



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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Phone 800-227-8917
<http://www.epa.gov/region8>

2012 OCT 18 AM 10:34



Ref: 8ENF-W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Wayne Kern, Director
Division of Municipal Facilities
North Dakota Department of Health
918 E. Divide Ave., 3rd Floor
Bismarck, ND 58501-1947

Re: NOTICE OF VIOLATION

Docket No. **SDWA-08-2013-0001**
Willowbank Colony Public Water
System
PWS ID # ND2301467

Dear Mr. Kern:

According to records the United States Environmental Protection Agency (EPA) has obtained from the Safe Drinking Water Information System database and from the North Dakota Department of Health, the public water supply system referenced above (system) has violated certain provisions of the National Primary Drinking Water Regulations at 40 C.F.R. part 141 (drinking water regulations).

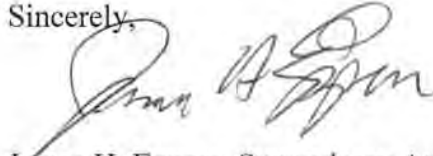
EPA promulgated the drinking water regulations under the authority of the Safe Drinking Water Act (Act), 42 U.S.C. §§ 300f, *et seq.* EPA is issuing this notice of violation pursuant to § 1414(a) of the Act, 42 U.S.C. § 300g-3(a), which authorizes EPA to issue an administrative compliance order or file a lawsuit concerning the system if the State of North Dakota (State) does not commence an appropriate enforcement action within 30 days of receiving this notice.

The violations by the system are listed in Attachment A. EPA is also sending a copy of this notice of violation to the system.

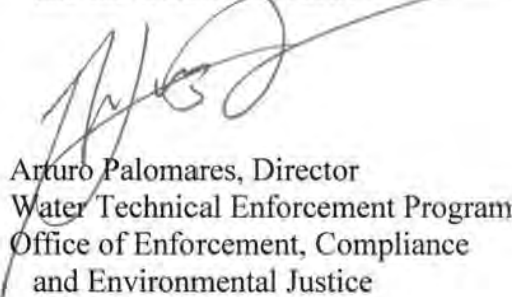
If the State does not commence an appropriate enforcement action concerning the system within 30 days from your receipt of the notification, EPA will likely issue an administrative order to the owner and/or operator of the system.

Please have your staff notify Mario Mérida at (303) 312-6297 within 20 days if your records show any discrepancies with the violations cited above, if your staff learns of any change in the system's compliance status, or if there are any questions or comments. Thank you for your assistance.

Sincerely,



James H. Eppers, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice



Arturo Palomares, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosure: Violation Table – Willowbank Colony (ND2301467)

cc: Tina Artemis, EPA Regional Hearing Clerk
Larry Thelen, Program Administrator, North Dakota Department of Health,
Drinking Water Program
Calvin Wipf, Operator, Willowbank Colony Public Water System (via Certified
Mail)

Attachment A

Violations Table – Willow Bank Colony (ND2301467)

Date(s) of Violation	Violation
Jan – Jul 2012 Jan – Jun 2011 Aug – Dec 2011 Jan, Jul, & Nov 2010 Nov & Jul 2009 Feb & Sep 2008 Sep 2007	Failure to monitor for total coliform bacteria, as required per 40 C.F.R. § 141.21(a).
Dec 2008	Failure to monitor for total coliform bacteria (repeat samples) as required per 40 C.F.R. § 141.21(b).
2011	Failure to monitor for nitrate as required per 40 C.F.R. § 141.23(d).
2009	Failure to monitor for lead and copper as required per 40 C.F.R. § 141.86(d).
2011 2010 2008	Failure to include adequate information in the Consumer Confidence Report as required per 40 C.F.R. §§ 141.151-141.155.
Jan, Mar, Apr, May, Jun, Jul, & Aug of 2011 Sep 2010 Sep 2009 Nov 2008 Nov 2007	Failure to provide public notice for violations of the National Primary Drinking Water Regulations as required per 40 C.F.R. §§ 141.201-141.211.