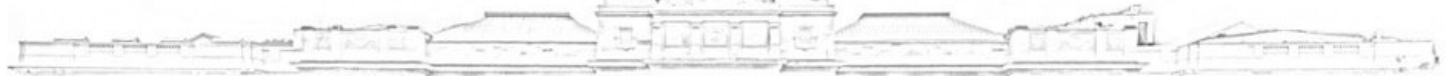




ADMINISTRATIVE RULES OF MONTANA



4.10.1010 NONCOMPLIANCE WITH PESTICIDE GROUND WATER AND ENVIRONMENTAL PROTECTION AGENCY ENDANGERED SPECIES STANDARDS AND LABELING

- (1) The following are considered violations:
 - (a) failure to comply with label or labeling directions relating to ground water or endangered species requirements including requirements in bulletins referenced by labels;
 - (b) failure to comply with administrative rules requiring containment, spill reporting, spill cleanup, or emergency response plans; or
 - (c) failure to comply with ground water specific management plans adopted as administrative rules pursuant to Title 80, chapter 15, MCA.
- (2) For the purpose of determining civil penalties, any such violations shall constitute misuse. If a misuse violation results in proven exposure of humans, agricultural commodities, or livestock, or proven harm to human health, agricultural commodities, livestock, or the environment, the amount of a civil penalty may be determined by using the penalty matrix established for 80-8-306(5) (e) (i) , MCA. Other violations will be subject to civil penalties established in ARM 4.10.1005(4) (i) of the civil penalty matrix.

Authorizing statute(s): Sec. 80-8-105, MCA

Implementing statute(s): Sec. 80-8-306, MCA

History: NEW, 1999 MAR p. 404, Eff. 3/12/99.