



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917

<http://www.epa.gov/region08>

2011 SEP 27 AM 10:51

FILED
EPA REGION VIII
REPAIRING CLERK

Ref: 8ENF-W

SEP 27 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Hirst Applegate Registered Agent Services, Inc.
Registered agent for Tata Chemicals North America, Inc.
1720 Carey Ave., Ste. 400
Cheyenne, WY 82001

RE: Violation of Administrative Order
Docket No. SDWA-08-2011-0001
Tata Chemicals (Soda Ash) Partners
Public Water System
PWS ID #WY5600636

Dear Madame/Sir:

On October 1, 2010, the US Environmental Protection Agency (EPA) issued an Emergency Administrative Order (Order), Docket No. SDWA-08-2011-0001, to General Chemical Industrial Products (the Company), as owner and/or operator of the General Chemical public water system (System). EPA understands that the Company is now known as Tata Chemicals North America, Inc. This Order instructed the Company to address a situation which may have posed an imminent and substantial endangerment to the health of persons served by the public water system under the Safe Drinking Water Act (SDWA), and was issued pursuant to EPA's authority set forth at section 1431 of the SDWA, 42 U.S.C. § 300i.

Our records indicate that the Company is in violation of the Emergency Administrative Order and its Addendum issued on December 15, 2010. Among other things, the December 15, 2010, Addendum included the following requirements (quoted from the schedule table on pages 1 and 2 of the Addendum):

1. *Action: Schedule hydro-vac truck for excavation; examine lines and valves. Completion date: May 30, 2011 – June 17, 2011.*

On August 12, 2011, Lee Bruder of Tata Chemicals (Soda Ash) Partners advised EPA by e-mail that work by hydro-vac contractors had not yet begun.

2. *Action: Order required parts and complete repairs. Completion date: June 22 – July 22, 2011.*

In the same e-mail of August 12, 2011, Tata Chemicals (Soda Ash) Partners advised EPA that valves required for the overall project had taken longer to acquire than anticipated and that the repair project had not yet been completed. Via a separate e-mail on August 19, EPA inquired as to when project completion was anticipated given the difficulties reported, but no additional information has been forthcoming.

Please notify EPA immediately about the current status of the work noted above. In accordance with paragraph 15 on page 5 of the Order, the Company is required to submit written monthly reports to EPA on the status of all corrective measures. Further, in accordance with paragraph 16 on page 5 of the Order, the Company is required to notify EPA within 10 calendar days of completion of the tasks outlined in the Order's Addendum.

EPA is considering additional enforcement action as a result of the non-compliance with the Order detailed above. Violating an Emergency Administrative Order may lead to civil penalties of up to \$16,500 per day.

If you have any questions or wish to have an informal conference with EPA, you may contact Mario Mérida at 1-800-227-8917, extension 6297 or (303) 312-6297. If the Company's attorneys have any questions, the attorneys may contact Peggy Livingston, Enforcement Attorney, at 1-800-227-8917, extension 6858 or (303) 312-6858 or at the following address:

Peggy Livingston
Enforcement Attorney
U.S. EPA, Region 8 (8-ENF-L)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Tina Artemis, EPA Regional Hearing Clerk
WY DEQ and DOH (via e-mail)
Scott Ellis, Vice President/Legal Counsel, Tata Chemicals North America, Inc.
Randy Pitts, Plant Manager, Tata Chemicals (Soda Ash) Partners – Green River
Operations