

12/12/91

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D. C.

In the Matter of :  
: :  
Safari Heights Water System : Dkt. No. SDWA-C9001  
: :  
Respondent :  
:

Safe Drinking Water Act as amended, §1414(g)(3)(A), (B), 42 U.S.C. §300g-3(g)(3)(A), (B): Complainant is entitled to judgment for violation of an Administrative Order as charged in the complaint, by default order, pursuant to motion and 40 C.F.R. §22.17(a) where respondent failed twice to make pretrial exchange as ordered.

APPEARANCES:

Robyn Moore, Esquire, Office of Regional Counsel, United States Environmental Protection Agency, Region VI, 1445 Ross Avenue, Dallas, Texas 75202, for complainant.

Mr. Gene Porter, Safari Heights Water System, 2200 S. Pine, Guthrie, Oklahoma 73044, for respondent.

DEFAULT ORDER

This administrative proceeding for the assessment of a civil penalty was brought pursuant to §1414(g)(3)(A) of the Safe Drinking Water Act (SDWA), as amended, 42 U.S.C. §300g-3(g)(3)(A), §1414(g)(3)(B).

The complaint (February 11, 1990) charges respondent with violation of an Administrative Order, Docket Number F8928, issued on April 4, 1989, to respondent pursuant to authority of Section

1414(g) of SDWA, 42 U.S.C. §300g-3(g). The Administrative Order found that respondent had violated 40 C.F.R. §141.14 and §141.21 in 1986, 1987, and 1988.<sup>1</sup> The Order required respondent to comply with 40 C.F.R. §141.14 and §141.21 within sixty days. 40 C.F.R. §141.21 requires respondent to analyze or use the services of an approved laboratory for coliform bacteria at least once each month. According to the Order, respondent had failed to submit samples to an approved laboratory in February, April, and May of 1985; April, May, and October of 1986; April, July, and November of 1987; and July of 1988. 40 C.F.R. §141.14 requires respondent to deliver water with concentrations of coliform bacteria not to exceed the maximum contaminant level. According to the Order, respondent violated §141.14 "by delivering water that exceeded the maximum contaminant level and was so notified by the Oklahoma State Department of Health in August, September and November 1986, February 1987, and February and August 1988." The complaint herein alleges that respondent violated the Administrative Order by failing to deliver water "to the free flowing outlet of the ultimate user of the water system with concentrations of coliform bacteria not to exceed the maximum contaminant level in July through September, 1989."<sup>2</sup>

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<sup>1</sup> See Findings 4 and 5 of the Administrative Order, at 1-2, attached hereto and made a part hereof by reference.

<sup>2</sup> Complaint of February 2, 1990, paragraphs 4, 5, and 7, at 1-2.

The complaint does not allege that the Administrative Order was violated in connection with 40 C.F.R. §141.21, violations of which were found in the Administrative Order.

Respondent requested a hearing in connection with the complaint herein by letter dated February 18, 1990. The matter was referred to this office on April 10, 1991. Thereafter the parties were ordered (April 11, 1991) to confer for the purpose of pursuing settlement. On August 6, 1991, after it appeared from a status report of August 2, 1991, that settlement could not profitably be pursued further, the parties were ordered to engage in pretrial exchange. The first exchange was to be made no later than September 6, 1991. Complainant's exchange was filed on September 5, 1991. No exchange was filed by respondent. On September 23, 1991, respondent was again ordered to make the exchange. (See Order of September 23, 1991, attached). No exchange has been filed by respondent. No response was made to complainant's motion for default order.

The following are based upon the allegations in the complaint and exhibits submitted in complainant's pretrial exchange:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent Safari Heights Water System is a "person" as defined in §1401(12) of the SDWA, 42 U.S.C. §300f(12), and 40 CFR §141.2.

2. Respondent Safari Heights Water System is a "supplier of water" and an owner/operator of a "public water system" in accordance with the definitions of these terms under section 1401

of SDWA, 42 U.S.C. §300f, and 40 CFR §141.2.<sup>3</sup>

3. Respondent Safari Heights Water System is a "person" subject to an Administrative Order issued under §1414(g)(1) of the SDWA, 42 U.S.C. §300g-3(g)(1).

4. Respondent Safari Heights is required by 40 CFR §141.14 to deliver water to the free flowing outlet of the ultimate user of the water system with concentrations of coliform bacteria not to exceed the maximum contaminant level. Respondent violated 40 CFR §141.14 by delivering water that exceeded the maximum contaminant level for coliform bacteria and was so notified by the Oklahoma State Department of Health in September and November 1986, and June through September 1989.

5. Respondent Safari Heights Water System is required by 40 CFR §141.21 to analyze or use the services of an approved laboratory for coliform bacteria at least once per month. Respondent violated 40 CFR §141.21 by failing to submit samples to an approved laboratory for coliform analysis in February, April, and May 1985; April, May, and October 1986; April, July, and November, 1987; and July 1988.

6. On April 4, 1989, after opportunity for public hearing,

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<sup>3</sup> The term "public water system," means a system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves at least 25 individuals. Such term includes (A) any collection, treatment, storage, and distribution facilities under control of the operator of such system, and (B) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. SDWA, §300f(4).

The term "supplier of water" means any person who owns or operates a public water system. SDWA, §300f(5).

EPA issued an Administrative Order, Docket Number F8928, to respondent under authority of §1414(g) of the SDWA, 42 U.S.C. §300g-3(g), which found the above-enumerated violations of the Act and the regulations promulgated thereunder.

7. Respondent violated Administrative Order Docket Number F8928 by failing to deliver water to the free flowing outlet of the ultimate user of the water system with concentrations of coliform bacteria not to exceed the maximum contaminant level in July through September 1989.

8. On February 11, 1990, respondent was sent a complaint and notice of opportunity for hearing pursuant to §1414 of the Safe Drinking Water Act (SDWA), 42 U.S.C. §300g-3.

9. By Order for Pretrial Exchange dated August 6, 1991, both parties were ordered to engage in pretrial exchange no later than September 6, 1991.

10. On September 5, 1991, complainant filed its prehearing exchange and attachments, with a copy to respondent Safari Heights Water System.

11. On September 25, 1991, respondent was ordered to file pretrial exchange no later than September 30, 1991.

12. Respondent herein has failed to comply with two orders for pretrial exchange as authorized by 40 C.F.R. Part 22.

13. The complaint proposed a penalty of \$5,000 for the violations of the Administrative Order as alleged. This amount was determined in accordance with EPA's Region VI Public Water Supply Penalty Policy, dated January 1, 1989, which takes into account the

number of persons served by the system and other considerations (see complainant's exhibit 2 in pretrial exchange). Respondent was invited to exchange, i.e. offer in evidence, documents and/or witnesses relating to the amount of the penalty. (See copy of Order for Pretrial Exchange of August 6, 1991, attached). The \$5,000 penalty is appropriate, based upon the nature and extent of the violations.

14. Respondent's failure to make pretrial exchange as ordered on August 6, 1991, and September 23, 1991, constitutes a default within the meaning of 40 C.F.R. §22.17(a)(2) of the Rules of Practice. Default by respondent constitutes an admission for purposes of this action, of all facts alleged in the complaint and a waiver of the right to a hearing on factual allegations, 40 C.F.R. §22.17(a). As further provided by 40 C.F.R. §22.17(a)(3), the penalty proposed in the complaint is due and payable without further proceedings, 40 C.F.R. §22.17(a), sixty (60) days after a final order issued upon default.

ORDER

It is hereby ORDERED that respondent shall pay a civil penalty of \$5,000 in accordance with procedures set forth in the Rules of Practice, 40 C.F.R. Part 22, for violation of Administrative Order Docket Number F8928 as charged in the complaint.

Respondent shall make payment of the full amount of the penalty by submitting a cashier's check or certified check payable to the Treasurer, United States within 60 days of the date of service of this Order, to the following address:

Environmental Protection Agency  
Region VI - (Regional Hearing Clerk)  
P. O. box 360582M  
Pittsburgh, PA 15251

Dated: December 17, 1991  
Washington, D.C.

  
\_\_\_\_\_  
J. F. Greene  
Administrative Law Judge

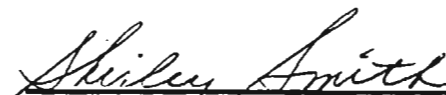
CERTIFICATE OF SERVICE

I hereby certify that on the 12 th day of December, 1991, the original of the foregoing Default Order were sent this day in the following manner to the addressees listed below:

Ms. Lorena Vaughn  
Regional Hearing Clerk  
Region VI - EPA  
1445 Ross Avenue  
Dallas, Texas 75202

Robyn Moore, Esq.  
Office of Regional Counsel  
Region VI - EPA  
1445 Ross Avenue  
Dallas, Texas 75202

Mr. Gene Porter  
Safari Heights Water System  
2200 S. Pine  
Guthrie, Oklahoma 73044

  
\_\_\_\_\_  
Shirley Smith  
Secretary to Judge J. F. Greene

Dated: December 12, 1991  
Washington, D.C.

IN THE MATTER OF:

DOCKET NO.: F8928  
PWS-ID: OK2004246

Mr. Gene Porter  
Safari Heights Water System  
Logan County, Oklahoma

Proceedings under Section 1414(g)  
of the Safe Drinking Water Act,  
42 U.S.C. Section 300j-3(g).

ADMINISTRATIVE ORDER

The following findings are made and Order issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by Section 1414(g) of the Safe Drinking Water Act (the Act), 42 U.S.C. Section 300j-3(g). The Administrator of EPA has delegated the authority to take these actions to the Regional Administrator of EPA Region 6 who in turn has redelegated this authority to the Water Management Division Director of EPA Region 6.

FINDINGS

1. Mr. Gene Porter (Respondent) owns or operates a system, Safari Heights Water System, located in Logan County, Oklahoma, for the provision to the public of piped water for human consumption.
2. Safari Heights Water System is supplied by a ground water source and serves between 200 and 230 individuals. Respondent regularly provides piped water for human consumption to at least twenty-five (25) year-round residents or provides piped water for human consumption to at least fifteen (15) service connections used by year-round residents. Safari Heights Water System is a "public water system" within the meaning of Section 1401(4) of the Act, 42 U.S.C. Section 300f(4), and a "community water system" within the meaning of 40 CFR Section 141.2(e)(f).
3. Respondent is a "supplier of water" within the meaning of Section 1401(5) of the Act, 42 U.S.C. Section 300f(5). Respondent is therefore subject to the requirements of Part B of the Act, 42 U.S.C. Sections 300g through 300g-6, and its implementing regulations, 40 CFR Part 141.
4. Respondent is required by 40 CFR Section 141.21 to analyze or use the services from an approved laboratory for coliform bacteria at least once per month. Respondent violated 40 CFR Section 141.21 by failing to submit samples to an approved laboratory for coliform analysis in February, April, and May 1985, April, May, and October 1986, April, July, and November 1987, and July 1988.

5. Respondent is required by 40 CFR Section 141.14 to deliver water to the free flowing outlet of the ultimate user of the water system with concentrations of coliform bacteria not to exceed the maximum contaminant level. Respondent violated 40 CFR Section 141.14 by delivering water that exceeded the maximum contaminant level for coliform bacteria and was so notified by the Oklahoma State Department of Health in August, September, and November 1986, February 1987, and February and August 1988.
6. Based on the nature of Respondent's violations of 40 CFR Section 141.21 and based on the available remedies for those violations, Respondent can reasonably achieve compliance upon receipt of this Order.
7. Based on the nature of Respondent's violations of 40 CFR Section 141.14 and based on the available remedies for those violations, Respondent can reasonably achieve compliance within sixty (60) days of receipt of this Order.
8. The State of Oklahoma, acting through the Oklahoma State Department of Health, has primary enforcement responsibility under Section 1413(a) of the Act, 42 U.S.C. Section 300g-2(a), to ensure that suppliers of water within the State comply with the requirements of the Act.
9. EPA, under Section 1414(a)(1)(A) of the Act, 42 U.S.C. Section 300g-3(a)(1)(A):
  1. Notified the State of Oklahoma and Respondent on December 5, 1988, that Respondent had failed to analyze or use the services of an approved laboratory for coliform bacteria at least once per month; and failed to deliver water to the free flowing outlet of the ultimate user of the water system with concentrations of coliform bacteria not to exceed the maximum contaminant level, and
  2. Offered to provide such advice and technical assistance as was appropriate to bring Safari Heights Water System into compliance with 40 CFR Sections 141.21 and 141.14 by the earliest feasible time.
10. On the thirty-first day after the notification described above, the State of Oklahoma had not commenced appropriate enforcement action against Respondent for violations referenced in paragraphs 4 and 5 above.

#### ORDER

Based on the foregoing findings and pursuant to the authority of Section 1414(g) of the Act, I HEREBY ORDER:

1. Mr. Gene Porter shall comply upon receipt of this Order with the requirement of 40 CFR Section 141.21 to analyze or use the services of an approved laboratory for coliform bacteria at least once per month.

2. Mr. Gene Porter shall comply within sixty (60) days of receipt of this Order with the requirement of 40 CFR Section 141.14 to deliver water to the free flowing outlet of the ultimate user of the water system with concentrations of coliform bacteria not to exceed the maximum contaminant level.

#### GENERAL PROVISIONS

1. This Order does not constitute a waiver, suspension, or modification of the requirements of 40 CFR Sections 141.21 and 141.14 or of the Safe Drinking Water Act, which remain in full force and effect. Issuance of this Order is not an election by EPA to forego any civil or any criminal action otherwise authorized under the Act.
2. Violation of any term of this Order may subject Respondent to an administrative civil penalty of up to \$5,000 under Section 1414(g)(3)(B) of the Act, 42 U.S.C. Section 300g-3(g)(3)(B), or a civil penalty of not more than \$25,000 per day of violation, assessed by an appropriate United States district court, under Section 1414(g)(3)(A) and (C) of the Act, 42 U.S.C. Section 300g-3(g)(3)(A) and (C).
3. This Order is effective upon receipt by a representative of Safari Heights Water System.
4. This Order will remain in effect until a notice of termination is given by a representative of the Environmental Protection Agency. Notice will be given after the requirements of 40 CFR Sections 141.21 and 141.14 have been met for twelve consecutive months.

APR 4 1989

/s/ Myron O. Knudson

\_\_\_\_\_  
Date

\_\_\_\_\_  
Myron O. Knudson, P.E.  
Director  
Water Management Division (6W)  
U.S. Environmental Protection Agency  
Region 6

**SENDER:** Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4.  
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)  
 2.  Restricted Delivery (Extra charge)

Mr. Gene Porter  
 Safari Heights Water System  
 2200 S. Pine  
 Guthrie, Oklahoma 73044

4. Article Number  
 661 406161

Type of Service:  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED.**

8. Addressee's Address (ONLY if requested and fee paid)  
 2-15-89

\* *Gene Porter*  
 6. Signature - Agent  
 X

7. Date of Delivery

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

-----+  
IN THE MATTER OF: /

Mr. Gene Porter /  
Safari Heights Water System /  
Logan County, Oklahoma /  
-----+

DOCKET NUMBER: C9001  
PWS-ID: OK2004246

COMPLAINT  
AND NOTICE OF OPPORTUNITY  
FOR HEARING

This COMPLAINT AND NOTICE OF OPPORTUNITY FOR HEARING (hereinafter referred to as "Complaint") is issued pursuant to Section 1414(g)(3)(B) of the Safe Drinking Water Act (SDWA), as amended, 42 U.S.C. Section 300g-3(g)(3)(B). The Administrator of the United States Environmental Protection Agency (EPA) has delegated the authority to issue this Complaint to the Regional Administrator of EPA Region 6 who in turn has redelegated this authority to the Division Director of the Water Management Division of EPA Region 6.

EPA will show that Mr. Gene Porter (Respondent), doing business at Safari Heights Water System in Logan County, Oklahoma, has violated an Administrative Order issued under Section 1414(g)(1) of the SDWA, 42 U.S.C. Section 300g-3(g)(1), and that Respondent should be ordered to pay a civil penalty of \$5,000 as a result of its violations.

#### FINDINGS OF FACT

1. Respondent is a "person" as defined in Section 1401(12) of the SDWA, 42 U.S.C. Section 300f(12), and 40 CFR Section 141.2.
2. Respondent is a "supplier of water" and an owner/operator of a "public water system" in accordance with the definitions of these terms under Section 1401 of the SDWA, 42 U.S.C. Section 300f, and 40 CFR Section 141.2.
3. Respondent is a "person" subject to an Administrative Order issued under Section 1414(g)(1) of the SDWA, 42 U.S.C. Section 300g-3(g)(1).
4. Respondent is required by 40 CFR Section 141.14 to deliver water to the free flowing outlet of the ultimate user of the water system with concentrations of coliform bacteria not to exceed the maximum contaminant level. Respondent violated 40 CFR Section 141.14 by delivering water that exceeded the maximum contaminant level for

coliform bacteria and was so notified by the Oklahoma State Department of Health in September and November 1986, February 1987, and February and August 1988, and June through September 1989.

5. Respondent is required by 40 CFR Section 141.21 to analyze or use the services from an approved laboratory for coliform bacteria at least once per month. Respondent violated 40 CFR Section 141.21 by failing to submit samples to an approved laboratory for coliform analyses in February, April and May 1985, April, May, and October 1986, April, July, and October 1987, July 1988, and May 1989.
6. On April 4, 1989, after opportunity for public hearing, EPA issued an Administrative Order, Docket Number F8928, to Respondent under authority of Section 1414(g) of the SDWA, 42 U.S.C. Section 300g-3(g), addressing the above-enumerated violations of the Act and the regulations promulgated thereunder. A copy of Administrative Order Docket Number F8928 is attached hereto and incorporated by reference.
7. Respondent has violated Administrative Order Docket Number F8928 by failing to deliver water to the free flowing outlet of the ultimate user of the water system with concentrations of coliform bacteria not to exceed the maximum contaminant level in July through September 1989.

#### PROPOSED ADMINISTRATIVE CIVIL PENALTY

Section 1414(g)(3)(A) of the SDWA authorizes a civil penalty of up to \$25,000 per day for each violation of Administrative Order Docket Number F8928. Section 1414(g)(3)(B) authorizes the Administrator to administratively assess a civil penalty of \$5,000 for violation of Administrative Order Docket Number F8928. EPA proposes to assess a civil penalty of \$5,000 against Respondent for violation of Administrative Order Docket Number F8928. This proposed penalty is based on the seriousness of the violation, the population at risk and the recalcitrance of the violator.

#### OPPORTUNITY TO REQUEST A HEARING

Respondent has the right to request a hearing on any material fact contained in this Complaint or on the appropriateness of the penalty. Any request from Respondent for a hearing must be in writing and must be filed with the Regional Hearing Clerk, U.S. EPA, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, within twenty (20) days of receipt of this Complaint.

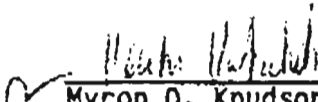
#### FAILURE TO FILE AN ANSWER

To avoid a Default Judgment being entered pursuant to 40 CFR Section 22.17, Respondent must file a written Answer to this Complaint with the Regional

Hearing Clerk, U.S. EPA, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, within twenty (20) days of receipt of this Complaint. Respondent's Answer should clearly and directly admit, deny or explain each of the factual allegations contained in this Complaint with regard to which Respondent has knowledge. Respondent's Answer should state: (1) the circumstances or arguments which are alleged to constitute the grounds of defense, (2) a concise statement of the facts which Respondent intends to place at issue in the hearing, and (3) whether a hearing is requested. Failure to admit, deny or explain any material factual allegation contained herein constitutes an admission of the allegation. Upon request, the Administrator will hold a hearing for the assessment of these civil penalties conducted in accordance with the provisions of the Administrative Procedures Act (5 U.S.C. Section 551 et seq.), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits (40 CFR Part 22).

February 14, 1990

Date

  
 Myron O. Knudson, P.E.  
 Director  
 Water Management Division (6W)  
 U.S. Environmental Protection Agency  
 Region 6

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UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

In the Matter of: ) Docket No. SDWA-C9001  
 )  
SAFARI HEIGHTS WATER SYSTEM, ) EXHIBIT A: AFFIDAVIT OF  
 ) LORENA VAUGHN  
Respondent. )  
\_\_\_\_\_ )

LORENA VAUGHN deposes and says:

1. That she is the regional hearing clerk, and has personal knowledge of the facts set forth in this affidavit.
2. That on the 7th day of August, 1991, Administrative Law Judge J.F. Greene ordered that a prehearing exchange take place between both parties no later than September 6, 1991.
3. That the Complainant herein, on the 5th day of September, 1991, filed with the Regional Hearing Clerk, and sent to Respondent Safari Heights Water System and Judge J.F. Greene complainant's prehearing exchange.
4. That on the 25th day of September, 1991, Administrative Law Judge J.F. Greene ordered the Respondent to file a prehearing exchange no later than September 30, 1991.
5. That the Respondent has not filed a copy of any prehearing exchange which it might have had, with the Regional Hearing Clerk, Region 6, United States Environmental Protection Agency as authorized by 40 C.F.R. Part 22.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D. C. 20460



IN THE MATTER OF

Safari Heights Water System  
Respondent

Docket No. SDWA-C9001

Judge Greene

ORDER FOR PRETRIAL EXCHANGE

No later than September 6 , 1991, the parties shall exchange (1) a list of witnesses they intend to call to testify, together with a short summary of the expected testimony of each proposed witness; and (2) a copy of each document to be offered in evidence, together with a brief statement of the purpose for which the document will be offered. The list of proposed witnesses shall include, for each person, the name, business address, and business position or title.

Evidence regarding the appropriateness of the penalty proposed by complainant shall be exchanged if there is a dispute regarding the penalty. In any case, complainant shall be prepared to support its penalty request. If respondent intends to assert that it cannot afford to pay a penalty in the amount proposed in the complaint, respondent shall exchange evidence to support its position.

No later than September 18 , 1991, each party shall have notified the other(s), and this office, of any changes in the proposed list of witnesses or changes or additions regarding the documents to be offered in light of the September 6 , 1991, exchange.

One copy of all materials exchanged shall be sent to this office at the time the exchanges are made.


AND IT IS FURTHER ORDERED that, regardless of progress toward settlement, the parties shall not fail to make pretrial exchange by the dates specified unless a continuance or some other form of leave to depart from the requirements of this Order has been secured in advance.

August 6 , 1991  
Washington, D. C.

  
J. F. GREENE  
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that the original of this Order was sent to the Regional Hearing Clerk and copies were sent to the counsel for the complainant and counsel for the respondent on August 6, 1991.

  
Shirley Smith  
Secretary

Ms. Lorena Vaughn  
Regional Hearing Clerk  
Region VI - EPA  
1445 Ross Avenue  
Dallas, Texas 75202-2733

Patricia Weatherly, Esq.  
Office of Regional Counsel  
Region VI - EPA  
1445 Ross Avenue  
Dallas, Texas 75202-2733

Mr. Gene Porter  
Safari Heights Water System  
2200 S. Pine  
Guthrie, Oklahoma 73044

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



In the Matter of  
Safari Heights Water System

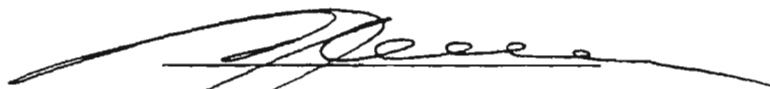
Docket No. SDWA-C9001

Judge Greene

Respondent

ORDER

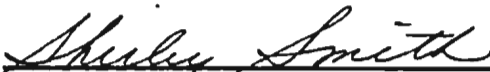
Respondent herein shall file pretrial exchange no later than September 30, 1991.

  
J. F. Greene  
Administrative Law Judge

Washington, D. C.  
September 23, 1991

CERTIFICATE OF SERVICE

I hereby certify that the Original of this Order was sent to the Regional Hearing Clerk and copies were sent to the counsel for the complainant and counsel for the respondent on September 24, 1991.

  
\_\_\_\_\_  
Shirley Smith  
Secretary to Judge J. F. Greene

Ms. Lorena Vaughn  
Regional Hearing Clerk  
Region VI - EPA  
1445 Ross Avenue  
Dallas, Texas 75202-2733

Patricia Weatherly, Esq.  
Office of Regional Counsel  
Region VI - EPA  
1445 Ross Avenue  
Dallas, Texas 75202-2733

Mr. Gene Porter  
Safari Heights Water System  
2200 S. Pine  
Guthrie, Oklahoma 73044