



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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

NOV 19 2009

Ref: 8ENF-W

CERTIFIED MAIL LETTER
RETURN RECEIPT REQUESTED

CT Corporation System, Registered Agent
Bear Harbour Limited Partnership
P.O. Box 7054
401 N 31st Street
STE 1650
Billings, MT 59103-7054

Re: Administrative Order
Fazooli's Family Italian
Public Water System
Docket No. SDWA-08-2010-0003
PWS ID #MT0000889

To Whom It May Concern:

Enclosed is an Administrative Order (Order) issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300f *et seq.* Among other things, the Order alleges that the Bear Harbour Limited Partnership (the company) has violated the National Primary Drinking Water Regulations (drinking water regulations).

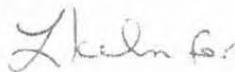
The Order is effective upon the date received. Please review the Order and within 10 days provide EPA with any information you believe EPA may not have. If Bear Harbour Limited Partnership complies with the Order, EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties and/or a Federal court injunction ordering compliance.

The Order requires the company to notify the public of having violated the drinking water regulations. EPA has provided paper copies of forms and instructions for providing public notice as an attachment to this document. The requirement to complete future public notices can easily be accomplished with the assistance of the automated system available at the www.pniwriter.org website.

To submit information or request an informal conference with EPA, please contact Kimberly Pardue Welch at the above address (with the mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6983 or (303) 312-6983. Any questions from the company's attorney should be directed to Amy Swanson, Enforcement Attorney, who may be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6906 or (303) 312-6906.

We urge your prompt attention to this matter.

Sincerely,



Darcy O'Connor, Acting Director
Water Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures

Order

Public notice samples/templates

cc:

John Arrigo, MT DEQ

Shelley Nolan, MT DEQ

Josh Townsley, Operator

Tina Artemis, EPA Region Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2009 NOV 19 PM 12:58

IN THE MATTER OF:)
)
Bear Harbour Limited Partnership,)
)
Respondent.)

Docket No. SDWA-08-2010-0003

EPA REGION VIII
HEADQUARTERS
ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by the Safe Drinking Water Act, 42 U.S.C. § 300f *et seq.* (the Act), as properly delegated to the undersigned officials.

2. Bear Harbour Limited Partnership (Respondent) is a Montana corporation that owns and/or operates the Fazooli's Family Italian Water System (the system), which provides piped water to the public in Flathead County, Montana, for human consumption.

3. The system is supplied by a groundwater source consisting of one well.

4. The system has approximately 2 service connections and/or regularly serves at least 100 individuals daily at least 60 days out of the year. Therefore, the system is a "public water system" as defined in § 1401(4) of the Act, 42 U.S.C. § 300f (4), and 40 C.F.R. § 141.2. The system is also a "transient, non-community water system" as defined in 40 C.F.R. § 141.2.

5. Respondent is subject to the Act and the National Primary Drinking Water Regulations (drinking water regulations) at 40 C.F.R. part 141. The drinking water regulations are "applicable requirements" as defined in § 1414(i) of the Act, 42 U.S.C. § 300g-3(i).

6. The drinking water regulations include monitoring requirements. The Montana Department of Environmental Quality (MDEQ or the State) has sent Respondent annual notifications of the specific monitoring requirements that apply to the system.

7. The MDEQ has primary enforcement authority for the public water system supervision provisions of the Act in the State of Montana. EPA issued a notice of the system's violations to the State on October 22, 2009. The State elected not to commence an enforcement action against Respondent for the violations listed in the notice of violation within the

thirty-day time frame set forth in § 1414(a) of the Act, 42 U.S.C. § 300g-3(a). EPA has provided a copy of this Order to the State and has provided the State the opportunity to confer with EPA regarding this Order. EPA is issuing this Order requiring the system to comply with the "applicable requirements" it violated. An "applicable requirement" includes requirements of an applicable approved State program, such as Montana's "Public Water Supply Requirements" at Administrative Rules of Montana (ARM) 17.38.101 through 703. 42 U.S.C. § 300g-3(i).

VIOLATIONS

8. The maximum contaminant level (MCL) for nitrate is 10 milligrams per liter (mg/L). 40 C.F.R. § 141.62(b). For samples taken on March 27, 2006 and May 13, 2009, the system's water exceeded the MCL for nitrate, and, therefore, Respondent violated this requirement.

9. Respondent was required by the State to monitor quarterly for nitrate following the March 27, 2006 nitrate MCL exceedance. 40 C.F.R. § 141.23(g) and ARM 17.38.219. Respondent failed to monitor the system's water for nitrate during the 1st quarter of 2008 and the 1st quarter of 2009 and, therefore, violated this requirement.

10. If nitrate in the system's water exceeds the nitrate MCL, Respondent is required to either 1) take a confirmation sample within 24 hours of notification of the analytical results or, if that is not possible, 2) immediately notify the consumers served by the system and take a confirmation sample within two weeks of notification of the analytical results of the first sample. 40 C.F.R. § 141.23(f)(2). Respondent failed to take a confirmation sample following the March 27, 2006 and May 13, 2009 nitrate MCL exceedances and, therefore, violated this requirement.

11. Respondent is required to monitor the system's water monthly for total coliform bacteria. ARM 17.38.215(1)(b). Respondent failed to monitor the system's water for total coliform bacteria during the months of August 2005, August 2006, July 2007, March 2008, October 2008, November 2008, March 2009 and April 2009 and, therefore, violated this requirement.

12. Respondent is required to notify the public of certain violations of the drinking water regulations. 40 C.F.R. §§ 141.201, 141.202 and 141.204. Respondent did not notify the public of the violations mentioned in paragraphs 8, 9, 10 and 11, therefore, violated this requirement. Public notice for the March 2006 nitrate MCL and the August 2005 failure to

monitor total coliform violations cited in paragraphs 8 and 11 have been completed. Public notice for the 1st quarter 2009 failure to monitor nitrate and the November 2008, March 2009 and April 2009 failure to monitor total coliform violations cited in paragraphs 8 and 11 is not yet overdue.

13. Respondent is required to report any failure to comply with any of the drinking water regulations to the State within 48 hours (except where a different reporting period is specified in the drinking water regulations). 40 C.F.R. § 141.31(b). Respondent failed to report the violations listed in paragraphs 8 through 10 and 12, above, to the State and, therefore, violated this requirement.

14. Respondent is required to report any failure to comply with any coliform monitoring requirement to the State within ten days of discovering the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report the violations listed in paragraph 11, above, to the State and, therefore, violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions upon Respondent's receipt of this Order (unless a different deadline is specified below):

15. Within 30 days of receipt of this Order, Respondent shall provide EPA with a compliance plan and schedule for the system to come into compliance with the nitrate MCL at 40 C.F.R. § 141.62(b). The plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project and compliance with the above-mentioned regulations. The proposed schedule shall include specific milestone dates and a final compliance date (to be within 6 months from the date of EPA's approval of the plan). The plan and schedule must be approved by EPA before construction or modifications can commence. EPA's approval of Respondent's plan and schedule does not substitute for any State of Montana approvals of plans and specifications (engineering plans) which are also required before modifications can be made to the system.

16. The plan and schedule required by paragraph 15, above, will be incorporated into this Order as enforceable requirements upon written approval by EPA.

17. Within 60 days of receiving EPA's approval of the plan and schedule required by paragraph 15, above, Respondent shall submit to EPA quarterly reports on the progress made toward bringing the system into compliance with 40 C.F.R. § 141.62(b). Each quarterly report is due by the 10th day of the month following the end of each calendar quarter.

18. Respondent must achieve and maintain compliance with 40 C.F.R. § 141.62(b) by the final date specified in the approved plan, or no later than 6 months after receiving EPA's approval of the plan and schedule required by paragraph 15, above, whichever is earliest. If implementation of the plan fails to achieve permanent compliance, EPA may order further steps and/or seek penalties for noncompliance.

19. Respondent shall monitor the system's water for nitrate quarterly until notified by the State in writing of a different monitoring schedule. 40 C.F.R. § 141.23(g) and ARM 17.38.219. Respondent shall report analytical results to EPA and the State within the first 10 days following the month in which sample results are received. 40 C.F.R. § 141.31(a).

20. Respondent shall comply with all confirmation sampling requirements found in 40 C.F.R. § 141.23(f)(2). This requires public water systems that exceed the MCL for nitrate to either 1) take a confirmation sample within 24 hours of notification of the analytical results or, if that is not possible, 2) immediately notify the consumers served by the system and take a confirmation sample within two weeks of notification of the analytical results of the first sample.

21. Respondent shall monitor the system's water monthly for total coliform bacteria, as required by ARM 17.38.215(1)(b). Respondent shall report analytical results to EPA and the State within the first 10 days following the month in which sample results were received, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of the total coliform monitoring requirements to EPA and the State within 10 days of discovery, as required by 40 C.F.R. § 141.21(g)(2).

22. Within 30 days of receiving this Order, Respondent shall notify the public of the violations cited in paragraphs 8 through 11, as required by 40 C.F.R. part 141, subpart Q. Thereafter, following any future violation of the drinking water regulations, Respondent shall comply with the applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days of

providing public notice, Respondent shall submit a copy of the notice to EPA and the State.

23. Except where a different reporting deadline is specified in the drinking water regulations or this Order, Respondent shall notify EPA and the State within 48 hours of any failure to comply with the drinking water regulations, as required by 40 C.F.R. § 141.31(b).

24. Respondent shall direct all reporting required by this Order to:

Kimberly Pardue Welch
U. S. EPA Region 8 (8ENF-W) **AND**
1595 Wynkoop Street
Denver, CO 80202-1129

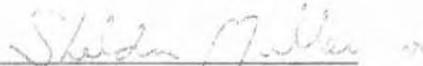
Shelley Nolan
Montana Department of
Environmental Quality- PWSS
P.O. Box 200901
Helena, MT 59620-0901

GENERAL PROVISIONS

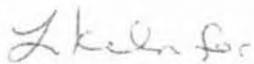
25. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

26. Violation of any part of this Order or the drinking water regulations may subject Respondent to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation, 42 U.S.C. § 300g-3; 40 C.F.R. part 19.

Issued: November 17, 2009.



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



Darcy O'Connor, Acting Director
Technical Water Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Instructions for Nitrate Notice-Tier 1

Template on Reverse

Since exceeding the nitrate maximum contaminant level is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation (141.202(b)). During this time period you must also contact your Primacy Agency. You should also coordinate with your local health department. **This template is also applicable to nitrite and total nitrate and nitrite violations.** You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Radio
- Television
- Hand or direct delivery
- Posting in conspicuous locations**

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings), since notice must be provided in a manner reasonably calculated to reach all persons served.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV notice. If you do, you must still include all required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)). If you post or hand deliver, print your notice on letterhead, if available.

Alternative Sources of Water

If you are providing alternative sources of water for infants, your notice should say where it can be obtained. Remember that bottled water can also be contaminated. If you are providing bottled water, make sure it meets the standard for nitrates by contacting the bottler and asking for the most recent test results.

Repeat Notices

If this is a repeat notice (as required by the Division of Drinking Water), or if your system's nitrate levels fluctuate around the MCL, you may wish to include an explanation similar to the following:

You were initially notified of high nitrate levels on [date]. Since that time we have been monitoring the nitrate concentration every three months. Seasonal fluctuations in nitrate concentrations have been observed, due to nitrates contained in fertilizer. It appears that high nitrates occur during the later summer and fall. Note that prior to [year] we were meeting drinking water standards for nitrate.

Corrective Action

In your notice, describe corrective actions you are taking. The bullet below describes one action commonly taken by water systems with nitrate/nitrite violations. Use this language, if appropriate, or develop your own:

We are investigating water treatment and other options. These may include drilling a new well, mixing the water with low-nitrate water from another source, or buying water from another water system.

After Issuing the Notice

Make sure to send your Primacy Agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)). You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Division of Drinking Water sets.

You should notify health professionals in the area of the violation. People may call their doctors with questions, and the doctors should have the information they need to respond appropriately. They also need to make sure the water is not provided to infants in their care.

DRINKING WATER WARNING

Fazooli's Family Italian water has high levels of nitrate

**DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD
OR USE IT TO MAKE INFANT FORMULA**

Water sample results received on the following date showed nitrate levels above the nitrate standard of 10 milligrams per liter (mg/L): **May 13, 2009** showed nitrate results of 11.2 which is above the nitrate standard or maximum contaminant level (MCL), of 10 mg/L. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- § **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome.* Blue baby syndrome is indicated by blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.
- § Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- § **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- § Adults and children older than six months can drink the tap water (nitrate is a concern for infants because they can't process nitrates in the same way adults can). However, if you are pregnant or have specific health concerns, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems and run-off). Levels of nitrate in drinking water can vary throughout the year. We'll let you know when the amount of nitrate is again below the limit.

[Describe corrective action, seasonal fluctuations, and when system expects to return to compliance.]

For more information, please contact [operator] at [phone] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by **Fazooli's Family Italian**.
State Water System ID#: **MT0000889**.
Date distributed _____

Instructions for Nitrate Failure to Take a Confirmation Sample Notice – Template 1 - 2

Template on Reverse

Since failure to take a confirmation sample for nitrate within 24 hours after learning that an initial sample exceeded the MCL is a Tier 1 violation, you must provide public notice to persons served as soon as practical but within 24 hours after you learn of the violation (141.202(b)). During this time period you must also contact your primacy agency. You should also coordinate with your local health department. This template is also applicable to nitrite and total nitrate and nitrite violations. You must use one or more of the following methods to deliver the notice to consumers (141.202(c)):

- Radio
- Television
- Hand or direct delivery
- Posting in conspicuous locations

You may need to use additional methods (e.g., newspaper, delivery of multiple copies to hospitals, clinics, or apartment buildings); since notice must be provided in a manner reasonably calculated to reach all persons served.

The notice on the reverse is appropriate for hand delivery or a newspaper notice. However, you may wish to modify it before using it for a radio or TV notice. If you do, you must still include all required elements and leave the health effects language in italics unchanged. This language is mandatory (141.205(d)). If you post or hand deliver, print your notice on letterhead, if available.

Alternative Sources of Water

If you are providing alternative sources of water for infants, your notice should say where it can be obtained. Remember that bottled water can also be contaminated. If you are providing bottled water, make sure it meets the standard for nitrates by contacting the bottler and asking for the most recent test results.

Repeat Notices

If this is a repeat notice (as required by your primacy agency), or if your system's nitrate levels fluctuate around the MCL, you may wish to include an explanation similar to the following:

You were initially notified of our system's failure to take a confirmation sample following high nitrate level on [give date]. Since that time we have taken a confirmation sample on [give date] that also resulted in a high nitrate level. We are currently monitoring the nitrate concentration every three months. Seasonal fluctuations in nitrate concentrations have been observed, due to nitrates contained in fertilizer. It appears that high nitrates occur during the later summer and fall. Note that prior to [year] we were meeting drinking water standards for nitrate.

Corrective Action

In your notice, describe corrective actions you are taking. The bullet below describes one action commonly taken by water systems with nitrate/nitrite violations. You can use the following language, if appropriate, or develop your own:

- We are in the process of collecting a confirmation sample to determine if we have high nitrate levels. If the sample shows we are meeting our drinking water standards, you will not receive another notice. However, if the sample shows that we do have high nitrate levels in our water, another notification will be issued within 24 hours after we receive the results

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)). You should also issue a follow-up notice in addition to meeting any repeat notice requirements your primacy agency sets.

You should notify health professionals in the area of the violation. People may call their doctors with questions, and the doctors should have the information they need to respond appropriately.

DRINKING WATER WARNING

Fazooli's Family Italian did not take a confirmation sample to determine if the water has high levels of nitrate –
DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD OR USE IT TO MAKE INFANT FORMULA

We are required to monitor your drinking water for nitrate on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. Water sample results received on **March 27, 2006 and May 13, 2009** showed nitrate levels of above the nitrate standard, or maximum contaminant level (MCL), of 10 mg/L. We were required to take a confirmation sample within 24 hours. We did not complete the required confirmation sample monitoring and therefore cannot be sure of the quality of our drinking water during that time. Nitrate in drinking water is a serious health concern for infants less than six months old.

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems and run-off). Levels of nitrate in drinking water can vary throughout the year.

What should I do? What does this mean?

• **DO NOT GIVE THE WATER TO INFANTS.** Infants below the age of six months who drink water containing nitrate in excess of the MCL could become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blue baby syndrome. Blue baby syndrome is indicated by blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.

• Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.

• **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.

• Adults and children older than six months can drink the tap water (nitrate is a concern for infants because they can't process nitrates in the same way adults can). However, if you are pregnant or have specific health concerns, you may wish to consult your doctor.

What is being done?

[Describe corrective action and when system expects to return to compliance.] After receiving the results of our first sample, we failed to collect a second sample within 24 hours to confirm the results of the first sample.

For more information, please contact [name of contact] at [phone number] or [mailing address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Fazooli's Family Italian.

State Water System ID#: MT0000889.

Date distributed _____.

TIER 3 TEMPLATES

The pages that follow contain templates for Tier 3 violations and situations. Along with the templates are instructions, including the required method of delivery and instructions for completing individual sections of the notices. These instructions are designed to supplement Chapter 7, so you may see much of the information repeated here.

Mandatory language on unknown risk for monitoring violations, which must be included exactly as written, is presented in *italics* (141.205(d)).

You must also include the following italicized language in all notices, where applicable (141.205(d)). Use of this language does *not* relieve you of your obligation to take steps reasonably calculated to notify all persons served:

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Templates

Monitoring Violations Annual Notice Template 3-1

Instructions for Monitoring Violations Annual Notice--Template 3-1

Template on Reverse

Since most monitoring violations are included in Tier 3, you must provide public notice to persons served within one year after you learn of the violation (141.204(b)). Multiple monitoring violations can be serious, and your primacy agency may have more stringent requirements. Check with your primacy agency to make sure you meet its requirements.

Community systems must use one of the following (141.204(c)):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill

Non-community systems must use one of the following (141.204(c)):

- Posting in conspicuous locations
- Hand delivery
- Mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method (141.204(c)). Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has been resolved, you must post the notice for at least one week (141.204(b)). If you mail, post, or hand deliver, print your notice on letterhead, if available.

The notice on the reverse is appropriate for insertion in an annual notice or the CCR, as long as public notification timing and delivery requirements are met (141.204(d)). You may need to modify the template for a notice for individual monitoring violations. This example presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice, e.g., in a footnote.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level or other violation. In such cases, you should refer to the public notice you issued at that time.

Include in your notice the standard language for monitoring and testing procedure violations in *italics* (141.205(d)(2)). If you modify the notice, you may not alter this mandatory language.

Corrective Actions

In your notice, describe corrective actions you took or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. Choose the appropriate language, or develop your own:

- We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.
- We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]
- We plan to take the required samples soon, as described in the last column of the table above.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER
Monitoring Requirements Not Met for Fazooli's Family Italian

Our water system violated several drinking water standards over the past few years. Even though these were not emergencies, as our customers, you have a right to know what happened and what we did to correct these situations.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. We failed to monitor for total coliform during and nitrate and therefore cannot be sure of the quality of our drinking water during that time.

What should I do?

There is nothing you need to do at this time.

The table below lists the contaminant(s) we did not properly test for during the previous years, how often we are supposed to sample for [this contaminant/these contaminants] and how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required sampling frequency	When all samples should have been taken	When samples were or will be taken
Failure to monitor for total coliform	1 sample each month	August 2006, July 2007, March 2008, October 2008, November 2008, March 2009, and April 2009	May 2009
Failure to monitor nitrate	1 sample quarterly	1 st quarter 2008 (Jan – March) and 1 st quarter 2009	May 2009

What happened? What is being done?

For more information, please contact [name] at [phone number] or [Address]

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by **Fazooli's Family Italian**

State Water System ID#: **MT0000889**

Date distributed or dates posted: _____

Public Notice Certification

After Issuing the Notice

Make sure to send your primacy agency a copy of each type of notice and a certification that you have met all the public notice requirements within ten days after issuing the notice (141.31(d)).

Please send a copy of your notice and dates posted to:

Kimberly Pardue Welch
U. S. EPA Region 8 (8ENF-W)
1595 Wynkoop Street
Denver, CO 80202-1129

AND

Shelley Nolan
Montana Department of
Environmental Quality-
PWSS
P.O. Box 200901
Helena, MT 59620-0901

Or, you may fax a copy to: Attn: Kimberly Pardue Welch at 303-312-7518.

Certification of Public Notification

I _____ certify that the attached public notification was issued from
(PWS Operator / Responsible Party)

_____ to _____
(Date) (Date)

The attached notice was issued by _____
(Method of delivery)

Signature _____ Date _____