



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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3:30 PM

Received by
EPA Region VIII
Hearing Clerk

Ref: 8ENF-W-SD

January 19, 2023

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Town of Albin, Wyoming
c/o The Honorable Kelly Krakow, Mayor
townofalbin@yahoo.com

Re: Third Violation of the Town of Albin Administrative Order, Docket No. SDWA-08-2019-0007, Town of Albin Public Water System, PWS ID #WY5600189

Dear Mayor Krakow:

The purpose of this letter is to notify the Town of Albin (Town) that civil penalties and/or a federal court injunction may be ordered against the Town for violations of the Safe Drinking Water Act, 42 U.S.C. section 300f, *et seq.* (Act) at the Town of Albin Public Water System (System). Specifically, on December 27, 2018, the EPA issued the above-referenced Administrative Order (Order), directing the Town to comply with the National Primary Drinking Water Regulations (Part 141) issued by the EPA under the Act. Our records indicate that the System is in violation of the Order.

Among other things, the Order included the following requirements, which have not been properly completed:

Consumer Confidence Reports.

Summarized from paragraph 11 of the Order: Within 30 days after receipt of this Order, Respondent shall (1) prepare an annual CCR (to include all information required by 40 C.F.R. §§ 141.153 and 154) for the System for 2017 and distribute the CCR to the System's customers and the EPA and (2) certify to the EPA that the CCR has been distributed to the System's customers and that its information is correct and consistent with monitoring data previously provided to the EPA. Thereafter, Respondent shall prepare and distribute annual CCRs and provide certifications as required by 40 C.F.R. § § 141.151-141.15 5.

- Violation: Failure to submit Consumer Confidence Reports (CCR).
 - The Town did not submit CCRs for calendar years 2017, 2020, and 2021.

Violation of any part of this Order, the Act, or Part 141 may subject the Town to a civil penalty of up to \$67,544 (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; 88 Fed. Reg. at 989 (January 6, 2023).

The EPA may choose not to file a complaint seeking civil penalties if the Town does not incur any additional violations and if the Town provides the EPA with notice of completed corrective action regarding the above-referenced violations by March 1, 2023.

For assistance with actions necessary to come into compliance, please contact Steven Latino via email at latino.steven@epa.gov or by phone at (800) 227-8917, extension 6440, or (303) 312-6440. Any questions from your 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.

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

cc: WY DEQ/DOH (via email)
Laramie County Commissioners
EPA Regional Hearing Clerk
Aaron Anderson, Water Operator
Jillian Kriz, Town Clerk
Tom McDonough, Contract Operator
Dennis Lewis, WY DEQ District Engineer