



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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EPA REGION VIII
HEARING ROOM

Ref: 8 ENF-W

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED

Mr. Luke Wilson, Preacher
Church of Christ 48th Street West
14 North 48th street West
Billings, MT 59106

Re: Violation of Administrative Order
Docket No. SDWA-08-2007-0086
PWS ID # MT0004265

Dear Mr. Wilson:

On October 18, 2007, the US Environmental Protection Agency (EPA) issued an Administrative Order, Docket No. SDWA-08-2007-0086, ordering Church of Christ 48th Street West (Respondent), to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

Our records indicate that Church of Christ is in violation of the Administrative Order (the Order). Among other things, the Order included the following requirements (quoted from items 1 and 6 of the Order section on pages 6 and 8 of the Order):

1. Upon the effective date of this Order, Respondent shall comply with the total coliform maximum contaminant level (MCL) as stated in 40 C.F.R. § 141.63.

Church of Christ exceeded the MCL for total coliform bacteria in June 2008.

2. Upon the effective date of this Order, Respondent shall comply with 40 C.F.R. § 141.21(g)(1) by reporting any total coliform MCL violation under 40 C.F.R. § 141.63 to EPA and the State no later than the end of the next business day after Respondent learns of the violation.

Respondent failed to report to EPA the noncompliance detailed in part 1 above, exceedance of the total coliform bacteria MCL.

EPA is considering additional enforcement action as a result of the non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$32,500 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 EPA, you may contact Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney who has questions, please ask your attorney contact Thomas Sitz, Enforcement Attorney, at 1-800-312-6918 or (303) 312-6918 or at the following address:

Thomas Sitz
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.



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: John Arrigo, MDEQ
Shelly Nolan, MDEQ
Tina Artemis, EPA Regional Hearing Clerk (via e-mail)

