



REGION 8

DENVER, CO 80202

November 6, 2025

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**U.S. EPA REGION 8
HEARING CLERK**

Ref: 8ECA-W-S

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Virginia City
c/o The Honorable Justin Gatewood, Mayor
Virginia City Water Department Public Water System
gatewoodmayor@3rivers.net

Subj: Administrative Order issued to Virginia City / regarding Virginia City Water
Department Public Water System, PWS ID #MT0000353,
Docket No. SDWA-08-2026-0015

Dear Mayor Gatewood:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g). Among other things, the Order alleges that Virginia City (Respondent), as owner and operator of the Virginia City Water Department Public Water System (System), has violated the Lead and Copper Rule Improvements (LCRI), specifically 40 C.F.R. § 141.84, 141.85, and 141.90 (Part 141). The EPA is issuing this Order because the State of Montana's (State) previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141, and the State has not yet obtained primary enforcement responsibility for the LCRI.

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information you believe the EPA may not have regarding your development or submittal of the required Lead Service Line Inventory. If the EPA does not hear from you, the EPA will assume this information is correct. Please note if Respondent chooses to submit a plan and schedule to address submitting the Lead Service Line Inventory, the final date should be no greater than six months from the effective date of this order, unless Respondent can provide documentation of extenuating circumstances. If Respondent complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$71,545 (as

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adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 90 Fed. Reg. at 1375 (January 8, 2025).

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small entities, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist Respondent in addressing the outstanding violations.

If you have any questions or to request an informal conference with the EPA, please contact Elizabeth Tyson via email at tyson.elizabeth@epa.gov, or by phone at (800) 227-8917, extension 6646, or (303) 312-6646. Any questions from your attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at Bearley.Mia@epa.gov or by phone at (800) 227-8917, extension 6554, or (303) 312-6554. We urge your prompt attention to this matter.

Sincerely,

Suzanne Bohan, Director
Enforcement and Compliance Assurance Division

ENCLOSURES (7):

1. Montana Guidance for Developing and Maintaining a Service Line Inventory
2. EPA Guidance for Developing and Maintaining a Service Line Inventory
3. Montana LSLI Inventory Template (.XLSX) for Community Systems
4. EPA Template for Notification of Known or Potential Service Line Containing Lead
5. Tier 2 Public Notice Template Failure to Develop Lead Service Line Inventory
6. Tier 3 Public Notice Template Failure to Certify Lead Service Line Inventory
7. Small Business Information Sheet

cc:

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