



**REGION 8**

DENVER, CO 80202

**FILED**

**Aug 13, 2025**

**11:47 am**

**U.S. EPA REGION 8  
HEARING CLERK**

August 13, 2025

Ref: 8ECA-W-S

SENT VIA EMAIL  
DIGITAL DELIVERY RECEIPT REQUESTED

The Honorable Douglas Kaercher, Mayor  
City of Havre, MT  
[dkaercher@ci.havre.mt.us](mailto:dkaercher@ci.havre.mt.us)

Subj: Administrative Order issued to the City of Havre regarding the City of Havre Public Water System, PWS ID #MT0000524, Docket No. SDWA-08-2025-0030

Dear Mayor Kaercher:

Please find enclosed an Administrative Order (Order) issued by the U.S. Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g), regarding the City of Havre Public Water System (System), which is owned and operated by the City of Havre (City).

The Montana Department of Environmental Quality has requested that the EPA take action to require compliance with the Act and its implementing regulations found at 40 C.F.R. part 141 and Title 17, chapter 38 of the Administrative Rules of Montana (collectively, the Drinking Water Regulations). After conducting an inspection of the System's water treatment plant and a comprehensive review of the System's compliance documentation, the EPA identified violations of the Act and the Drinking Water Regulations. On June 20, 2025, the EPA sent the City a Notice of Violation letter describing the violations.

This Order is intended to address and correct the System's violations of the Act and Drinking Water Regulations. The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information the City believes the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served). If the EPA does not hear from the City, the EPA will assume this information is correct.

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If the City complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$71,545 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 88 Fed. Reg. at 89309 (January 8, 2025).

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small entities, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist the City in addressing the outstanding violations.

If you have any questions or to request an informal conference with the EPA, please contact Rachel Brookins via email at [brookins.rachel@epa.gov](mailto:brookins.rachel@epa.gov), or by phone at (800) 227-8917, extension 6509, or (303) 312-6509. Any questions from the City's attorney should be directed to Noah Stanton, Assistant Regional Counsel, via email at [stanton.noah@epa.gov](mailto:stanton.noah@epa.gov) or by phone at (800) 227-8917, extension 6163, or (303) 312-6163.

We urge your prompt attention to this matter.

Sincerely,

Colleen Rathbone, Manager  
Water Enforcement Branch  
Enforcement and Compliance Assurance Division

#### ENCLOSURES

cc: Trevor Mork, Public Works Director, City of Havre  
Amanda Vaughn, Water Treatment Plant Superintendent, City of Havre  
Greg Olsen, Montana DEQ Public Water Supply Bureau Chief  
Lisa Kaufman, Montana DEQ Field Services Section Supervisor  
Josh Seekins, Montana DEQ Surface Water Treatment Rule Manager  
Gerard Gernand, Montana DEQ Field Service Inspector