

PUBLIC NOTICE

U.S. Environmental Protection Agency
Region 4
Water Protection Division
Safe Drinking Water Branch
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960
(404) 562-4300

Public Notice No.: SDWA-04-2010-1000(b)

Date: October 30, 2009

Notice of Proposed Issuance of Consent Agreement and Final Order

The U.S. Environmental Protection Agency (EPA) Region 4, intends to issue a Consent Agreement and Final Order (CA/FO) under the authority of Section 1423(c)(2) of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300h-2 (c)(2) to Eagle Well Service, Inc., 65 Ivyton Road, Salyersville, KY 41465, Docket No. SDWA-04-2010-1000(b) for violating the SDWA and the Underground Injection Control (UIC) regulations for overdue demonstration of mechanical integrity of the W. S. Adams #177W injection well in Magoffin County, Permit No. KYI0523. EPA is proposing to assess an administrative penalty in the amount of \$2,697.50. Eagle Well Service, Inc. has waived the right to contest allegations set forth in the CA/FO.

The proposed CA/FO is open to comment from the public. Persons wishing to comment upon any aspect of the proposed CA/FO are invited to submit comments in writing or send an email on the EPA Region 4 Website http://www.epa.gov/region4/water/wpeb/npdes_states.html#email within thirty (30) days of this notice to the U.S. Environmental Protection Agency, Region 4, Safe Drinking Water Branch, 61 Forsyth Street, S.W., Atlanta, Georgia 30303-8960, ATTENTION: Carol Chen. The Public Notice and Docket Numbers should be included in the first page of comments. The commenter must provide his name and complete mailing address. All comments received during the public notice period will be made part of the administrative record of the CA/FO and will be available for public review. After consideration of all timely written comments, the requirements and policies in the SDWA and appropriate regulations, EPA will make a final determination regarding the issuance of a CA/FO.

Any person who commented will receive a copy of the proposed CA/FO. Within thirty (30) days of receipt of the CA/FO, a commenter may petition the Regional Administrator to set aside the proposed CA/FO on the basis that material evidence was not considered. Copies of the petition shall be served on the parties. Unless a petition is filed, a CA/FO becomes effective ten (10) days after the close of comment period.

The administrative record, including the draft CA/FO and comments received, is available for review and copying at 61 Forsyth Street, S.W., Atlanta, Georgia 30303-8960, between the hours of 8:15 a.m. and 4:30 p.m., Monday through Friday. Copies will be provided at a cost of 20 cents per page.