



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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2009 FEB 24 AM 6:33

By: [Signature]
[Name]
[Title]

Ref: 8ENF-W

FEB 24 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard Opper, Director
Montana Department of
Environmental Quality
1520 E. Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901

NOTICE OF VIOLATION

Docket No. **SDWA-08-2009-0030**
Potomac Bible Church
US Hwy 200
P.O. Box 955
Bonner, MT 59823
PWS ID# MT0004434

Dear Mr. Opper:

The above referenced public drinking water system has violated certain provisions of the National Primary Drinking Water Regulations at 40 C.F.R. part 141, which EPA promulgated under the Safe Drinking Water Act (the Act), 42 U.S.C. § 300f, et seq. Our records, obtained from the Montana Department of Environmental Quality's Public Water Supply Online Query Reports, indicate the violations noted below. Please have your staff notify Kimberly Pardue Welch at (303) 312-6983 within 20 days if your records show any discrepancies with these determinations of violation.

<u>Date of Violation</u>	<u>Violation</u>
September 2005	Exceeded the acute maximum contaminant level (MCL) for total coliform bacteria. [40 C.F.R. § 141.63(b)]
May 2005, June 2005, August 2005, September 2005, November 2005, March 2006, April 2007, July 2008, August 2008, October 2008, and November 2008	Exceeded the MCL for total coliform bacteria. [40 C.F.R. § 141.63(a)(2)]
December 2008	Failure to take five routine samples following a total coliform positive sample the preceding month (System incorrectly took one sample). [40 C.F.R. § 141.21(b)(5)]
2005 - 2007	Failure to notify public of above referenced violations (except September 2005 acute total coliform MCL and April 2007 total coliform MCL violations). [40 C.F.R. § 141.201]
2005 - 2008	Failure to report the above-referenced violations to the State. [40 C.F.R. §§ 141.21(g)(1), 141.21(g)(2) and 141.31(b)]

This Notice of Violation is issued pursuant to section 1414(a) of the Safe Drinking Water Act ("Act"), 42 U.S.C. § 300g-3(a). If the State does not commence an appropriate enforcement action within 30 days from the receipt of this notification, EPA is authorized either to issue an Administrative Order under section 1414(g) of the Act, 42 U.S.C. § 300g-3(g), requiring the system to comply with the regulations or requirements, or to commence civil action under section 1414(b) of the Act, 42 U.S.C. § 300g-3(b).

Please inform EPA of any change in the compliance status of this system. You may wish to have your staff confer with Ms. Pardue Welch to determine the Agency's position concerning this system and to exchange appropriate information. If the State does not commence an appropriate enforcement action within 30 days from the receipt of the notification, EPA

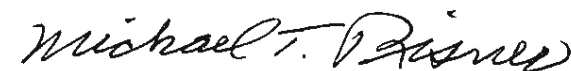
will proceed with issuance of an administrative order.

A copy of this Notice of Violation has been concurrently sent to the system identified above. Also enclosed for the benefit of the system is a copy of EPA's Small Business Regulatory Enforcement and Fairness Act (SBREFA) fact sheet containing information on compliance assistance resources and tools available to small businesses and small governments, in case these resources apply to this situation.

Sincerely,



Diane L. Sipe, Director
Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



Michael Risner, Director
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure:

SBREFA fact sheet

cc: Steve Fawcett, Registered Agent (certified mail w/ return receipt)
John Arrigo, MT DEQ (w/o enclosures)
Shelley Nolan, MT DEQ (w/o enclosures)
Tina Artemis, EPA Regional Hearing Clerk