



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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<http://www.epa.gov/region08>

2008DEC-9 11:06

DEC - 9 2008

Ref: 8 ENF-W

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED

Millard County Commission
c/o Kathleen Walker
Sunset View Golf Course
PO Box 854
Delta, Utah 84624

Re: Violation of Administrative Order
Docket No. SDWA-08-2007-0038
Sunset View Golf Course
PWS ID # UTAH14035

Dear Ms. Walker:

On March 19, 2007, the US Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2007-0038, ordering Millard County, Utah (the Respondent), owner and operator of the Sunset View Golf Course Public Water System (the System) to comply with various drinking water regulations issued by EPA under the Safe Drinking Water Act (the Act), 42 U.S.C. Section 300f et seq.

Our records indicate that Sunset View Golf Course is in violation of the Administrative Order. Among other things, the Order included the following requirements (quoted from items 1 and 3 of the Order section on pages 4 and 5 of the Order).

1. Upon the effective date of this Order, Respondent shall comply with the requirement of 40 C.F.R. §141.21(a) to perform quarterly bacteriological monitoring to determine compliance with the maximum contaminant level (MCL) as stated in 40 C.F.R. §141.63. Respondent shall report analytical results to the State and EPA within the first 10 days of the end of the monitoring period, as required by 40 C.F.R. §141.31(a).

Sunset View Golf Course did not monitor for total coliform bacteria during the third quarter (July-September) of 2008.

2. Within 30 days from opening for the 2007 season, Respondent must provide public notice of the violations specified under the Findings of Violation in this Order, to return to compliance with 40 C.F.R. §§141.201, 141.204, 141.205. Upon the effective date of this Order, Respondent shall comply with the public notification requirements at 40 C.F.R. §141.201 et seq. following any future NPDWR violation. Respondent shall submit a copy of the public notice to the State and EPA within 10 days of completion of the public notice, as required by 40 C.F.R. §141.31(d). This notice must be given by any one of the following methods: (1) posting the notice in conspicuous locations throughout the distribution system frequented by persons served by the system; (2) by mail or direct delivery to each customer and service connection; AND (3) any other method reasonably calculated to reach other persons served by the system, if they would not normally be reached by the notice described in (1) and (2), including publication in a local newspaper or newsletter distributed to customers; use of email to notify employees or students; or, delivery of multiple copies in central locations.

EPA has not received Sunset View Golf Course's public notice for the violations noted in the Order. Please conduct the public notice immediately and submit a copy to EPA and the State.

EPA acknowledges that Neil Forster, the operator of the System, had a heart attack in September of 2008. We wish Mr. Forster the best during his recovery. Although this was a very unfortunate event, Sunset View Golf Course is still required to comply with all drinking water regulations.

EPA is considering additional enforcement action as a result of the non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$32,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions or wish to have an informal conference with EPA, you may contact Shawn McCaffrey at 1-800-227-8917, extension 6515 or (303) 312-6515. If you are represented by an attorney who has questions, please contact Peggy Livingston, Senior Enforcement Attorney, at (303) 312-6858 or at the following address:

Peggy Livingston
Senior Enforcement Attorney
U.S. EPA, Region 8 (8-ENF-L)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Neil Forster, Operator
Kevin Morris, Sunset View GC
Ken Bousfield, Utah DEQ
Patti Fauver, Utah DEQ
Tina Artemis, EPA Regional Hearing Clerk