



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

2015 MAR 25 AM 8:00

MAR 25 2015

FILED  
EPA REGION VIII  
HEARING CLERK

Ref: 8MO

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Margaret Q. Thompson  
Registered Agent  
Beaverhead County Water and/or Sewer District  
2 South Pacific Street, Ste. #3  
Dillon, Montana 59725

Re: 7th Administrative Order Violation letter issued to Beaverhead County Jackson Water and/or Sewer District Public Water System, PWS ID #MT0002590, Docket No. SDWA-08-2010-0004

Dear Ms. Thompson:

On December 14, 2009, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), ordering the Beaverhead County Jackson Water and/or Sewer District (District), as owner and/or operator of the Beaverhead County Jackson Water and/or Sewer District public water system, to comply with certain regulations promulgated under the federal Safe Drinking Water Act, 42 U.S.C. §§ 300f to 300j-26. The Order was updated on April 17, 2013 (Amended Order).

Our records indicate that the District is in violation of the Amended Order. Among other things, the Amended Order included the following requirements (summarized from items 16 and 17 on page 3 of the Amended Order).

1. Within 30 days of receipt of this Amended Order, and during each calendar quarter until a different monitoring frequency is determined by the State of Montana (State), the District shall monitor the System's water for arsenic and report analytical results to the State within the first 10 days following the month in which sample results are received. The District shall report any violation of the arsenic monitoring requirements to the EPA and the State within 48 hours.

The District failed to monitor the system's water for arsenic during the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2014 and did not report the noncompliance to the EPA or the State.

2. Within 30 days of receipt of this Amended Order, and during each calendar quarter until a different monitoring frequency is determined by the State, the District shall monitor the System's water quarterly for combined radium and report analytical results to the State within the first 10 days following the month in which sample results are received. The District shall report any violation of the arsenic monitoring requirements to the EPA and the State within 48 hours.

The District failed to monitor the System's water for combined radium during the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2014 and did not report the noncompliance to the EPA or the State.



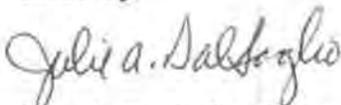
**The EPA is considering additional enforcement action as a result of the District's non-compliance with the Order.** Violating an administrative order may lead to (1) a penalty of up to \$37,500 per day per violation of the order, and/or (2) a court injunction ordering compliance.

If the EPA's information appears incorrect and/or you have any questions, please contact Sienna Meredith of my staff at 1-800-457-2690 or (406) 457-5026. If the District is represented by an attorney who has questions, please ask the attorney to contact Peggy Livingston, Enforcement Attorney, at 1-800-227-8917, extension 6858, or (303) 312-6858, or at the following address:

Peggy Livingston, Enforcement Attorney  
U.S. EPA, Region 8 (8ENF-L)  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.

Sincerely,



Julie A. DalSoglio, Director  
EPA Region 8 Montana Office

cc: Chad Anderson, MDEQ (by email)  
John Arrigo, MDEQ (by email)  
Jon Dilliard, MDEQ (by email)  
Tom Dawson, President, Beaverhead Jackson  
Water and/or Sewer District  
Debra L. Scott, Beaverhead County Clerk and Recorder  
Laverne Jackson, Beaverhead Jackson Water and/or Sewer  
District (via certified mail/return receipt requested)  
Joan Hullett, Operator, Beaverhead Jackson Water and/or Sewer  
District (via certified mail/return receipt requested)  
Jeanette Robertson, Beaverhead Jackson Water and/or Sewer  
District (via certified mail/return receipt requested)  
Tom Wagenknecht, Beaverhead county sanitarian (by email)  
Callie McIntosh, RCAC, Rural Development Specialist (by email)  
Tina Artemis, EPA Regional Hearing Clerk (by email)  
Ross Mollenhauer, Engineer with Morrison Maierle, Inc.