



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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HEARING CLERK

Ref: 8ENF-W

JAN - 3 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Field, Registered Agent
Woodenshoe Pipeline Company
4877 N. Woodenshoe
Peoa, UT 84061

Re: Administrative Order Violation
Woodenshoe Pipeline Company
Public Water System
Docket No. SDWA-08-2012-0006
PWS ID #UTAH22058

Dear Mr. Field:

On January 5, 2012, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order) ordering Woodenshoe Pipeline Company (Company), as owner/operator of the Woodenshoe public water system, to comply with the Safe Drinking Water Act (SDWA), 42 U.S.C. Section 300f et seq., and its implementing regulations, the National Primary Drinking Water Regulations (NPDWRs), 40 C.F.R. Part 141.

Our records indicate that the Company (Respondent) is in violation of the Order. Among other things, the Order included the following requirements (quoted from items 19 and 20 on page 3 and 4 of the Order):

1. Within 90 days after receipt of this Order, Respondent shall provide EPA and DEQ with a schedule for Respondent to come into compliance with 40 C.F.R. part 141, subparts H and T, either by meeting the filtration and disinfection or filtration avoidance requirements, switching permanently to an alternate source of water that is not subject to these requirements, or by redeveloping the source to eliminate surface water influence. The plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project and compliance with 40 C.F.R. part 141, subparts H and T. The proposed schedule shall include specific milestone dates and a final compliance date to be within 15 months from the date of EPA's approval of the plan and schedule. The plan and schedule must be approved by EPA before construction or modifications can begin. EPA's approval of Respondent's plans and schedule does not substitute for any State of Utah approval of plans and specifications that may also be required before modifications may be made to the System.
2. The plan and schedule required by [the] paragraph above will be incorporated into this Order as enforceable requirements upon written approval by EPA.

EPA issued an Administrative Order Addendum (Addendum) on May 21, 2012, to the Company approving and incorporating the plan and schedule for completing system modifications as outlined in the May 4, 2012, email to EPA from Epic Engineering (Epic) on behalf of Respondent. On August 8, 2012, EPA received a request for an extension of the plan completion date from Clyde Snow & Sessions P.C., Attorneys at Law, (Attorneys) on behalf of Respondent. The Attorneys requested the plan completion date be extended from November 15, 2012, to February 28, 2013. The EPA notified Respondent, Epic, and the Attorneys via email on September 11, 2012, that milestone dates were necessary for EPA to approve an extension. On October 24, 2012, EPA again contacted Respondent, Epic, and the Attorneys via email that revised milestone dates were necessary. EPA did not receive revised dates for the extension request until November 19, 2012, after the final completion date on the approved schedule had passed.

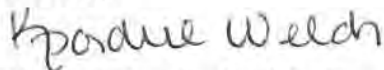
EPA is considering additional enforcement action as a result of your non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions you may contact Kathelene Brainich at 1-800-227-8917, extension 6481, or (303) 312-6481. If you are represented by an attorney who has questions, please ask your attorney to direct any legal questions to Charles Figur, Enforcement Attorney, at the above 800 number, extension 6915, or at (303) 312-6915.

Charles Figur, 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.

Sincerely,



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

cc: Joseph N. Santos, Epic Engineering
Steven E. Clyde, Clyde Snow & Sessions P.C.
Patti Fauver, UTDEQ
Tina Artemis, EPA Regional Hearing Clerk