



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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

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EPA REGION VIII
HEARINGS CLERK

Ref: 8ENF-W

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Lambert County Sewer and Water District
Richland County Court House
Sidney, MT 59270

Re: Violation of Administrative Order
Lambert County Sewer and Water
District Public Water System
Docket No. SDWA-08-2010-0047
PWS ID # MT0000269

To whom it may concern:

On June 28, 2010, the US Environmental Protection Agency (EPA) issued an Administrative Order, Docket No. SDWA-08-2010-0047, ordering the Lambert County Sewer and Water District (Respondent) to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

Our records indicate that Lambert County Sewer and Water District is in violation of the Order. Among other things, the Order included the following requirements (quoted from items 22, 23 and 30 of the "Order" section on pages 4 and 6 of the Order):

1. Respondent shall monitor the residual disinfectant level in the system's water in the distribution system at the same time and at the same location as it collects each total coliform sample, as required by 40 C.F.R. §§ 141.132(c)(1) and 141.21. Respondent shall report residual disinfectant sample results and all information required by 40 C.F.R. § 141.132(c)(1) quarterly to EPA and the State no later than 10 days after the end of each quarter, as required by 40 C.F.R. § 141.134.

Respondent failed to monitor for residual disinfectant levels during the 4th quarter of 2010.

2. Respondent shall monitor the daily residual disinfectant concentration at the point of entry to the system, as required by ARM 17.38.225 and 17.38.229. Respondent shall report analytical results to EPA and the State within the first ten days following the end of the monitoring period as required by ARM 17.38.234 and 40 C.F.R. § 141.31(a).

Respondent failed to monitor for daily residual disinfectant concentrations during December 2010.

3. Respondent shall report any violation of the drinking water regulations to EPA and the State within 48 hours of discovery. 40 C.F.R. § 141.31(b).

Respondent failed to report the above mentioned violations to EPA and the State within 48 hours of discovery.

EPA is considering additional enforcement action as a result of the ongoing non-compliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$37,500 per day per violation of the Order, and/or (2) a court injunction ordering compliance.

If you have any questions or wish to have an informal conference with EPA, you may contact Kimberly Pardue Welch at 1-800-227-8917, extension 6983 or (303) 312-6983. If you are represented by an attorney who has questions, please ask your attorney to contact Amy Swanson, Enforcement Attorney, at 1-800-227-8917, extension 6906 or (303) 312-6906 or at the following address:

Amy Swanson
Enforcement Attorney
U.S. EPA, Region 8 (8ENF-L)
1595 Wynkoop Street
Denver, Colorado 80202-1129

We urge your prompt attention to this matter.



Lisa Kahn, Team Leader
Drinking Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc:

Brian Ligon, Lambert County Sewer and Water District
(via certified mail w/ return receipt)
John Arrigo, MT DEQ
Shelley Nolan, MT DEQ
Tina Artemis, EPA Regional Hearing Clerk