



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

June 20, 2021

7:00 AM

July 19, 2021

Received by
EPA Region VIII
Hearing Clerk

Ref: 8ENF-W-SD

Digital Read Receipt Requested
Sent Via E-Mail To:

Christopher J. Johnston, Esq., Counsel for Mann Oil Company, LLC
CJohnston@wilkersonhegna.com

Re: Complaint and Notice of Opportunity for Hearing
Docket No. SWDA-08-2021-0030

Dear Mr. Johnston:

Enclosed, please find a Complaint and Notice of Opportunity for Hearing (Complaint) issued by the U.S. Environmental Protection Agency (EPA) as authorized by the Safe Drinking Water Act (Act), 42 U.S.C. § 300h-2(c). The document describes Mann Oil Company LLC's (Mann Oil) violation of the Act and sets forth the assessment of a civil penalty.

Please note that there are deadlines in the Complaint that must be followed. Mann Oil has thirty (30) calendar days within which it may file an answer to dispute the contents of the Complaint. If Mann Oil does not timely respond, the EPA may issue a Final Administrative Order by default.

As noted in the enclosed Complaint, this proceeding is governed by the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders and the Revocation, Termination or Suspension of Permits, 40 C.F.R. part 22, a copy of which can be obtained by accessing the link found in the enclosure list, below.

The EPA encourages discussing whether cases can be settled through informal settlement discussions and is prepared to consider a penalty amount lower than the amount sought in the enclosed Complaint. If Mann Oil wants to pursue the possibility of settling this matter please contact Mia Bearley, Enforcement Attorney, at (303) 312-6554 or at bearley.mia@epa.gov. Please note that calling Ms. Bearley or requesting a settlement discussion does NOT delay the running of the 30-day period for filing an answer and/or requesting a hearing.

If you have any technical questions, please contact Nathan Wiser at (303) 312-6211, or at wiser.nathan@epa.gov. For any additional legal questions, please feel free to contact Mia Bearley.

We urge your prompt attention to this matter.

Sincerely,

Colleen Rathbone, Chief
Water Enforcement Branch

Enclosures:

1. Complaint and Notice of Opportunity for Hearing
2. 40 C.F.R. part 22 Consolidated Rules of Practice, found at:
<https://www.ecfr.gov/cgi-bin/text-idx?SID=a049f8c4bba25960045c45603e4ce4b7&mc=true&node=pt40.1.22&rgn=div5>
3. Public Notice

cc:

Bennett L. Johnson, Counsel for Mann Oil Company, LLC
bjohnson@vogellaw.com

