



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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

April 22, 2020
8:44 AM

April 21, 2020

Received by
EPA Region VIII
Hearing Clerk

Ref: 8ENF-W-SD

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Hirst Applegate Registered Agent Services, Inc.
1720 Carey Ave Ste 400
Cheyenne, WY 82001

Re: Administrative Order issued to Tata Chemicals (Soda Ash) Partners regarding
Tata Chemicals (Soda Ash) Partners Public Water System, PWS ID #WY5600636,
Docket No. SDWA-08-2020-0024

Dear Hirst Applegate Registered Agent Services, Inc.:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that Tata Chemicals (Soda Ash) Partners, as owner and/or operator of the Tata Chemicals (Soda Ash) Partners Public Water System (System), has violated the EPA's drinking water regulations at 40 C.F.R. part 141 (Part 141). The EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141. The EPA is sending this Order to you as the registered agent for Tata Chemicals North America Inc., which is a managing partner of Tata Chemicals (Soda Ash) Partners (Company), a general partnership.

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information the Company believes the EPA may not have (*e.g.*, any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served). If the EPA does not hear from the Company, the EPA will assume this information is correct. If the Company complies with the Order, the EPA may close the Order without further action.

Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$58,328 (as adjusted for inflation) per day of violation, a federal court injunction ordering compliance, or both.

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small entities, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist you in addressing the outstanding violations.

Please be aware that you are required to submit to the EPA a plan and schedule for bringing the System into compliance with Part 141. The EPA's approval of the Company's schedule does not substitute for any other approval that may be required by any other governmental entity for modifying the System. The EPA encourages the Company to contact any such governmental agency or agencies regarding any applicable approval requirements.

You are required to notify the public quarterly by completing a public notice (PN) until the total trihalomethanes (TTHMs) and haloacetic acids (HAA5s) maximum contaminant level violations are resolved. Please submit a copy of the completed PN to the EPA each quarter.

If you have any questions or to request an informal conference with the EPA, 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 the Company's attorney should be directed to Matthew Castelli, Senior Assistant Regional Counsel, via email at castelli.matthew@epa.gov or by phone at (800) 227-8917, extension 6491, or (303) 312-6491.

We urge your prompt attention to this matter.

Sincerely,

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

Enclosures

cc: WY DEQ/DOH (via email)
Sweetwater County Commissioners
Melissa Haniewicz, EPA Regional Hearing Clerk
Ben Farnham, Senior Environmental Engineer
Roger Hoops, Vice President of Manufacturing