



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

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Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Nathan L. Breinholt, Registered Agent
Big Cottonwood Pine Tree Water Company, Inc.
3463 Cottage Pines Cove
Cottonwood, Utah 84121

Re: Administrative Order Violation, Big Cottonwood Pine Tree Water Company Public Water System, PWS ID # UTAH18139, Docket No. SDWA-08-2013-0042

Dear Mr. Breinholt:

On September 4, 2013, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order) ordering Big Cottonwood Pine Tree Water Company, Inc., (Respondent), as owner and/or operator of the Big Cottonwood Pine Tree Public Water System (System), to comply with the Safe Drinking Water Act, 42 U.S.C. Section 300f et seq., and its implementing regulations, the National Primary Drinking Water Regulations, 40 C.F.R. part 141.

Our records indicate that the Respondent is in violation of the Order. Among other things, the Order included the following requirement (from item 18 on page 2 of the Order):

Respondent shall complete any future significant deficiency corrective actions in compliance with an approved corrective action schedule or within 120 days of receiving written notification from the State of the significant deficiency. 40 C.F.R. § 141.404.
Respondent shall notify the State within 30 days of completion of significant deficiency corrective actions. 40 C.F.R. § 141.405(a)(2).

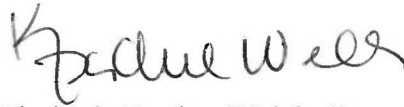
The System submitted plans for a new spring development to the Utah Department of Environmental Quality (State) as the corrective action for an insufficient source capacity significant deficiency. The State sent a letter to the System dated January 9, 2015, which detailed missing information in the System's plan but DEQ has not received a revised plan. The DEQ issued a violation letter to the Respondent dated July 6, 2015, for failure of the System to address the significant deficiency. **Within 90 days of the date of this letter, Respondent must provide a plan that incorporates all the information required in the State's January 9, 2015, letter to the System and a schedule for completion of the plan to the EPA and the State. Respondent shall submit quarterly progress reports to the EPA and the State beginning the quarter after the State approves the plan.**

The EPA is considering additional enforcement action as a result of the Respondent's non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions you may contact Kathelene Brainich at the above address (with the mailcode 8ENF-W), via email at brainich.kathelene@epa.gov, or by phone at (800) 227-8917, extension 6481 or (303) 312-6481. If the System is represented by an attorney who has questions, please ask the attorney to direct any legal questions to Mia Bearley, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L), via email at bearley.mia@epa.gov, or by phone at (800) 227-8917, extension 6554 or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,



Kimberly Pardue-Welch, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Daniel McCarthy, Vice President, Big Cottonwood Pine Tree (via email)
Patti Fauver, UT DEQ Drinking Water Rule Section Manager
Nathan Lunstad, PE, UT DEQ (via email)
Mark Chandler, CRS Engineering (via email)
Melissa Haniewicz, EPA Regional Hearing Clerk