



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8 ENF-W

OCT 06 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kip Bowler, Chairman
Gunlock Special Service District
411 N. Main
Gunlock, UT 84733

Re: Violation of Administrative Order
Gunlock Special Service District
Public Water System
Docket No. SDWA 08-2010-0016
PWS ID # UTAH27005

Dear Mr. Bowler:

On April 19, 2010, the US Environmental Protection Agency (EPA) issued an Administrative Order, Docket No. SDWA-08-2010-0016, ordering the Gunlock Special Service District, as owner and/or operator of the Gunlock Special Service District public water system, to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f *et seq.*

Our records indicate that the Gunlock Special Service District (Respondent) is in violation of the Administrative Order (the Order). Among other things, the Order included the following requirements (quoted from items 21, 27, 28 and 29 on pages 3 and 4 of the "Order" section):

1. (Item 21) Respondent shall monitor the system's water for total coliform bacteria monthly, as required by 40 C.F.R. § 141.21. Respondent shall report any violation of the total coliform monitoring requirements to EPA and the State within ten days of discovery, as required by 40 C.F.R. § 141.21(g)(2).

2. (Item 28) Unless specified otherwise, Respondent shall report analytical results to EPA and the state within the first 10 days following the month in which each sample result is received, as required by 40 C.F.R § 141.31(a).

Respondent failed to monitor and/or report the system's water for total coliform bacteria during May, June, July and Aug of 2010 and failed to report these violations to EPA and the State.

3. (Item 27) Respondent shall monitor the residual disinfectant level in the system's water at the same time and place in the distribution system as total coliform are sampled, as required by 40 C.F.R. § 141.132 (c)(1). Respondent shall report sample results and all information required by 40 C.F.R. § 141.134(c)(1) quarterly to EPA and the State no later than 10 days after the end of each quarter as required by 40 C.F.R. § 141.134(a).

Respondent failed to monitor and/or report the residual disinfectant level in the system's water during the 2nd (April - June) quarter of 2010. On August 26, 2010, the State sent a Notice of Violation letter to Respondent citing this failure to monitor/report residual disinfectant levels.

4. (Item 29) Except where a different reporting deadline is specified in the drinking water regulations or this Order, Respondent shall report any violation of the drinking water regulations to EPA and the State within 48 hours or, if another time period for reporting is specified in the drinking water regulations, within that time period. 40 C.F.R. § 141.31(b).

Respondent failed to report its violation of residual disinfectant monitoring and/or reporting requirements to EPA and the State.

EPA is considering additional enforcement action as a result of the non-compliance with the Order detailed above. 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 Mario Mérida at 1-800-227-8917, extension 6297 or (303) 312-6297. If the Gunlock Special Service District is represented by an attorney who has questions, that attorney may contact David Janik, Enforcement Attorney, at 1-800-227-8917, extension 6917 or (303) 312-6917 or at the following address:

David Janik
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,



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Tina Artemis, EPA Regional Hearing Clerk
Patti Fauver, UT DEQ DW