



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

2012 NOV 15 AM 11:18

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EPA REGION VIII
HEARING CLERK

November 2, 2012

Ref: 8ENF-L

SENT VIA REGULAR MAIL

The Honorable Randal A. Woods, Mayor
Town of Hot Springs
P.O. Box 669
Hot Springs, Montana 59845-0669

Re: Order for Compliance Notice of Violation and
Opportunity to Confer,
Docket No. CWA-08-2012-0016

Dear Mayor Woods:

I am writing to notify you that the Town of Hot Springs is in violation of the Order for Compliance (Order) issued by the U.S. Environmental Protection Agency on June 4, 2012. The Order alleged violations of the Clean Water Act and National Pollutant Discharge Elimination System permit at the Town of Hot Springs' wastewater treatment facility, and specified action items to return the facility to compliance. Despite receiving an initial response from the Town stating its intent to comply with the Order, very few of the action items have been performed. Prior to escalating enforcement of this matter, I am extending the Town an opportunity to confer to discuss the noncompliance and propose a schedule to fully comply with the Order.

The EPA has not received any updated information other than discharge monitoring reports since the Town submitted a Notice of Intent to comply letter on June 11, 2012. The requirements set forth in paragraphs 32 and 33 remain outstanding and the draft management plan due within sixty days of receipt of the Order has not yet been submitted. The plan and schedule for correcting any physical or design deficiencies also is overdue. Prior to the EPA filing an administrative complaint with penalties against the Town for violations of the Order, the EPA is, by this letter, giving the Town an opportunity to present any relevant information concerning its noncompliance. The EPA hereby requests that the Town of Hot Springs or its representative(s) attend a meeting via telephone regarding this matter. **The EPA has scheduled this meeting as a telephone conference call to be held on Wednesday, November 14, 2012 at 10:00 a.m. MST.** The conference number for the call is 1-866-299-9141. The access code is 65928023. The Town of Hot Springs has the right to be represented by counsel, but it is not required. Our discussion on November 14th will provide the forum to answer any questions regarding the enforcement process and how the EPA will proceed in this matter.

Upon receipt of this letter, please contact me at (303) 312-6906 to advise who will represent the Town of Hot Springs at the meeting. If the Town's representatives are unable to attend the meeting on the day or time specified above, please contact me as soon as possible to make alternative arrangements.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Swanson', with a long horizontal flourish extending to the right.

Amy Swanson
Senior Enforcement Attorney

cc: Ruben Loberg, Town of Hot Springs, Public Works
Marcel A. Quinn, Hammer, Hewitt, Jacobs & Quinn
Tina Artemis, Regional Hearing Clerk