jacob@epa.gov](mailto:lunn.jacob@epa.gov) or by phone at 202-564-2141 within seven days of receiving this letter regarding your administrative order noncompliance. We will consider nationwide public health developments and your specific circumstances in determining an appropriate timeline for responding to this matter, while still pursuing regulatory compliance with the Safe Drinking Water Act as expeditiously as possible.

For assistance with actions necessary to come into compliance, please contact Jacob Lunn at the email and phone number listed in the above paragraph. Any questions from your attorney should be directed to Mia Bearley, General Attorney, via email at [bearley.mia@epa.gov](mailto:bearley.mia@epa.gov) or by phone at 303-312-6554.

We urge your prompt attention to this matter.

X

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Carol King, Acting Branch Chief  
Water Enforcement Division  
Office of Civil Enforcement

Enclosures

cc: WY DEQ/DOH (via email)  
Lincoln County Commissioners ([rking@lccwy.org](mailto:rking@lccwy.org))  
Melissa Haniewicz, EPA Regional Hearing Clerk