



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 8, MONTANA OFFICE
 FEDERAL BUILDING, 10 W. 15TH STREET, SUITE 3200
 HELENA, MONTANA 59626

2008 NOV 19 PM 1:33

REGION VIII
 HEARING CLERK

Ref: 8MO

NOV 19 2008

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.

Violations	
Failure to monitor/report routine Total Coliform Bacteria [40 C.F.R. § 141.21],	Jul 2005, Aug 2008
Failure to monitor/report 5 Routine Total Coliform Samples during the month following a coliform positive result. [40 C.F.R. § 141.21(b)(5)]	Mar 2005
Failure to monitor/report Disinfection Byproducts [40 C.F.R. §	2004, 2006

141.132(b)]	
Failure to monitor/report Turbidity [40 C.F.R. § 141.74]	Nov 2005, May 2006, Jun-Jul 2008
Failure to monitor/report Residual Disinfectant Concentration [40 C.F.R. § 141.74]	May 2006, Sep-Oct 2007, Jun-Jul 2008
Failure to monitor/report Nitrate [40 C.F.R. § 141.23(d)]	2004
Failure to monitor/report Lead/Copper [40 C.F.R. § 141.86(a)]	2002-2004 (3-year compliance period)
Failure to monitor/report Arsenic [40 C.F.R. § 141.23(c)(1)]	1 st and 3 rd quarters 2008
Failure to monitor/report Volatile Organic Chemicals [40 C.F.R. § 141.24(f)]	2004
Failure to Install Filtration [40 C.F.R. § 141.70(a)]	Continuing violation from approximately Nov 2, 2001 to present
Failure to submit Consumer Confidence Report by due date [40 C.F.R. § 141.152(b)]	Report covering calendar year 2004
Failure to submit Certification for Consumer Confidence Report [40 C.F.R. § 141.155(c)]	For report covering calendar year 2007
Failure to provide public notice of the above-referenced violations [40 C.F.R. § 141.201]	2001-2008
Failure to report the above-referenced violations to the State [40 C.F.R. §§ 141.21(g)(2) and 141.31(b)]	2001-2008

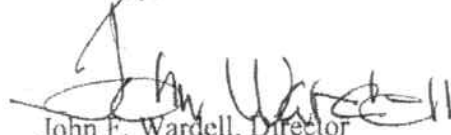
This Notice of Violation is issued pursuant to section 1414(a) of the Act, 42 U.S.C. § 300g-3(a). If the State does not commence appropriate enforcement action within 30 days from the receipt of this notification, EPA is authorized either to issue an administrative order under section 1414(g) of the 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. If the State does not commence appropriate enforcement action within 30 days from the receipt of the notification, EPA will proceed with issuance of an administrative order.

A copy of this notice of violation has been concurrently sent to the system identified above. Also enclosed for the benefit of the system is a copy of EPA's Small Business Regulatory Enforcement and Fairness Act (SBREFA) fact sheet containing information on compliance assistance resources and tools available to small businesses and small governments,

in case these resources apply to this situation. A compliance assistance center for small governments, the Local Government Environmental Assistance Network (LGEAN), can be reached at www.lgean.org or by calling (877) 865-4326. By providing this fact sheet, EPA has made no determination whether the system is a "small entity" as defined by SBREFA. SBREFA does not eliminate the responsibility to comply with the Act.

Sincerely,


John F. Wardell, Director
Montana Office


Michael T. Risner, Director
Matthew Cohn, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance, and
Environmental Justice

Enclosure: SBREFA fact sheet

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)
Shelly Nolan, MT DEQ (w/o enclosures)
Tina Artemis, Regional Hearing Clerk, 8RC

bcc: Brenda Cazier, 8ENF-PT
Marc Weiner, 8ENF-L
Lisa Kahn, 8ENF-W (via email)
Eric Finke, 8MO

cc addresses:

Carter-Chouteau County Water District (via certified mail w/ return receipt)
c/o Gary Rominger and Larry K. Emmet
P.O. Box 272
Carter, MT 59420

Chouteau County Clerk and Recorder, Registered Agent (via certified mail w/ return receipt)
Carter-Chouteau County Water District
Fort Benton, MT 59442

John Arrigo, Administrator
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