

March 10,2011

Joshua Townsley
Tamarack II
105 Blacktail Rd
Lakeside MT 59922

2011 MAR 16 PM 1:40

FILED
EPA REGION VIII
HEARING CLERK

Tina Artemis
Region 8 Hearing Clerk (8RC)
USEPA
1595 Wynkoop Steet
Denver CO 80202

In response to Complaint and Notice of Opportunity for Hearing Docket No. SDWA-08-2011-0022. I will be answering this complaint for I am unable to afford an attorney to do so.

In response to count number 1:

I have been working with Culligan Water systems in Kalispell MT since fall 2010 when I became aware of the MT DEQ and EPA's request to design a treatment for our nitrate issue. Culligan had installed nitrate filters at all public service outlets in the Spring of 2010, they did not install nitrate filters in men's or women's washrooms. These filters where installed on our own to catch our fluctuating high level of nitrates. These locations became an issue for public consumption according to MTDEQ, therefore this is when EPA became involved.

Culligan was again brought in when the EPA issue was ordered in September of 2010. Culligan had conversations with Emily Gillespie at MTDEQ and Kimberly Welch at EPA regarding this system. As my understanding went we were on track with this and Culligan was filing with MTDEQ as well as the EPA.

In December of 2010 I was told that they couldn't get MTDEQ to review without the Water Engineer being paid first. I was invoiced and paid the \$1600 to the Engineering firm. After the invoice was paid MTDEQ reviewed their previously discussed treatment and changed the system to include chlorine and chemical wash stations.

I was contacted in early February concerning this. I meet with Culligan and signed off on a spectacular \$9200.00 water treatment and monthly monitoring by Culligan.

I am a small business owner in a even smaller community in NW Montana, my customers are my friends and family. I am not business to harm anyone and am making my best effort to comply with the wishes of the MTDEQ and US EPA. As for the proposed penalty, I most certainly cannot afford to pay. It would put me and my employees amongst the unemployed trying to figure out what to do in this economy.

As I stated previously I have signed off on Culligan installing the new treatment system and it will be up and running by the first part of April 2011.

If a hearing is required I would most certainly be available for my orating skills trump my written word.

Count 2:

Tamarack II posted our violation in numerous places in our building, the Flathead county Health Dept . saw and noted we had it posted.

This is what I was aware I needed to do. Our subsequent tests were always below the 10 mcl required and things went back to normal.

Summary:

Tamarack and myself are working hard to rectify this issue along with Culligan. As previously stated a new treatment system has been ok'd by me and is awaiting MTDEQ.

By now I am sure you are aware I will not be getting my JD anytime soon but again in our rural corner of Montana I cannot afford an attorney to write my letters, what I afford a new water system designed by and engineer and Culligan approved by the MT DEQ and EPA.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Townsley', with a stylized flourish at the end.

Joshua Townsley