



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Phone 800-227-8917
<http://www.epa.gov/region08>

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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kenneth H. Bousfield, Director
Division of Drinking Water
Utah Department of
Environmental Quality
P.O. Box 144810
Salt Lake City, UT 84114-4810

Re: NOTICE OF VIOLATION

Docket No. SDWA-08-2010-0015
Town of Hinckley
Public Water System
PWS ID# UTAH14004

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 (DEQ).

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 section 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 thirty days of receiving this notice.

The violations are listed in the table below.

<u>Date of Violation</u>	<u>Violation</u>
May 2008	Failure to monitor for bacteriological quality. [40 C.F.R. § 141.21(a)]
June 2009	Failure to take four repeat samples following a total coliform positive result. [40 C.F.R. § 141.21(b)]
July 2009 (system collected only 4 samples)	Failure to take five routine samples following a total coliform positive sample the preceding month. [40 C.F.R. § 141.21(b)(5)]
4 th quarter 2007, 1 st quarter 2008, 2 nd quarter 2008, 3 rd quarter 2008, and 4 th quarter 2008	Failure to monitor for chlorine residual. [40 C.F.R. § 141.132(c)]
2009	Failure to monitor for lead and copper. [40 C.F.R. §§ 141.86]
2008	Failure to monitor for disinfection byproducts [40 C.F.R. § 141.132(b)]
2008 - 2009	Failure to notify public of various above-referenced violations. [40 C.F.R. § 141.201 <u>et seq.</u>]
2007 - 2009	Failure to report the above-referenced 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.

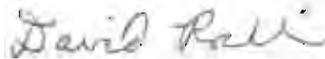
If the State does not commence an appropriate enforcement action concerning this system within 30 days from your receipt of the notification, EPA will likely issue an administrative order to the owner and/or operator of the system.

Please have your staff notify Kimberly Pardue Welch at 800-227-8917, extension 6983 or 303-312-6983 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

Enclosure:

Small Business Regulatory Enforcement Fairness Act (SBREFA) Office
of Enforcement and Compliance Assurance Information Sheet

cc:

Patti Fauver, UT DEQ DW
Donald Brown, Mayor of Hinckley (via certified mail)
Tina Artemis, EPA Regional Hearing Clerk

