



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

WU-16J

JAN 09 2007

Ogemaw District Library
107 W. Main Street
Rose City, Michigan 48654

Re: Public Notice of Violation, Issuance of Administrative Complaint and Opportunity to Request a Hearing

Dear Sir or Madam:

Recently you were contacted by the Underground Injection Control ("UIC") Branch regarding the need for citizens in Ogemaw County to have the opportunity to view the Administrative documents for Muskegon Development Company of Mt. Pleasant, Michigan.

Thank you for agreeing to act as the Repository for these documents.

Please hold this UIC material until the comment period has ended, 40 days from the date of the Public Notice. You may wish to attach this letter to the last page of the enclosure for use as a dated reference.

If there are any questions regarding the enclosures, please feel free to contact Eva-Marie Rowe, at (312) 353-0829. We appreciate your assistance in the Administrative Complaint process.

Sincerely yours,

A handwritten signature in cursive script that reads "Rebecca L. Harvey".

Rebecca L. Harvey, Chief
Underground Injection Control Branch

Enclosures



United States
Environmental Protection
Agency, Region 5

77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Mail Code WU-16J

Water Division

Underground Injection Control Branch

PUBLIC NOTICE

JAN 09 2007

The United States Environmental Protection Agency Region 5 is requesting your comments on a Consent Agreement and Final Order, **SDWA-05-2007-0002**, we filed against Muskegon Development Company ("Muskegon"), 1425 South Mission Road, Mt. Pleasant, Michigan 48858. The complaint alleges violations of the Underground Injection Control Program requirements for Michigan.

Background

The Safe Drinking Water Act ("SDWA") requires us to regulate underground injection of fluids through wells to protect underground sources of drinking water. More detailed information about our program is on the Internet at:

<http://www.epa.gov/r5water/uic/uic.htm>

Muskegon violated 40 Code of Federal Regulation Sections 144.22 (d) and 144.28 (f)(2) of the SDWA by failing to maintain mechanical integrity or plug and abandon the G. Perkins #V-12 well located in Township 22 North, Range 2 East, Section 35 and the L. Doron #N09 well located in Township 22 North, Range 2 East, Section 27. Both are Class II injection wells ("the wells"). We are seeking a \$ 30,910 civil penalty. The wells are located in Michigan, Ogemaw County.

Comment

If you plan to send written comments, you must send them within 40 days of the date of this notice to the following address:

Regional Hearing Clerk (E-13J)
United States Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

If you want to participate in this proceeding, you must send your name, complete mailing address, and a statement that you want to participate in the proceeding to the Regional Hearing Clerk within 40 days of this notice.

You may view the administrative record for this complaint between 9:00 a.m. and 4:00 p.m. Monday through Friday by contacting the Regional Hearing Clerk. You may also view the complaint at the Ogemaw District Library, 107 West Main Street, Rose City, Michigan. Hours are Monday 10:00 a.m. to 8:00 p.m., Tuesday-Wednesday-Thursday; 10:00 a.m to 5:00 p.m., Friday-Saturday; 10:00 a.m. to 2:00 p.m.

For information about this proceeding, you may phone Eva-Marie Rowe at 312.353.0829, email at rowe.eva@epa.gov or write the Complainant at the following address:

Jo Lynn Traub, Water Division Director
Attention: Eva-Marie Rowe
United States Environmental Protection Agency
Region 5, 77 West Jackson Blvd., (W-15J)
Chicago, Illinois 60604-3590

61-2-11-6-107-002
REGION 5 OFFICE
JAN 10 2007