



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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

**SEP 28 2015**

Ref: 8ENF-W

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jenna Whitlock, Director (Acting)  
Bureau of Land Management  
Utah State Office  
404 West 200 South, Suite 500  
Salt Lake City, Utah 84101-1345

Re: Administrative Order issued to the U.S. Department of Interior for the the Paria Contact Station Public Water System, PWS ID #UTAH13030, Docket No. SDWA-08-2015-0029

Dear Ms. Whitlock:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency (EPA) under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that the U.S. Department of Interior, Bureau of Land Management (Bureau), as owner and/or operator of the Paria Contact Station public water system, has violated the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141.

The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any pertinent information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served, etc.). If the EPA does not hear from you, the EPA will assume the information included in this Order is correct.

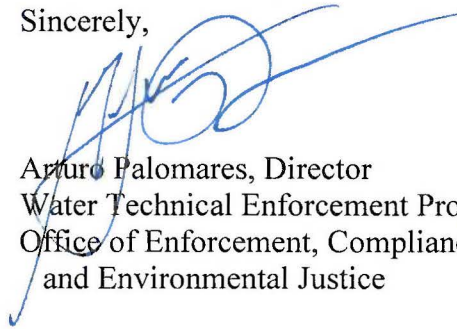
If the Bureau complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties.

To submit information or to request an informal conference with the EPA, please contact Olive Hofstader, at the above address (with the mailcode 8ENF-W), by phone at (800) 227-8917, extension 6467, or (303) 312-6467, or by email at [hofstader.olive@epa.gov](mailto:hofstader.olive@epa.gov). Any questions from the Bureau's attorney should be directed to Mia Bearley, Enforcement Attorney, who may be reached at

the above address (with the mailcode 8ENF-L), by phone at (800) 227-8917, extension 6554, or (303) 312-6554, or by email at bearley.mia@epa.gov.

We thank you for your attention to this matter.

Sincerely,



Arturo Palomares, Director  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosure:  
Order

cc:  
Patti Fauver, Rule Section Manager, UT DEQ Division of Drinking Water (via email)  
Brian Kunk, Civil Engineer, Bureau of Land Management (via email)  
Tina Artemis, EPA Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2015 SEP 28 AM 9:27

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IN THE MATTER OF: )  
 )  
U.S. Department of Interior, )  
Bureau of Land Management, )  
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 )  
Respondent. )

Docket No. SDWA-08-2015-0029

FILED  
EPA REGION VIII  
HEARING CLERK

**ADMINISTRATIVE ORDER**

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned official.
2. The U.S. Department of Interior, Bureau of Land Management (Respondent) is a Federal Agency that owns and/or operates the Paria Contact Station Public Water System (System), which provides piped water to the public in Kane County, Utah, for human consumption.
3. The System is supplied by a groundwater source accessed via 1 well; the water is not treated.
4. The System has approximately 3 service connections and/or regularly serves an average of approximately 105 individuals daily at least 60 days out of the year. Therefore, the System is a “public water system” as defined in section 1401(4) of the Act, 42 U.S.C. § 300f(4), and 40 C.F.R. § 141.2. The System is also a “transient, non-community water system” as defined in 40 C.F.R. § 141.2.
5. Respondent is subject to the Act and the National Primary Drinking Water Regulations (Drinking Water Regulations) at 40 C.F.R. part 141. The Drinking Water Regulations are “applicable requirements” as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
6. The Drinking Water Regulations include monitoring requirements. The State of Utah has sent Respondent annual notifications of the specific monitoring requirements that apply to the System.
7. The Utah Department of Environmental Quality (State) has primary enforcement authority for the public water system supervision provisions of the Act in the State of Utah. The EPA issued a notice of Respondent’s violations to the State and to Respondent on August 5, 2015. The State elected not to commence an enforcement action against Respondent for the violations listed in that notification within the 30-day time frame set forth in section 1414(a) of the Act, 42 U.S.C. § 300g-3(a). The EPA has provided a copy of this Order to the State and has provided the State the opportunity to confer with the EPA regarding this Order.

**VIOLATIONS**

8. Respondent is required to monitor the System’s water annually for nitrate. 40 C.F.R. § 141.23(d). Respondent failed to monitor the System’s water for nitrate during 2014 and, therefore, violated this requirement.

**ORDER**

Based on the above violation, Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

9. Respondent shall monitor the System's water for nitrate as required by the Drinking Water Regulations. 40 C.F.R. § 141.23. Respondent shall report analytical results to the State within the first 10 days following the month in which Respondent received sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the nitrate monitoring requirements to the State within 48 hours of the violation occurring, as required by 40 C.F.R. § 141.31(b). Note: Respondent sampled for nitrate at the System on April 28, 2015. A sample is next due during calendar year 2016.
10. For any future violation of the Drinking Water Regulations for which this Order does not specify a reporting period, Respondent shall, within 48 hours, (a) report that violation to the State as required by 40 C.F.R. § 141.31(b), and (b) provide the EPA a copy of this notification. However, if the Drinking Water Regulations specify a different time period for reporting the particular violation, Respondent shall report the violation to the State and to the EPA within that different period.
11. This Order shall be binding on Respondent, and any person (e.g., employee, contractor, or other agent) acting in concert with Respondent.
12. If Respondent (a) leases or sells the System to another person or entity, or (b) contracts with or hires any other person or entity to operate the System, Respondent shall, no later than the date of such lease, sale, or other contract, provide a copy of this Order to the lessee, purchaser, or contractor. No later than 10 days thereafter, Respondent shall notify the EPA in writing of the lease, sale, or other contract, with such notification to include the name and contact information of the person who has leased, bought, or contracted to operate the System. Respondent shall remain obligated to comply with this Order even if Respondent leases the System to another person or entity or hires another person or entity to operate the System.
13. Respondent shall send all reporting and notifications required by this Order in writing to:  

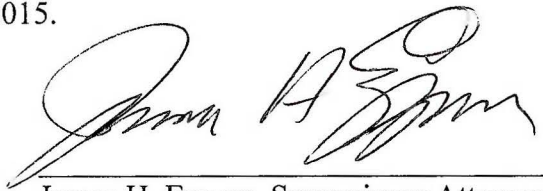
Olive Hofstader (8ENF-W) Environmental Protection Specialist U.S. EPA Region 8 (8P-W-DW) 1595 Wynkoop St. Denver, Colorado 80202-1129	Patti Fauver, Rules Section Manager Utah Department of Environmental Quality Division of Drinking Water P.O. Box 144830 Salt Lake City, Utah 84114-4830
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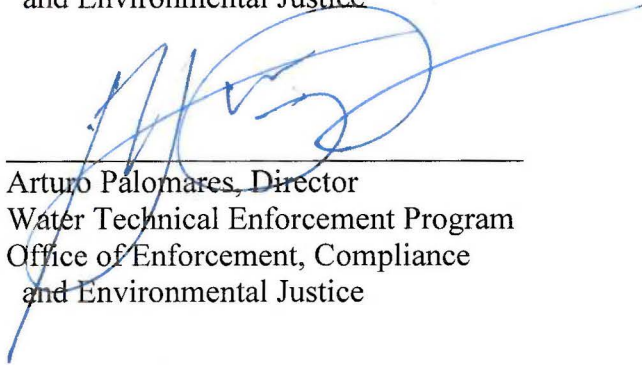
**GENERAL PROVISIONS**

14. This Order shall not constitute a waiver, suspension, or modification of any requirement of the Act or the Drinking Water Regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.
15. Violation of any part of this Order may subject Respondent to a civil administrative penalty of up to \$32,500 per day of violation (as adjusted for inflation). Violation of the Act or the Drinking Water Regulations may subject Respondent to a civil administrative penalty of up to \$32,500 per day per violation (as adjusted for inflation). 42 U.S.C. §§ 300g-3, 300j-6, 300j-8; 40 C.F.R. part 19.
16. This Order is effective upon receipt by Respondent and will continue to be in effect until closed by the EPA.

Issued: September 28, 2015.



James H. Eppers, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice



Arturo Palomares, Director  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

