



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

0008

May 17 1993
ecl. Braxton
Dir. O&G &
Mining
FYI

007/001#2
RECEIVED

MAY 17 1993

MAY 20 1993

Ref: 8WM-DW-PWSIE

Utah Dept. Environmental Quality
Executive Director's Office

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Kitt Pappas
Valley Camp Coal
Scofield Route
Helper, Utah 84501

Re: Proposed Administrative Order
Docket No. 8-PWS-VIII-92-274
PWS ID # UT4903050

Dear Mr. Pappas:

Enclosed you will find a document entitled "Proposed Administrative Order" and a copy of the procedures the Administrator of the Environmental Protection Agency (EPA) follows in proposing and issuing such orders to public water suppliers who have violated the Safe Drinking Water Act (SDWA), 42 U.S.C. Section 300g-1 et seq., or its implementing regulations 40 C.F.R. Part 141.

EPA is proposing to issue to Valley Camp Coal the enclosed Administrative Order. The proposed Order finds that you are a public water supplier as defined by the SDWA and therefore subject to its requirements. In it, EPA also finds that you have violated 40 CFR Sections 141.24, 141.28, 141.31, and 141.32, for failure to monitor for organic contaminants; failure to have samples analyzed by a laboratory approved by the state or EPA for the purpose of determining compliance with 40 CFR §141.24 (samples analyzed by a laboratory not properly certified do not count towards compliance with 40 CFR §141.24); failure to report violations to EPA; and failure to give public notice of non-compliance. The enclosed Order requires your compliance with these requirements of the SDWA and its implementing regulations.

You are entitled to a public hearing to allow EPA to determine the extent and nature of your violations, if any, of the SDWA or its implementing regulations. EPA may also conduct such a public hearing if there is sufficient public interest to justify a hearing. With or without a public hearing, EPA may issue, amend or withdraw the enclosed proposed Administrative

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Order. Whether or not a hearing is requested, you may confer informally with EPA concerning the alleged violations. You are allowed to be represented by an attorney at any stage of these proceedings.

A violator of a compliance order is subject to an administratively assessed civil penalty not to exceed \$5,000, or a court-imposed penalty not to exceed \$25,000 per day of violation.

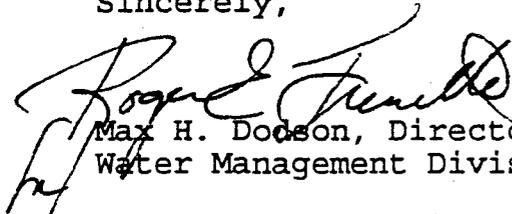
If you wish to request a public hearing, please contact in writing

Debra J. Kovacs
U. S. EPA Region VIII (8WM-DW-PWSIE)
999 18th Street, Suite 500
Denver, CO 80202-2466

within the next fourteen days. If you have any questions or wish to have an informal conference with EPA, you may call Ms. Kovacs at (303) 293-1702 or write Ms. Kovacs at the above address.

We urge your prompt attention to this matter.

Sincerely,


Max H. Dodson, Director
Water Management Division

Enclosure

cc: Dianne Nielson, UT DEQ (w/o enclosure)
Gayle Smith, UT DEQ (w/o enclosure)
Ken Bousfield, UT DEQ (w/enclosure)