



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

APR 3 2015

MEMORANDUM

SUBJECT: Proposed Administrative Consent Agreement for David Gouveia and
Canon Marine, Inc., Docket No. SDWA-08-2014-0037

FROM: Suzanne J. Bohan, Assistant Regional Administrator
Office of Enforcement, Compliance and Environmental Justice

TO: Elyana R. Sutin, Regional Judicial Officer

DATE: March 31, 2015

This memorandum transmits a Consent Agreement (CA) proposed to settle violations of the Safe Drinking Water Act, 42 U.S.C. § 300h *et seq.*, and regulations implementing the Underground Injection Control Program, 40 C.F.R. § 144 *et seq.* The attached CA has been signed by EPA and David Gouveia for Canon Marine, Inc., (Respondents) and is now being submitted for your approval. If signed by you, the CA, consistent with 40 C.F.R. section 22.18(b), will resolve the civil administrative liability of Respondents in this matter.

This CA settles a Proposed Compliance Order, Penalty Complaint and Notice of Opportunity for Hearing (Complaint) issued to Respondents on September 5, 2014. The Complaint addresses Respondents' operation of an Underground Injection Control Class V Motor Vehicle Waste Disposal Well (MVWDW). As of January 1, 2007, operators are required to close MVWDWs, pursuant to 40 C.F.R. section 144.88(b). MVWDWs are banned because these wells inject motor vehicle waste fluids directly into or above underground sources of drinking water, posing a high risk to human health and the environment.

EPA did not assess a penalty against Respondents due to the fact that they closed the Motor Vehicle Waste Disposal Well as required by the Complaint. The Safe Drinking Water Act does not require public notice of this settlement.

Please contact Mia Bearley, enforcement attorney, at (303) 312-6554, or at bearley.mia@epa.gov, if you have any questions or concerns regarding this matter. Thank you.



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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

Ref: 8ENF-L

ELECTRONIC MAIL
CERTIFIED MAIL # 7008 3230 0003 0726 1075
RETURN RECEIPT REQUESTED

Mr. David Gouveia, President
Candn Marine, Inc.
927 Highway 115
Penrose, Colorado 81240

Re: Transmittal of Consent Agreement in Docket No. SDWA-08-2014-0037

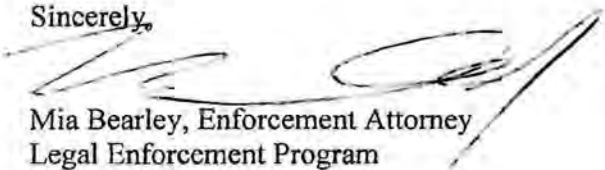
Dear Mr. Gouveia:

Please find enclosed a Consent Agreement (CA) regarding the above referenced matter. There is no penalty associated with the violation identified in the complaint due to the timely closure of your Class V Motor Vehicle Waste Disposal Well. Please review this document, sign it if it is acceptable to you and send the original signed CA back to me at the address below so that the EPA signatures may be obtained and the CA may be filed.

Mia Bearley (Mail Code 8 ENF-L)
U.S. EPA Region 8
1595 Wynkoop Street
Denver, CO 80202

Once the CA is filed and a final order is issued, the EPA will send you a fully executed copy. Should you have any questions, please contact me via email at bearley.mia@epa.gov or by phone at (303) 312-6554. Christopher Ajayi, technical enforcement specialist, is also available to discuss this matter at ajayi.christopher@epa.gov or (303) 312-6320.

Sincerely,



Mia Bearley, Enforcement Attorney
Legal Enforcement Program

Enclosure: Consent Agreement

