



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

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Ref: 8MO

MAR 11 2008

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Richard Opper, Director  
Montana Department of Environmental Quality  
Metcalf Building  
1520 West Sixth Avenue  
Helena, MT 59620

NOTICE OF VIOLATION

Docket No. SDWA-08-2008-0032

Re: Spring Creek Coal Domestic Public Water System  
PWS ID# MT0003952

Dear Richard:

The above referenced public water system has violated certain provisions of the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f, *et seq.* and the National Primary Drinking Water Regulations at 40 C.F.R. part 141 described below.

The Environmental Protection Agency (EPA) obtained this information from the Montana Department of Environmental Quality's (MDEQ) files and data contained in the Safe Drinking Water Information System (SDWIS). Please notify Eric Finke of my staff at (406) 457-5026 within 20 days if your records show any discrepancies with these determinations of violation.



<b>Alleged Violations at Spring Creek Coal Domestic PWS ID # MT0003952</b>	
Description of Violation and Regulatory Citation	Compliance Periods
Failure to monitor/report <b>Volatile Organic Chemicals</b> [40 CFR 141.24(f)], Failure to report violations to EPA [40 CFR 141.31(b)], Failure to provide public notice of a violation [40 CFR 141.201]	2007
Failure to monitor/report <b>Synthetic Organic Chemicals</b> [40 CFR 141.24(h)], Failure to report violations to EPA [40 CFR 141.31(b)], Failure to provide public notice of a violation [40 CFR 141.201]	Chlordane and Toxaphene 2006
Failure to monitor/report routine <b>Total Coliform Bacteria</b> [40 CFR 141.21], Failure to report violations to EPA [40 CFR 141.31(b)], Failure to provide public notice of a violation [40 CFR 141.201]	Nov 2006, Aug 2007
Failure to monitor/report <b>Disinfection Byproducts</b> [40 CFR 141.132(b)], Failure to report violations to EPA [40 CFR 141.31(b)], Failure to provide public notice of a violation [40 CFR 141.201]	2005, 2006
Exceeded monthly <b>MCL for Total Coliform Bacteria</b> [40 CFR 141.63(a)(2)], Failure to report violations to EPA [40 CFR 141.31(b)], Failure to provide public notice of a violation [40 CFR 141.201]	Aug 2005, Sep 2006

This Notice of Violation is issued pursuant to section 1414(a) of the SDWA, 42 U.S.C. section 300g-3(b). For the violations listed above, if MDEQ does not commence appropriate enforcement action within 30 days from the receipt of this notification, EPA is authorized to either issue an Administrative Order under section 1414(g) of the SDWA requiring the public water system to comply with these regulations, or commence civil action under section 1414(b) of the SDWA.

Please inform EPA of any change in the compliance status of this system. You may wish to confer with my staff to determine EPA's position concerning this system and to exchange appropriate information. If the MDEQ does not commence appropriate enforcement action within 30 days from the receipt of the notification, EPA will proceed with the issuance of an Administrative Order.

If you have any questions, please contact Eric Finke at (406) 457-5026. A copy of this Notice of Violation has been concurrently sent to the public water system identified above.

Sincerely,



John F. Wardell, Director  
EPA Montana Office

cc: Judy Hanson, Permitting and Compliance Division  
John Arrigo, Enforcement Division  
Andrea Vickory, Public Water and Subdivision Bureau  
Lisa Kahn, 8ENF-W  
Marc Weiner, 8ENF-L  
Spring Creek Coal Domestic, PWS ID# MT0003952