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GOVERNMENT  
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EPA REGION VIII  
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**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

**Docket No. SDWA-08-2007-0091**

In the Matter of: )  
)  
Glacier Well Service, Inc. )  
) **RESPONDENT'S ANSWER**  
) **& REQUEST FOR HEARING**  
)

.....

Comes Now, Glacier Well Service, Inc., Respondent above named and respectfully answers the foregoing complaint as follows:

- 1.1 With regard to paragraphs 1 through 6 of the complaint, Respondent deems that said paragraphs do not require an admission or denial. To the extent paragraphs 1 through 6 allege a violation Respondent denies the same.
- 1.2 In answering paragraph 7 of the complaint, Respondent admits the same.
- 1.3 In answering paragraph 8 of the complaint, Respondent admits the same.
- 1.4 In answering paragraph 9 of the complaint, Respondent denies that he operates a Class V well, but admits the business is located at the listed address. Under 40 C.F.R. 144.81, Respondent fails to meet the definition. It appears that the EPA is claiming that Respondent fit under Section 144.81(16), but Respondent does not conduct any of the work listed in the subsection and does not conduct vehicle repair work.
- 1.5 In answering paragraph 10 of the complaint, Respondent denies the same.
- 1.6 In answering paragraph 11 of the complaint, Respondent lacks sufficient knowledge about the date and therefore denies the same. Respondent denies the remaining portion of the paragraph for the same reasons.
- 1.7 In answering paragraph 12 of the complaint, Respondent denies the same. Respondent denies because it did not operate a Class V well.

- 1.8 In answering paragraph 13 of the complaint, Respondent lacks sufficient knowledge as to the dates and therefore denies the same. Respondent also affirmatively alleges that he closed off the system after receiving notice so that no fluids could get into the system.
- 1.9 In answering paragraph 14 of the complaint, Respondent lacks sufficient knowledge as to the date and therefore denies the same. Other than the date Respondent admits the remaining portion of the paragraph.
- 1.10 In answering paragraph 15 of the complaint, Respondent lacks sufficient knowledge as to the date and therefore denies the same. Other than the date Respondent admits the remaining portion of the paragraph.
- 1.11 In answering paragraph 16 of the complaint, Respondent admits the definition but denies that Respondent fits the definition.
- 1.12 In answering paragraph 17 of the complaint, Respondent lacks sufficient knowledge as to the date and therefore denies the same. Other than the date Respondent admits that it submitted a plan but denies that it had a Class V system.
- 1.13 In answering paragraph 18 of the complaint, Respondent lacks sufficient knowledge as to the date and therefore denies the same. Other than the date Respondent admits that it received approval of its plan but denies that it had a Class V system.
- 1.14 In answering paragraph 19 of the complaint, Respondent lacks sufficient knowledge as to the date and therefore denies the same. Other than the date Respondent admits that it closed its system, but denies that it had a Class V system.
- 1.15 In answering paragraph 20 of the complaint, Respondent denies that there are underground sources of drinking water nearby and further denies the existence of aquifers.
- 1.16 In answering paragraph 21 of the complaint, Respondent denies that it was operating a well in violation of the cited section because it was not a Class V system and further because Respondent plugged his system upon receiving notice as described herein. Further Respondent denies that it operated maintained or conducted "any injection activity that allowed the movement of fluid containing any contaminant into underground drinking water sources" under Section 144.12.
- 1.17 In answering paragraph 22 of the complaint, Respondent denies the same and further alleges that even if the system was a violation Respondent made good faith efforts to comply.

1.18 In answering paragraph 23 of the complaint, Respondent denies the same and further alleges that it does not gross revenues of \$1.4 million as alleged but averages well below that figure in gross revenues.

1.19 With regard to paragraphs 24 through 27 of the complaint, Respondent deems that said paragraphs do not require an admission or denial. To the extent paragraphs 24 through 27 allege a violation Respondent denies the same.

Respondent further requests a public hearing.

WHEREFORE, Respondent prays for the following relief:

1. That Complainant take nothing by way of their petition.
2. For Respondent's costs and attorney's fees if permitted by law.
3. For such other relief as is deemed appropriate.

Dated this 15<sup>th</sup> day of October, 2007.


  
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Thane Johnson

### **CERTIFICATE OF SERVICE**

This is to certify that the foregoing was duly served by the undersigned in person or by mail upon all parties or attorneys of record in this matter at their address or addresses this 15<sup>th</sup> day of October, 2007.

U.S. EPA-Region 8  
Regional Hearing Clerk  
1595 Wynkoop Street (8RC)  
Denver, CO 80202

Jim Eppers (8ENF-L)  
Senior Enforcement Attorney  
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