



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

JAN 02 2018

2018 JAN -2 AM 10:38
FILED
EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W-SDW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Luke Duncan, Chairman
Ute Tribe Business Committee
P.O. Box 70
Fort Duchesne, Utah 84026-0190

Re: Violation of the Administrative Order issued to the Ute Tribe Business Committee, Uriah Heeps Spring Public Water System, PWS ID# 084990002, Docket No. SDWA-08-2017-0020

Dear Chairman Duncan:

On June 15, 2017, the U.S. Environmental Protection Agency issued an Administrative Order (Order), Docket No. SDWA-08-2017-0020, ordering the Ute Tribe and Ute Tribe Public Works (Respondents), as owner and/or operator of the Uriah Heeps Spring Public Water System (System), to comply with the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f *et seq.*, and its implementing regulations, the National Primary Drinking Water Regulations, 40 C.F.R. part 141.

Our records indicate that Respondents are in violation of the Order. Among other things, Respondents are required to comply with paragraphs 30, 36, and 49 of the Order:

- Respondents shall monitor the System's water monthly for total coliform bacteria.

The EPA has not received total coliform monitoring for September 2017 and received an insufficient number of total coliform samples for October 2017.

- Between June 1, 2017, and September 30, 2017, Respondents shall monitor the System's water for lead and copper, and thereafter as directed by the EPA in accordance with 40 C.F.R. § 141.86(b), (c) and (d).

The EPA has not received lead and copper samples taken between June 1, 2017 and September 30, 2017.

- Within 30 days after receipt of this Order, Respondents shall notify the public of the violations cited in paragraphs 12 through 24, above.

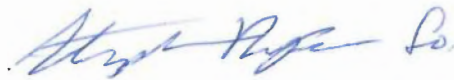
The EPA has not received a completed public notice for all violations cited in paragraphs 12 through 24 of the Order. Public notice instructions and templates can be found at: <https://www.epa.gov/region8-waterops/reporting-forms-and-instructions-public-notification>.

The EPA is considering additional enforcement action as a result of Respondents' non-compliance with the Order. Violating an administrative order may lead to (1) a penalty of up to \$54,789 per day per violation of the order, and/or (2) a court injunction ordering compliance.

If Respondents have any questions please contact Olive Hofstader via email at hofstader.olive@epa.gov, or by phone at 1-800-227-8917, extension 6467, or (303) 312-6467. If Respondents are represented by an attorney who has questions, please ask the attorney to direct legal questions to Amy Swanson, Enforcement Attorney, who may be reached via email at swanson.amy@epa.gov, by phone at (800) 227-8917, extension 6906, or (303) 312-6906.

We urge your prompt attention to this matter.

Sincerely,



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Mr. Tony Small, Vice Chairman
Mr. Bart Powaukee, Environmental Coordinator
Mr. Clifford Serawop, Executive Director
Ms. Quanah Powaukee, Assistant Executive Director
Mr. Ron Wopsock, Uintah Band Representative
Mr. Shaun Chapoose, Uncompahgre Band Representative
Mr. Edred Secakuku, Whiteriver Band Representative
Ute Tribe

Mr. Eli Chapoose, Director
Ute Tribe Public Works

Eric Matson, Deputy Directory, Division of Sanitation, Facilities and Construction
Indian Health Service, Phoenix

Commander Dan Wallis, District Engineer
Commander Kelli D. Mohler, District Environmental Health Officer
Lyle Setwyn, District Engineer
Indian Health Service, Reno

Lieutenant Matthew Chadwick, Field Engineer
Mr. Adam Mannarino, Environmental Health Officer
Indian Health Service Fort Dushesne