



REGION 3

PHILADELPHIA, PA 19103

VIA Electronic Mail

Jason McNatt
Smyrna Water Department
220 Artesian Drive
Smyrna, Delaware 19977
jmcnatt@smyrna.delaware.gov

Re: Administrative Order
U.S. EPA Docket No. SDWA-03-2024-0105DS

Dear Mr. McNatt:

Enclosed please find the Administrative Order that the United States Environmental Protection Agency Region 3 ("EPA") is issuing to the Smyrna Water Department, as the owner and/or operator of the Smyrna Water Department public water system, to address Risk and Resilience requirements of Section 1433 of the Safe Drinking Water Act, 42 U.S.C. § 300i-2.

The Smyrna Water Department is invited to confer with the EPA about the findings and conclusions reflected in the Order; **please request a conference within ten (10) days of receipt of this Order if you would like an opportunity to confer.**

The EPA has not determined whether the Smyrna Water Department constitutes a "small entity" under the Small Business Regulatory Enforcement and Fairness Act ("SBREFA") (see Title II of Public Law No. 104-121). The Small Business Resources and the Small Business Regulatory Enforcement and Fairness Act ("SBREFA") information link¹ provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and provides information on compliance assistance. Participating in the SBREFA program creates no new legal rights or defenses and will not affect the EPA's decision to pursue this enforcement action. The Ombudsman does not participate in resolving the EPA's enforcement actions.

Please note that failure to comply with the provisions of the attached Order may subject the Smyrna Water Department to further enforcement action.

If you have any questions pertaining to this matter, please contact Andrea Lewis of my staff at (215) 814-2074 or lewis.andrea@epa.gov, or have your attorney contact Manuel Ronquillo at (215) 814-2660 or ronquillo.manuel@epa.gov.

¹<https://www.epa.gov/sites/default/files/2017-06/documents/smallbusinessinfo.pdf>

Sincerely,

Karen Melvin
Director
Enforcement and Compliance Assurance Division

Enclosure

cc: Andrea Lewis, EPA (lewis.andrea@epa.gov)
Manuel Ronquillo, Esq. (ronquillo.manuel@epa.gov)