



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
HEARING CLERK

Ref: 8 ENF-W

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED

Joseph Duvall
Craig Bar
50 Main, Craig
Wolf Creek, MT 59648

Re: Violation of Administrative Order
Docket No. SDWA-08-2007-0053
Craig Bar
PWS ID # MT0002077

Dear Mr. Duvall:

On July 11, 2007, the US Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2007-0053, ordering Craig Bar (Respondent) to comply with the Safe Drinking Water Act (the Act), 42 U.S.C. Section 300f et seq., and its implementing regulations, the National Primary Drinking Water Regulations (NPDWR) at 40 C.F.R. Part 141.

Our records indicate that Craig Bar is in violation of the Administrative Order. The Order requires the following:

1. Within 30 days from the effective date of the Order, Respondent shall submit for approval plans and specifications for installing continuous disinfection treatment for the water system and any needed improvements to the well in accordance with 40 C.F.R. § 141.63(d).

Respondent has not submitted to EPA and the State for approval plans and specification for installing continuous disinfection treatment for the water system and any needed improvements to the well.

2. Within 30 days of the date of the Order, Respondent shall comply with the quarterly nitrate monitoring requirements as stated in 40 C.F.R. § 141.23(d)(2) to determine compliance with the nitrate MCL appearing at 40 C.F.R. § 141.62(b). Respondent shall continue to monitor the water quarterly until notified by the EPA that monitoring may be reduced and shall monitor according to regulations thereafter. Respondent shall report

analytical results to EPA and the State within the first 10 days following the month in which sample results are received, as required by 40 C.F.R. § 141.31(a).

Respondent failed to comply with the requirements for performing quarterly nitrate monitoring within 30 days of the date of the Order.

3. Within 30 days from the effective date of the Order, Respondent must provide public notice of the violation(s) specified under the Findings of Violation I, and III through VI in the Order, to return to compliance with 40 C.F.R. §§ 141.201, 141.204 and 141.205.

Respondent failed to issue and submit a public notice for violations of the Order within 30 days from the effective date of the Order.

EPA is considering additional enforcement action as a result of Respondent's non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$32,500 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 Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney or have legal questions, please contact Thomas Sitz, Enforcement Attorney, at (303) 312-6918 or at the following address:

Thomas Sitz
Legal Enforcement Program
U.S. EPA, Region 8 (8-ENF-L)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.

Sincerely,



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc:

Jenny Chambers, MT DEQ
Kate Miller, MTDEQ
Rachel Clark, MTDEQ