



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION 8, MONTANA OFFICE  
 FEDERAL BUILDING, 10 W. 15<sup>th</sup> STREET, SUITE 3200  
 HELENA, MONTANA 59626

2009 APR 14 AM 11:27

APR 14 2008

Ref: 8MO

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Richard Opper, Director  
 Montana Department of Environmental Quality  
 Metcalf Building  
 1520 West Sixth Avenue  
 Helena, MT 59620

NOTICE OF VIOLATION

Docket No. SDWA-08-2009-0019

Re: Carter-Chouteau County Water District Public  
 Water System  
 P.O. Box 272  
 Carter, MT 59420  
 PWS ID# MT0000520

Dear Mr. Opper:

The above referenced public drinking water system has violated certain provisions of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300f, *et seq.* and the National Primary Drinking Water Regulations at 40 C.F.R. part 141. Our records, obtained from the Montana Department of Environmental Quality's Public Water Supply Online Query Reports, indicate the violations noted below. Please have your staff notify Eric Finke at (406) 457-5026 within 20 days if your records show any discrepancies with these determinations of violation. This Notice of Violation (NOV) references violations that came to light after the previous NOV was sent to you on November 19, 2008.

Violations	
Failure to collect <b>fecal or coliform density</b> sample from source water prior to first point of disinfection [40 C.F.R. § 141.74(b)(1)]	January 1, 2000 to present
Failure to measure <b>turbidity</b> of source water every 4 hours prior to first point of disinfection [40 C.F.R. § 141.74(b)(2)]	Nov 2005; May 2006; Jun, Jul, Sep, Nov 2008



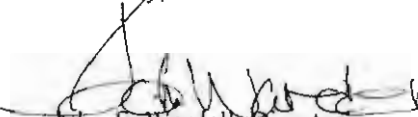
Failure to determine <b>inactivation ratio</b> Giardia Lamblia and viruses each day system was in operation [40 C.F.R. § 141.74(b)(3) and (4)]	January 1, 2000 to present
Failure to monitor <b>disinfectant concentration</b> entering the distribution system and report lowest value each day [40 C.F.R. § 141.74(b)(5)]	May 2006; Sep and Oct 2007; Jun, Jul, Sep, Nov 2008.
Violation of the Maximum Contaminant Level for <b>arsenic</b> [40 C.F.R. § 141.62(b)(16)]	December 2008
Failure to monitor <b>arsenic</b> annually [40 C.F.R. § 141.23(c)(1)]	2004
Failure to submit <b>Consumer Confidence Report</b> by due date [40 C.F.R. § 141.152(b)]	Report covering calendar year 2005
Failure to <b>Install Filtration</b> [40 C.F.R. § 141.70(a)]	Continuing violation from approximately July 1, 2002 to present
Failure to <b>begin collecting data for the development of a disinfection profile.</b> [40 C.F.R. § 141.532(a)]	January 1, 2004
Failure to <b>complete a disinfection profile.</b> [40 C.F.R. § 141.502]	January 1, 2005
Failure to provide public notice of the above-referenced violations [40 C.F.R. § 141.201]	2001-present
Failure to report the above-referenced violations to the State [40 C.F.R. §§ 141.31(b)]	2000-present

This Notice of Violation is issued pursuant to section 1414(a) of the Act, 42 U.S.C. § 300g-3(a). If the State does not commence appropriate enforcement action within 30 days from the receipt of this notification, EPA is authorized either to issue an administrative order under section 1414(g) of the Act, 42 U.S.C. § 300g-3(g) requiring the public water system to comply with the regulations or requirements, or to commence civil action under section 1414(b) of the Act, 42 U.S.C. § 300g-3(b).


Please inform EPA of any change in the compliance status of this system. You may wish to have your staff confer with Mr. Finke to determine the Agency's position concerning this system and to exchange appropriate information.

A copy of this notice of violation has been concurrently sent to the system identified above.

Sincerely,



John F. Wardell, Director  
Montana Office




David Rochlin, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance, and  
Environmental Justice

cc: Gary Rominger and Larry K. Emmet,  
Carter-Chouteau County Water District (via certified mail w/ return receipt)  
Chouteau County Clerk and Recorder, Registered Agent (via certified mail  
w/ return receipt)  
John Arrigo, MT DEQ (w/o enclosures)  
Shelley Nolan, MT DEQ (w/o enclosures)  
Tina Artemis, EPA Regional Hearing Clerk

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