



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 W. 15th STREET, SUITE 3200
HELENA, MONTANA 59626

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FILED
MONTANA REGION VIII
HELENA, MONTANA

Ref: 8MO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Debra Kearns, Registered Agent
Hitching Post LLC
P.O. Box 67
Melrose, MT 59743

Re: 6th Violation of Administrative Order
Docket No. SDWA-08-2007-0051
Hitching Post LLC
Public Water System
PWS ID # MT0002143

Dear Ms. Kearns:

On July 2, 2007, the United States Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2007-0051, ordering Hitching Post, LLC (Respondent) to comply with various regulations issued by the EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f et seq. Hitching Post LLC incurred additional violations of the drinking water regulations, resulting in the EPA issuing a Complaint and Notice of Opportunity for Hearing which was settled on March 24, 2009 for \$6,250.00.

Our records indicate that Hitching Post, LLC continues to be in violation of the Order. Among other things, the Order included the following requirements (quoted from items 1, 3 and 5 of the Order section on pages 5 and 6 of the Order):

1. Upon the effective date of this Order, Respondent shall monitor the water monthly for total coliform as required by ARM 17.38.215(1)(b) to determine compliance with the total coliform MCL appearing at ARM 17.38.207(l) and 40 C.F.R. § 141.63(a)(2). Respondent shall report results to the EPA and the State within ten days following the end of each monitoring period, as required by 40 C.F.R. § 141.31(a).

Respondent failed to submit total coliform monitoring results for March 2012. If you have these monitoring results, please submit them to the EPA and the State immediately.

2. Upon the effective date of this Order, Respondent shall comply with 40 C.F.R. § 141.21(g)(2) by reporting any failure to comply with coliform monitoring requirements under 40 C.F.R. § 141.21 to the EPA and the State within ten days after the Respondent discovers the violation.



Respondent failed to report to the EPA the noncompliance detailed in part 1 above, failure to comply with the total coliform monitoring requirements.

3. Upon the effective date of the Order, Respondent shall comply with the public notification requirements at 40 C.F.R. §§ 141.201 *et seq.* following any future NPDWR violation. Respondent shall submit a copy of the public notice to EPA and the State within 10 days of completion of the public notice, as required by 40 C.F.R. § 141.31(d).

Respondent failed to submit a public notice to the EPA for the November 2009 failure to monitor total coliform violation. If public notice has not been completed, please do so immediately and submit a copy to EPA. If public notice has been conducted, please provide EPA a copy.

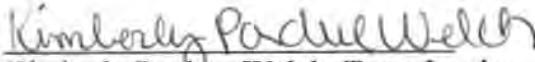
EPA is considering additional enforcement action as a result of the noncompliance with the Order.

Unfortunately, you continue to violate the monitoring and reporting requirements of the drinking water regulations despite repeat offers of compliance assistance from the EPA. It is critical to ensuring public health protection that the System owners and operators comply with the Act and the Drinking Water Regulations. 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 the EPA, you may contact Sienna Meredith at 1-866-457-2690, extension 5026 or (406) 457-5026. If you are represented by an attorney who has questions, please ask your attorney to contact Amy Swanson, Enforcement Attorney, at 1-800-227-8917, extension 6906 or (303) 312-6906 or at the following address:

Amy Swanson
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.


Kimberly Pardue- Welch, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice