



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

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FILED
EPA REGION VIII
BEAVERHEAD COUNTY

Ref: 8 ENF-W

SEP 07 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Debra L. Scott
Beaverhead County Clerk and Recorder
2 South Pacific Street, Ste. #3
Dillon, MT 59725

Re: 2nd Violation of
Administrative Order
Docket No. SDWA-08-2010-0004
Beaverhead County Jackson Water
and/or Sewer District
PWS ID # MT0002590

Dear Ms. Scott:

On December 14, 2009, the US Environmental Protection Agency (EPA) issued an Administrative Order (the Order), Docket No. SDWA-08-2010-0004, ordering the Beaverhead County Jackson Water and/or Sewer District to comply with various drinking water regulations issued by EPA under the Safe Drinking Water Act (the Act), 42 U.S.C. Section 300f *et seq.*

Our records indicate that Beaverhead County Jackson Water and/or Sewer District (Respondent) is again in violation of the Order. Among other things, the Order included the following requirement (quoted from item 18 of the Order section on page 4 of the Order), relating to the Consumer Confidence Report (CCR) requirement:

1. Within 30 days of receipt of this Order, Respondent shall prepare an annual CCR (to include all information required by 40 C.F.R. §§ 141.153 and 154) for the system for 2007 and distribute the report to the system's customers, EPA, and the State. No later than 3 months thereafter, Respondent shall certify to EPA and the State that the CCR has been distributed to the system's customers and that its information is correct and consistent with monitoring data previously provided to EPA and the State. Thereafter, Respondent shall prepare and distribute annual CCRs and provide certifications as required by 40 C.F.R. §§ 141.152-141.155.


Respondent failed to provide EPA and the State with its 2010 CCR which was due on or before July 1, 2011. Please submit the 2010 CCR to EPA and the State immediately.

EPA is considering additional enforcement action as a result of the 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 Shawn McCaffrey at 1-800-227-8917, extension 6515 or (303) 312-6515. If you are represented by an attorney who has questions, please ask your attorney to contact Peggy Livingston, Senior Enforcement Attorney, at 1-800-227-8917, extension 6858 or (303) 312-6858 or at the following address:

Peggy Livingston
Senior Enforcement Attorney
U.S. EPA, Region 8 (8-ENF-L)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.



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

cc: Tina Artemis, EPA Regional Hearing Clerk
Jeanette Robertson, Beaverhead Jackson Water and Sewer
District (via certified mail/return receipt requested)
John Arrigo, MT DEQ
Shelley Nolan, MT DEQ