



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Phone 800-227-8917  
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EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ken Bousfield, Director  
Division of Drinking Water  
Utah Department of Environmental Quality  
P.O. Box 144830  
Salt Lake City, UT 84114

Re: NOTICE OF VIOLATION

Docket No. SDWA-08-10-0016

Gunlock Special Service District  
Public Water System  
PWS ID # UTAH27005

Dear Mr. Bousfield:

The public water supply system referenced above (the system) has violated certain provisions of the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (the drinking water regulations) according to records that the United States Environmental Protection Agency (EPA) has obtained from the Utah Department of Environmental Quality.

EPA promulgated the drinking water regulations under the authority of the Safe Drinking Water Act (the Act), 42 U.S.C. §§ 300f, et seq. EPA is issuing this notice of violation pursuant to § 1414(a) of the Act, 42 U.S.C. § 300g-3(a), which authorizes EPA to issue an administrative compliance order or file a lawsuit concerning the system if the State of Utah (the State) does not commence an appropriate enforcement action within 30 days of receiving this notice.

The violations are listed below.

<u>Date(s) of Violation</u>	<u>Violation</u>
2006	Failure to monitor for nitrate [40 C.F.R. § 141.23(d)]
2005, 2007	Failure to monitor for nitrate at group source sampling site [40 C.F.R. § 141.23(d)]
December, 2006	Failure to monitor for total coliform [40 C.F.R. § 141.21(a)]
February, 2008	Failure to collect four additional repeat total coliform samples immediately following a total coliform-positive sample [40 C.F.R. § 141.21(b)(1)]
2007	Failure to monitor for lead and copper triennially [40 C.F.R. § 141.86(d)]
2005 – 2007	Failure to monitor for inorganic compounds [40 C.F.R. § 141.23(a) and (c)]
2005 – 2007	Failure to monitor for pesticides [40 C.F.R. § 141.24(f)]
2007, 2008	Failure to monitor for disinfection byproducts [40 C.F.R. § 141.132(b)]
4 <sup>th</sup> Quarter 2007, 1 <sup>st</sup> , 2 <sup>nd</sup> and 4 <sup>th</sup> Quarters 2008, 2 <sup>nd</sup> – 4 <sup>th</sup> Quarters 2009	Failure to monitor for disinfectant residuals [40 C.F.R. §141.132(c)]
2006– 2009	Failure to provide public notice on above violations [40 C.F.R. §141.201 <u>et seq.</u> ]
2005-2009	Failure to report above violations to the State [40 C.F.R. §§ 141.21(g)(2), and 141.31(b)]

EPA is also sending a copy of this notice of violation to the system. Also enclosed for the benefit of the system is a copy of EPA's Small Business Regulatory Enforcement and Fairness Act (SBREFA) fact sheet containing information on compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to this situation. SBREFA does not eliminate the responsibility to comply with the drinking water regulations. By providing this information sheet, EPA has not necessarily determined that the system is in fact a "small entity" as that term is defined in SBREFA.

If the State does not commence an appropriate enforcement action concerning the system within 30 days from your receipt of the notification, EPA will likely issue an administrative order to the owner and/or operator of the system.

Please have your staff notify Mario Mérida at (303) 312-6297 within 20 days if your records show any discrepancies with the violations cited above, if your staff learns of any change in the system's compliance status, or if there are any questions or comments. Thank you for your assistance.

Sincerely,



Darcy O'Connor, Acting Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice



David Rochlin, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosures

SBREFA fact sheet

cc: Tina Artemis, EPA Regional Hearing Clerk  
Patti Fauver, UT DEQ DW (w/o enclosure)  
Kip Bowler, Chairman, Gunlock Special Service District  
via Certified Mail, return receipt requested  
Helen Gardner, System Manager, Gunlock Special Service District