



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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SEP - 9 2009

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: 2nd 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. § 300f *et seq.* On December 9, 2008, EPA issued a violation of Administrative Order letter to Millard County regarding violations of the Order.

Our records indicate that Millard County is again in violation of the Administrative Order. Among other things, the Order included the following requirement (quoted from item I of the Order section on page 4 of the Order).

- I. 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).

Millard County did not monitor for total coliform bacteria at the system during the second quarter (April - June) of 2009.

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 \$37,500 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. Any questions from your attorneys should be directed to 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
Todd Mullen, Sunset View GC
Patti Fauver, Utah DEQ
Tina Artemis, EPA Regional Hearing Clerk