

Lincoln County
City-County Board of Health Agenda
Lincoln County Annex, 418 Mineral Ave, Libby
6:00 PM, May 16, 2023

The City-County Board of Health for Lincoln County will be meeting in the Health Department Conference Room on the 2nd floor of the Lincoln County Annex. This meeting will also be available on Zoom: **Zoom Meeting ID 998 434 6152**

- **Call to Order**
- ***Action Item*** – Charles Riley’s Appeal of Septic Installer License Revocation
- **Public Comment**
- **Adjourn**

Charles V Riley
Riley Excavating & Concrete
Po Box 522
Libby, MT 59923
406-293-3456

Monday, May 8, 2023

Lincoln County Board of Health
418 Mineral Ave
Libby, MT 59923

Re: Septic Installer License Revocation

Dear Lincoln County Board of Health,

I am requesting a hearing regarding the revocation of my Septic Installer License #147. I wish to address the violations that were brought against me at that time.

Thank you for your consideration,

Sincerely,

A handwritten signature in blue ink that reads "Charles V Riley". The signature is written in a cursive style with a large initial "C".

Charles V Riley



Lincoln County Health Department
418 Mineral Avenue
Libby, MT 59923
Phone: (406) 283-2442
Fax: (406) 293-5640
www.lincolnmthealth.com

May 4, 2023

Riley Excavating
PO Box 522
Libby, MT 59923

RE: Septic Installer License Revocation

Mr. Riley,

This letter is to notify you that the Lincoln County Health Department (Department) has revoked your Lincoln County Wastewater Treatment and Disposal System Installer's License (#147). Per Lincoln County Wastewater Treatment and Disposal Regulation 3.2.103(6):

Installer licenses are the property of the Department and may be revoked by the Department at any time for the following reason: Failure to gain approval for a wastewater treatment and disposal system installation.

On September 28, 2020, a permit was issued for 515 Brookie Way, Libby. This permit lists you as the licensed installer. The system was not installed in the approved and permitted location. A notice of violation was issued November 13, 2022. As of today, this violation has not been corrected.

On October 31, 2022, a permit was issued for 120 Nores Lane, Libby. This permit lists you as the licensed installer. The system was inspected and found to be installed incorrectly. The drainfield laterals were installed without the minimum separation of at least five feet between trench walls of gravity-fed trenches required in Circular DEQ 4 6.1.3.3. The City-County Board of Health for Lincoln County granted a variance for this system on January 12, 2023.

On July 26, 2022, a permit was issued for 316 Tamarack Lane, Libby. This permit lists you as the licensed installer. The system was inspected and found to be installed without the required minimum horizontal setback to property lines which is a violation of Lincoln County Wastewater Treatment and Disposal Regulation 3.2.106(b). You have requested a variance from the City-County Board of Health for Lincoln County for this system.

Your license is revoked until you pass the required septic installer license examination with a score of at least 85%. The exam fee is \$150. It is unlawful for you to install, construct, alter, extend, or repair a wastewater treatment and disposal system within Lincoln County until you are relicensed.

You have the right to appeal this decision as outlined in the Lincoln County Notices of Violation & Abatement Order Review Process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kathi Hooper".

Kathi Hooper, RS, MPH
Director