



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

2009 AUG 26 PM 1:52

AUG 25 2009

FILED
EPA REGION VIII
HEARING CLERK

Ref: 8MO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Loncki, Registered Agent 7099 3220 0001 7325 1212
Roman Catholic Bishop of Great Falls, Montana
P.O. Box 1399
Great Falls, MT 59405-0000

LAWCO 7099 3220 0001 7325 1229
Registered Agent for St. Labre Indian School
P.O. Box 2529
Billings, MT 59103-2529

Re: Violation of Administrative Order
Docket No. SDWA-08-2007-0057
PWS ID # 083090016

Dear Mr. Loncki and LAWCO Representative:

On June 14, 2007, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2007-0057, ordering the Roman Catholic Bishop of Great Falls, Montana and St. Labre Indian School (Respondents) to comply with the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f *et seq.*, and its implementing regulations, the National Primary Drinking Water Regulations (NPDWRs), 40 C.F.R. part 141. Our records indicate that Respondents are in violation of the Order. Specifically:

ORDER Paragraph 1 required (Regarding lead and copper monitoring):

In the years following 2007, Respondents shall comply with standard or reduced monitoring requirements as determined by EPA based on the 2007 sample results.
40 C.F.R. § 141.86 (d)(4).

ORDER Paragraph 2 required:

No later than 30 days from the effective date of this Order, Respondents shall return to compliance with 40 C.F.R. §§ 141.201, 141.204 and 141.205, by providing public notice of the violations specified under the Findings of Violation Section in this Order. Upon the effective date of this Order, Respondents shall comply with the public notification requirements at 40 C.F.R. § 141.201, *et seq.*, following any future NPDWR violation. Respondents shall submit a copy of the public notice to EPA within 10 days of completion of the public notice, as required by 40 C.F.R. § 141.31(d).



Respondents failed to comply with Paragraphs 1 and 2 of the Order when they failed to collect the proper number of lead and copper samples during 2008 (1 sample was collected instead of the required 5); and when they failed to provide public notice of the violations cited in the Order.

If you believe that this determination is incorrect, please provide a copy of the relevant lead/copper monitoring data and public notice within 10 working days to:

Eric Finke
EPA Montana Office
10 West 15th Street
Suite 3200
Helena, MT 59626

and

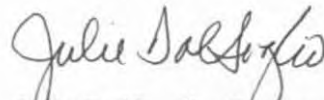
Shelley Nolan
MT Dept. of Environmental Quality
Public Water Supply
P.O. Box 200901
Helena, MT 59620

You must take immediate action to comply with the NPDWRs, 40 C.F.R. part 141, and the Order. EPA is considering additional enforcement action as a result of Respondents' noncompliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$37,500 per day per violation, and/or (2) a court injunction ordering you to comply.

EPA would be pleased to answer any questions you have concerning this letter or the school's compliance with the drinking water regulations during the conference call already scheduled for September regarding wastewater compliance. If you have any questions, you may contact Amy Swanson at (303) 312-6906 or at the following address:

Amy Swanson
Enforcement Attorney
U.S. EPA, Region 8 (8ENF-L)
1595 Wynkoop St.
Denver, Colorado 80202-1129

Sincerely,



Julie DalSoglio, Deputy Director
Montana Office

cc: ✓ Tina Artemis, EPA Regional Hearing Clerk