



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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2008 MAY 29 AM 9:21

EPA REGION 8
HEARING OFFICE

Ref: 8 ENF-W

MAY 29 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Keith A. Rhodes, Registered Agent
Tweed LLC
1330 Hwy 2 West
Kalispell, MT 59901

Re: Violation of Administrative Order
Docket No. SDWA-08-2008-0001
PWS ID # MT0003166

Dear Mr. Rhodes:

On October 3, 2007, the US Environmental Protection Agency (EPA) issued an Administrative Order, Docket No. SDWA-08-2008-0001, ordering Tweed LLC, as owner of the Black Angus Restaurant public water system, 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 Tweed LLC is in violation of the Administrative Order (the Order). Among other things, the Order included the following requirements (quoted from item 1 of the "Order" section on page 5 of the Order):

1. Upon the effective date of this Order, Respondent shall monitor the water monthly for total coliform as required by ARM 17.38.215(1)(b) to determine compliance with the total coliform MCL appearing at ARM 17.38.207(l) and 40 C.F.R. § 141.63(a)(2). Respondent shall report results to EPA and the State within ten days following the end of each monitoring period, as required by 40 C.F.R. § 141.31(a).

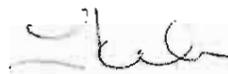
Respondent failed to monitor for total coliform in April 2008.

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 to contact Marc Weiner, Enforcement Attorney, at 1-800-227-8917, extension 6913 or (303) 312-6913 or at the following address:

Marc Weiner
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:

Annette Hauer, Black Angus Restaurant
John Arrigo, MDEQ
Shelly Nolan, MDEQ

