



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

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EPA REGION VIII
HEARING CLERK

AUG 26 2014

Ref: 8MO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Kenney Hill, President
Lambert County Sewer and Water District
P.O. Box 104
Lambert, Montana 59243

Re: 4th Violation of Administrative Order, Lambert County Sewer and Water District
Public Water System, Docket No. SDWA-08-2010-0047

Dear Mr. Hill:

I am writing to inform you of additional violations of the Administrative Order issued by the U.S. Environmental Protection Agency (EPA) to the Lambert County Sewer and Water District (District) on June 28, 2010. As part of our recent settlement discussions to resolve prior violations of the Order and underlying National Primary Drinking Water Regulations (drinking water regulations) at the Lambert County Sewer and Water District Public Water System (System), the District appeared to understand the applicable monitoring and reporting requirements and have the staff and resources to maintain compliance with the drinking water regulations. Unfortunately, the District has experienced recent violations including, but not limited to, the fluoride and total coliform monitoring violations described below.

The Order includes the following requirements (quoted from items 20, 26, 29 and 30 of the "Order" section on pages 4, 5, and 6 of the Order):

1. Respondent shall monitor the system's water monthly for total coliform bacteria, as required by 40 C.F.R. § 141.21.

The District failed to monitor the System's water for total coliform bacteria during June 2014 in violation of the Order.

2. Within 30 days of receipt of this Order, and per the regulations thereafter, Respondent shall monitor the system's water for fluoride. 40 C.F.R. § 141.23 (c). 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).

The District failed to monitor for fluoride during the fourth quarter 2013 in violation of the Order.



3. Respondent shall report any violation of the total coliform monitoring requirements to the EPA and the State within 10 days of discovery, as required by 40 C.F.R. § 141.21(g)(2).

The District failed to report the failure to monitor total coliform bacteria violation cited in paragraph 1, above, to the EPA and the State within 10 days of discovery.

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

The District failed to report the failure to monitor fluoride violation in paragraph 2 above, to the EPA and the State within 48 hours of discovery.

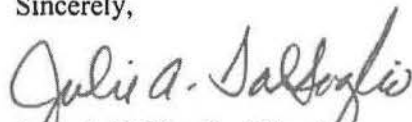
EPA is considering escalating enforcement as a result of these additional violations.

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. Based on our recent efforts to address past violations at the System, the EPA proposes scheduling a conference call to discuss with you and your staff the recent violations and their cause, as well as the District's plan to ensure improved monitoring and reporting compliance, prior to taking any additional action.

The EPA has scheduled this call to be held on Thursday, September 4, 2014, at 10:00 a.m. MDT. The conference number for this call is 1-866-299-9141. The access code is 916-44-468. Please contact Sienna Meredith of my staff to confirm your participation in the call or if the date and time proposed does not work for you. Sienna may be reached at (406) 457-5026 or meredith.sienna@epa.gov. 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.

We urge your prompt attention to this matter.

Sincerely,



Julie A. DalSoglio, Director
EPA Region 8 Montana Office

cc:

Brian Ligon, Lambert County Sewer and Water District
(via certified mail w/ return receipt)
Grant Weston, Operator
Sandy Kust, RATES
John Arrigo, MT DEQ
Jon Dilliard, MT DEQ
Tina Artemis, EPA Regional Hearing Clerk