



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

2009 JUL 28 AM 0:12

EPA REGION VIII
HELENA, MONTANA

Ref: 8MO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Linda Westervelt, Owner
Big Sky Corner Melville Public Water System
P.O. Box 286
Melville, MT 59055

Re: Violation of Administrative Order
Docket No. SDWA-08-2008-0105
PWS ID # MT0001683

Dear Ms. Westervelt:

On September 18, 2008, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2008-0105, ordering your compliance 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 you are in violation of the Order. Specifically:

ORDER Paragraph 2 required:

Upon the effective date of this Order, Respondent shall comply with total coliform monitoring requirements, including requirements for monthly routine monitoring as required by the State, as stated in ARM 17.38.215(1)(b); and

ORDER Paragraph 8 required:

*No later than 30 days from the effective date of this Order, Respondent shall return to compliance with 40 C.F.R. § 141.201 *et seq.* by providing public notice of the violations specified in Findings of Violation I through V in this Order. Respondent shall submit a copy of the public notice to EPA and the State within 10 days of completion of the public notice, as required by 40 C.F.R. § 141.31(d).*

Respondent failed to comply with Paragraphs 2 and 8 of the Order when it failed to collect total coliform samples during the months of November 2008 through January 2009, and March and May 2009; and when it 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

total coliform monitoring data and public notice within 10 working days by certified mail 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

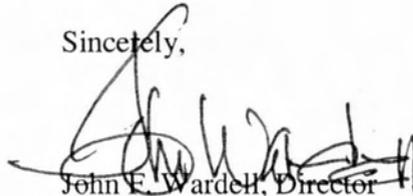
You must take immediate action to comply with the NPDWRs, 40 C.F.R. part 141, and the Order. EPA is considering additional enforcement action as a result of your noncompliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$37,500 per day per violation, and/or (2)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

If you have any questions or wish to have an informal conference with EPA, you may contact Marc Weiner at (303) 312-6913 or at the following address:

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

We urge your prompt attention to this matter.

Sincerely,



John E. Wardell, Director
Montana Office

cc: Tina Artemis, EPA Regional Hearing Clerk