



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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CERTIFIED MAIL
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William Decker, Registered Agent
Rivershore Mobile Home Park
3308 Lower River Road
TRLR #19
Great Falls, MT 59405

Re: Violation of Administrative Order
Docket No. SDWA-08-2009-0033
PWS ID # MT0000414

Dear Mr. Decker:

On May 21, 2009, the US Environmental Protection Agency (EPA) issued an Administrative Order, Docket No. SDWA-08-2009-0033, ordering you (Respondent) as owner of the Rivershore Mobile Home Park public water system, to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq. On August 2, 2009, The Cascade County Sheriff's Office served you with the Administrative Order and therefore it became effective on that date.

Our records indicate that you are in violation of the Order. Among other things, the Order included the following requirement (quoted from items 11 through 14 of the "Order" section on pages 3 through 4 of the Order):

1. Upon receipt of this Order, Respondent shall monitor monthly for total coliform bacteria. 40 C.F.R. § 141.21. Any violation of the total coliform monitoring requirements shall be reported to EPA and the State within ten days after Respondent learns of it. 40 C.F.R. § 141.21(g)(2).

Respondent failed to submit total coliform monitoring results in August and September of 2009. Respondent failed to report noncompliance with the total coliform monitoring requirements to EPA within 10 days of learning of the violation.

2. Upon receipt of this Order, Respondent shall monitor triennially, or as directed by the State for lead and copper. Respondent shall collect 5 samples during each sampling event, unless directed otherwise by the State. 40 C.F.R. §§ 141.86(c) and 141.86(d). Respondent's next lead and copper sampling is due between June 1 and September 30, 2009. Respondent shall report analytical results to EPA and the State within the first 10 days following the end of the monitoring period, as required by the drinking water regulations. 40 C.F.R. § 141.90.

Respondent failed to submit lead and copper monitoring results for the June 1 through September 30, 2009 monitoring period.

3. Within 30 days of this Order, Respondent shall prepare its annual Consumer Confidence Reports (CCRs) for the calendar years 2004 through 2007 and distribute them to its customers. Respondent shall prepare and deliver annual CCRs thereafter. The CCRs must identify all violations incurred for the specific reporting year and should be submitted to the EPA and State within 10 days of its distribution. Respondent shall comply with the CCR requirements as stated in 40 C.F.R. §§ 141.152-155.

Respondent failed to prepare and distribute its Consumer Confidence Reports for calendar years 2004 through 2007 within 30 days of the Order (by September 2, 2009).

4. Within 30 days of receipt of this Order, Respondent shall provide public notice of the violations specified in paragraphs 5, 6 and 7 of the Order (except the February 2004 failure to monitor total coliform violation). Respondent shall submit a copy of the public notice to EPA and the State within ten days of completion of the public notice. 40 C.F.R. § 141.31(d).

Respondent failed to submit a public notice for violations of the Order within 30 days from the effective date of the Order (by September 2, 2009).

EPA is considering additional enforcement action, including assessment of penalties, as a result of the System's 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 Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney who has questions, please ask your attorney to contact Marc Weiner, Enforcement Attorney, at 1-800-227-8917, extension 6913 or (303) 312-6913 or at the following address:

Marc Weiner
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:

John Arrigo, MDEQ
Shelley Nolan, MDEQ
Tina Artemis, EPA Regional Hearing Clerk

