



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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MEMORANDUM

SUBJECT: Proposed Administrative Consent Agreement for Intermountain Rural Electric
Docket No. SDWA-08-2015-0026

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

TO: Elyana R. Sutin, Regional Judicial Officer

DATE: August 26, 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 Intermountain Rural Electric (Respondent), and is now being submitted for your approval. If the Final Order is issued, the CA, consistent with 40 C.F.R. section 22.18(b), will resolve the civil administrative liability of Respondent in this matter.

This CA settles a Proposed Compliance Order, Penalty Complaint and Notice of Opportunity for Hearing (Complaint) issued to Respondent on July 13, 2015. The Complaint addresses Respondent's 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 Respondent since it timely complied with all the requirements of the Complaint, including permanently closing the Motor Vehicle Waste Disposal Well at issue. 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.