



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Phone 800-227-8917  
<http://www.epa.gov/region08>

2008 SEP -3 AM 8: 22

EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-W

SEP - 3 2008

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Kenneth Bousfield, Director  
Division of Drinking Water  
Utah Department of Environmental Quality  
POB 144830  
Salt Lake City, UT 84114-4830

NOTICE OF VIOLATION  
Docket No. **SDWA-08-2008-0100**  
Town of Plymouth  
Plymouth, UT 84330  
PWS# UTAH02013

Dear Mr. Bousfield:

The above referenced public drinking water system has violated certain provisions of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f, *et seq.* and the National Primary Drinking Water Regulations at 40 C.F.R. part 141. The violations consist of failure to monitor for disinfection byproducts, chlorine residuals, nitrate, total coliform bacteria, inorganics, and radium 228, and failure to provide public and state notification of the violations. Our records, obtained from the Utah Department of Environmental Quality (DEQ), indicate the violations noted below. Please have your staff notify Kathelene Brainich at (303) 312-6481 within 20 days if your records show any discrepancies with these determinations of violation.

<u>Violation Date</u>	<u>Violation</u>
2007	Failure to monitor for disinfection byproducts (40 C.F.R § 141.132(b))
1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> quarters 2007 and 1 <sup>st</sup> quarter 2008	Failure to monitor for chlorine residual (40 C.F.R. § 141.132(c)(1))
2005, 2006, 2007	Failure to monitor for nitrate (40 C.F.R. § 141.23(d))
February 2007	Failure to take 5 additional routine total coliform samples after a total coliform positive sample the preceding month (40 C.F.R. § 141.21(a)(5))
February 2007	Failure to collect a set of total coliform repeat samples after a total coliform positive sample (40 C.F.R. § 141.21(b))

- 2006, 2007 Failure to monitor for radium-228 (40 C.F.R. § 141.26)
- 2005-2007 Failure to monitor for inorganic contaminants (40 C.F.R. § 141.23)
- 2006, 2007, 2008 Failure to provide public notice of violations (40 C.F.R. § 141.201 *et seq.*)
- 2006, 2007, 2008 Failure to notify the State of violations (40 C.F.R. §§ 141.21(g)(2), 141.31(b))

This notice of violation is issued pursuant to section 1414(a) of the SDWA, 42 U.S.C. § 300g-3(a). If the State does not commence appropriate enforcement action within 30 days from the receipt of this notification, the EPA is authorized either to issue an administrative order under section 1414(g) of the SDWA, 42 U.S.C. § 300g-3(g), requiring the public water system to comply with the regulations or other requirements, or to commence civil action under section 1414(b) of the SDWA, 42 U.S.C. § 300g-3(b).

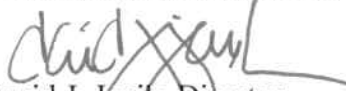
Please inform EPA of any change in the compliance status of this system. You may wish to have your staff confer with Ms. Brainich to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence appropriate enforcement action within 30 days from the receipt of the notification, EPA will proceed with issuance of an administrative order.

A copy of this notice of violation has been concurrently sent to the system identified above. Also enclosed for the benefit of the system is a copy of EPA's Small Business Regulatory Enforcement and Fairness Act (SBREFA) fact sheet containing information on compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to this situation. A compliance assistance center for small governments, the Local Government Environmental Assistance Network (LGEAN), can be reached at [www.lgean.com](http://www.lgean.com) or by calling (877) 865-4326. SBREFA does not eliminate the responsibility to comply with the Act.

Sincerely,



Diane L. Sipe, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
Office of Enforcement, Compliance  
and Environmental Justice



David J. Janik, Director  
Matthew Cohn, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosure

cc: Arnold Lamb, Mayor, Town of Plymouth (certified mail w/return receipt)  
Brian Scott Starr, Town of Plymouth  
Patti Fauver, UT DEQ DW (w/o enclosure)