



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 WYNKOOP STREET

DENVER, COLORADO 80202-1129

Phone 800-227-8917

<http://www.epa.gov/region08>

2007 APR 23 PM 12: 29

Ref: 8ENF-W

APR 23 2007

EPA REGION VIII
HEADING CLERK

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ken Bousfield, Director
Division of Drinking Water
Utah Dept. of Environmental Quality
P.O. Box 144830
Salt Lake City, UT 84114-4830

NOTICE OF VIOLATION

Docket No. SDWA-08-2007-0047

Diamond Ranch Academy
1500 E. 2700 South
Hurricane, UT 84737
PWS# UTAH27088

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 chlorine residual, nitrate, lead/copper, and total coliform, failure to provide public notice, and failure to notify the State of the violations. Our records, obtained from the Utah Department of Environmental Quality, indicate the violations noted below. Please notify Kathelene Brainich of my staff at (303) 312-6481 within 20 days if your records show any discrepancies with these determinations of violation.

Date of
Violation

Violation

2006 Failure to monitor for maximum residual disinfectant levels (MRDL)
2005 (monitor monthly, report quarterly, compliance based on annual average)
2004

2006 Failure to monitor for nitrate
2004

2006 2004	Failure to monitor for lead/copper
Apr 2006 Sep 2005 Nov 2003	Failure to monitor for total coliform bacteria
Aug 2005 Feb & Nov 2004 Oct 2003	Failure to take 5 additional routine total coliform samples after a total coliform positive sample the preceding month
Sep & Oct 2004	Failure to collect a set of total coliform repeat samples after a total coliform positive sample
Oct 2004	Maximum contaminant level exceedance for total coliform bacteria
2003-2005	Failure to provide public notice of violations
2003-2006	Failure to report violations to the State

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).

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. EPA has agreed to notify small businesses of their right to comment on regulatory enforcement activities at the same time of an Agency enforcement action. SBREFA does not eliminate a public water system's responsibility to comply with the Act.

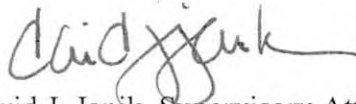
Please inform EPA of any change in the compliance status of this system. You may wish to confer with our staff to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence appropriate enforcement

action within 30 days from the receipt of the notification, EPA will proceed with issuance of an Administrative Order. Our technical contact is Kathelene Brainich at (303) 312-6481.

Sincerely,



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



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

Enclosure

cc: Bryce Zundel, Diamond Ranch Academy – via certified mail, return receipt requested
Patti Fauver, UT DEQ DW