



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2011 DEC 15 AM 8:06

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


FILED
EPA REGION VIII
HIDAMANT CLERK

DOCKET NO.: SDWA-08-2011-0061

IN THE MATTER OF:)
)
GUNNELS FARMS, INC.) FINAL ORDER
)
RESPONDENT)

Pursuant to 40 C.F.R. 22.18, of EPA's Consolidated Rules of Practice, the Consent Agreement resolving this matter is hereby approved and incorporated by reference into this Final Order. The Respondent is hereby **ORDERED** to comply with all of the terms of the Consent Agreement, effective immediately upon receipt by Respondent of this Consent Agreement and Final Order.

SO ORDERED THIS 15th DAY OF December, 2011.



Elyana R. Sutin
Regional Judicial Officer

any transfer of assets or real or personal property, shall not alter Respondent's responsibilities under this agreement. This Consent Agreement contains all terms of the settlement agreed to by the parties.

5. EPA acknowledges that Respondent has timely closed the Class V Motor Vehicle Waste Disposal well at issue and submitted documentary evidence of the closure to EPA.
6. Respondent agrees to keep the Class V Motor Vehicle Waste Disposal well at issue permanently closed.
7. Due to Respondent's timely compliance and in consideration of the statutory penalty factors at 42 U.S.C § 300h-2(c)(4)(B), EPA agrees to settle this action without the assessment of a civil penalty.
8. Nothing in this Consent Agreement shall relieve Respondent of the duty to comply with the SDWA and its implementing regulations.
9. The undersigned representative of Respondent certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement and to bind Respondent to the terms and conditions of this Consent Agreement.
10. The parties agree to submit this Consent Agreement to the Regional Judicial Officer with a request that it be incorporated into a final order.
11. Each party shall bear its own costs and attorney fees in connection with this matter.
12. This Consent Agreement, upon incorporation into a final order by the Regional Judicial Officer and full satisfaction by the parties, shall be a complete and full civil settlement of the specific violations alleged in the Complaint.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, REGION 8,**

Complainant.

Date: 12/9/2011

By: 

Andrew M. Gaydosh
Assistant Regional Administrator
Office of Enforcement, Compliance
and Environmental Justice

Gunnels Farms, Inc.

Respondent.

Date: 11/21/2011

By: 

Name: DOUG GUNNELS

Title: President

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CONSENT AGREEMENT/FINAL ORDER** in the matter of **GUNNELS FARMS, INC., DOCKET NO.: SDWA-08-2011-0061** was filed with the Regional Hearing Clerk on December 15, 2011.

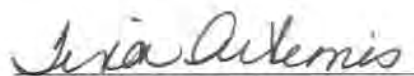
Further, the undersigned certifies that a true and correct copy of the documents were delivered to, Marc Weiner, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on December 15, 2011, to:

Bob Gjellum, Registered Agent
Gunnels Farms, Inc.
P. O. Box 591
Monte Vista, CO 81144

E-mailed to:

Elizabeth Whitsel
U. S. Environmental Protection Agency
Cincinnati Finance Center
26 W. Martin Luther King Drive (MS-0002)
Cincinnati, Ohio 45268

December 15, 2011



Tina Artemis
Paralegal/Regional Hearing Clerk

