



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

2013 AUG -7 AM 8:39

Ref: 8MO

AUG 06 2013

FILED  
EPA REGION VIII  
HEARING CLERK

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Ms. Debra L. Scott  
Beaverhead County Clerk and Recorder  
2 South Pacific Street, Ste. #3  
Dillon, MT 59725

Re: 3<sup>rd</sup> Administrative Order Violation  
Docket No. SDWA-08-2010-0004  
Beaverhead County Jackson Water and  
Sewer District Public Water Supply  
PWS ID #MT0002590

Dear Ms. Scott:

On December 14, 2009, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), ordering the Beaverhead County Jackson Water and Sewer District (Respondent), as owner and/or operator of the Beaverhead County Jackson Water and 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, by the issuance of an Amended Administrative Order (Amended Order).

Among other things, the Order and Amended Order cited violations of the EPA's Consumer Confidence Report (CCR) requirement and directed the Respondent to prepare and distribute annual CCRs and provide certifications as required by 40 C.F.R. §§ 141.152-141.155. (See item 18 on page 4 of the Order and item 21 on page 4 of the Amended Order.)

The EPA's records indicate that the Respondent did not prepare and distribute the annual CCR for 2012 by July 1, 2013, as required by the Order and the Amended Order. Please prepare and distribute the 2012 CCR immediately and provide a copy to the State of Montana and the EPA. Please also note that an additional violation will occur if the Respondent fails to provide the State of Montana and EPA with a certification by October 1, 2013, that the CCR has been distributed as required.

**The EPA is considering additional enforcement action as a result of the Respondent'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 Respondent 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:

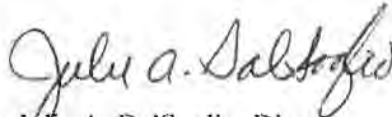


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Peggy Livingston, Enforcement Attorney  
U.S. EPA, Region 8 (812NF-1)  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.

Sincerely,



Julie A. DalSoglio, Director  
EPA Region 8 Montana Office

cc: John Arrigo, MDEQ  
Shelley Nolan, MDEQ  
Tom Dawson, President, Beaverhead Jackson  
Water and Sewer District  
Laverne Jackson, Beaverhead Jackson Water and Sewer  
District (via certified mail/return receipt requested)  
Joan Hullett, Operator, Beaverhead Jackson Water and Sewer  
District (via certified mail/return receipt requested)  
Jeanette Robertson, Beaverhead Jackson Water and 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