



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

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FILED
EPA REGION VIII
HEARING CLERK

Ref: 8MO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ryan Ayres
CLA Enterprises, LLC
37790 Gallatin Gateway Rd
Gallatin Gateway, MT 59730

Re: 3rd Violation of Administrative
Order
CLA Enterprises, LLC
Public Water Supply
Docket No. SDWA-08-2010-0058
PWS ID # MT0001546

Dear Mr. Ayres:

On June 28, 2010, the US Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2010-0058, ordering CLA Enterprises, LLC (Respondent or CLA) to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f et seq. On December 15, 2010, EPA issued an Addendum to that Order.

EPA's records indicate that CLA is in violation of the Order as amended by the Addendum. Among other things, the Addendum included the following:

EPA is now requiring that CLA submit to EPA and DEQ for approval within 30 days of receipt of this letter a sample siting plan noting the location of future ground water source water sampling in accordance with 40 C.F.R. § 141.402. Once the sample siting plan is approved, CLA will be required to take future triggered source water samples at that location.

CLA has not yet submitted a sample siting plan to EPA or DEQ.

EPA is considering additional enforcement action as a result of non-compliance with the Order. Violating an Administrative Order may lead to

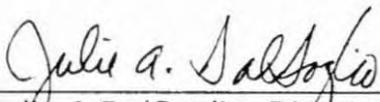


(1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions or wish to have an informal conference with EPA, you may contact Sienna Meredith at 1-800-227-8917, extension 5026 or (406)457-5026. If you are represented by an attorney who has questions, please ask your 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.


Julie A. DalSoglio, Director
EPA Region 8 Montana Office

cc:

Morgen Joan Ayres, Registered Agent
John Arrigo, MT DEQ
Shelley Nolan, MT DEQ
Tina Artemis, EPA Regional Hearing Clerk