



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
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<http://www.epa.gov/region08>

2009 FEB -5 AM 11:38

FEB 6 2009

Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard Opper, Director
Montana Department of
Environmental Quality
1520 E. Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901

NOTICE OF VIOLATION

Docket No. **SDWA 08-2009-0028**
Shady Nook Trailer Court
Public Water System
Dillon, MT 59725
PWS ID# MT0002484

Dear Mr. Opper:

The above referenced public drinking water system has violated certain provisions of the National Primary Drinking Water Regulations at 40 C.F.R. part 141, which the Environmental Protection Agency promulgated under the Safe Drinking Water Act (the Act), 42 U.S.C. § 300f, *et seq.* Our records, obtained from the Montana Department of Environmental Quality's Public Water Supply Online Query Reports, indicate the violations noted below. Please have your staff notify David Nguyen at (303) 312-6954 within 20 days if your records show any discrepancies with these determinations of violation.

<u>Date of Violation</u>	<u>Violation</u>
2005 2006 2007	Failure to provide Consumer Confidence Report [40 C.F.R. § 141.152-155]
February 2004 June 2004 November 2004 January 2005 May 2005 July 2005 October 2005 February 2006 April 2006 September 2007 May 2008 July 2008	Failure to monitor for total coliform [40 C.F.R. § 141.21(a)]
2005-2008	Failure to provide public notice of above violations [40 C.F.R. § 141.201 <u>et seq.</u>]
2004-2008	Failure to report above violations to the State [40 C.F.R. §§ 141.21(g)(2) and 141.31(b)]

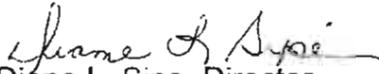
This Notice of Violation is issued pursuant to section 1414(a) of the Act, 42 U.S.C. § 300g-3(a). If the State does not commence appropriate enforcement action within 30 days from the receipt of this notification, EPA is authorized either to issue an administrative order under section 1414(g) of the Act, 42 U.S.C. § 300g-3(g), requiring the public water system to comply with the regulations or requirements, or to commence civil action under section 1414(b) of the Act, 42 U.S.C. § 300g-3(b).

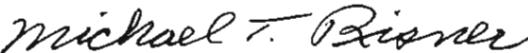
Please inform EPA of any change in the compliance status of this system. You may wish to have your staff confer with Mr. Nguyen to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence appropriate enforcement action within 30 days from the receipt of the notification, EPA will proceed with issuance of an administrative order.

A copy of this Notice of Violation has been concurrently sent to the system identified above. Also enclosed for the benefit of the system is a copy of EPA's Small Business Regulatory Enforcement and Fairness Act (SBREFA) fact sheet containing information on compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to this situation.

EPA has agreed to notify small businesses of their right to comment on regulatory enforcement activities at the same time of an Agency enforcement action. SBREFA does not eliminate the responsibility to comply with the Act.

Sincerely,


Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice


Michael T. Risner, Director
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure:

SBREFA fact sheet

cc: Tina Artemis, EPA Regional Hearing Clerk
John Arrigo, MT DEQ (w/o enclosures)
Shelley Nolan, MT DEQ (w/o enclosures)
Michael Johnson, Owner, Shady Nook Trailer Court (Certified Mail, Return Receipt Requested)