



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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7/24/2023

8:20 AM

Received by
EPA Region VIII
Hearing Clerk

Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Valley View School District No. 35
c/o Carolyn Hall, Superintendent
lacosupt@lakemt.gov

Re: Administrative Order issued to Valley View School District No. 35
regarding Valley View Elementary School Public Water System,
PWS ID # 083090311, Docket No. SDWA-08-2023-0020

Dear Ms. Hall:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that Valley View School District No. 35 (Respondent), as owner and/or operator of the Valley View Elementary School Public Water System (System), has violated the EPA's drinking water regulations at 40 C.F.R. part 141 (Part 141). The EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141.

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information you believe 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 you, the EPA will assume this information is correct. If Respondent 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 \$67,544 (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 989 (January 6, 2023).

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 Respondent in addressing the outstanding violations.

Please be aware that Respondent is required to submit to the EPA a plan and schedule for bringing the System into compliance with Part 141. The EPA's approval of Respondent schedule does not substitute for any other approval that may be required by any other governmental entity for modifying the System. The EPA encourages Respondent to contact any such governmental agency or agencies regarding any applicable approval requirements.

If you have any questions or to request an informal conference with the EPA, please contact Chris Brown via email at brown.christopher.t@epa.gov, or by phone at (800) 227-8917, extension 6669, or (303) 312-6669. Any questions from the School District's attorney should be directed to Matthew Castelli, Senior Assistant Regional Counsel, via email at castelli.matthew@epa.gov or by phone at (800) 227-8917, extension 6491, or (303) 312-6491.

We urge your prompt attention to this matter.

Sincerely,

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

Enclosures

cc: EPA Regional Hearing Clerk (r8_hearing_clerk@epa.gov)
Diana Luke, Program Director
Luke Taylor, Operator
The Honorable Tom McDonald, Chairman, Confederated Salish and Kootenai Tribes
Wilhelmina Keenan, Environmental Director
Chelsea Colwyn, Tribal Attorney
Quentin Allen, Division of Sanitation Services Construction, Indian Health Service
County Sanitarian (envhealth@lakemt.gov)