



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

2010 DEC 22 AM 11:30

FILED
EPA REGION VIII
HEARING CLERK

Ref: 8ENF-L

December 22, 2010

SENT ELECTRONICALLY AND VIA REGULAR MAIL

Ron P. Harris, Project Leader
Apollo Inc.
P.O. Box 7305
Kennewick, WA 99336

Brian Milne, President
Interstate Engineering, Inc.
P.O. Box 648
Sidney, MT 59270-0648

Donald Mackay, Service Manager
Roberts Water Technologies, Inc.,
A Unit of Roberts Filter Group,
214 N. Jackson Street
Media, PA 19063

Re: Closure of Emergency Administrative Order
Docket No. SDWA-08-2011-0003
PWS ID #083090041

Dear Gentlemen:

This letter is to inform you of the U.S. Environmental Protection Agency's (EPA) decision to close the above-referenced Emergency Administrative Order (Order) issued to Apollo Inc., Interstate Engineering, Inc., and Roberts Filter Group on October 22, 2010. EPA has determined that the Respondents have satisfactorily complied with the requirements of the Order issued in response to an anticipated loss of pressure event posing a threat of imminent and substantial endangerment to human health. Therefore, EPA will close the Order at this time.

Please note that closure of this Order does not affect the boil order currently in place for the Fort Belknap Agency public water system. Closure of this Order also is not intended to address or resolve the problems at the water plant beyond the specific scope of the Order, including the Respondents' compliance with project plans and specifications. As stated in Roberts Water Technologies Inc.'s, a unit of Roberts Filter Group, response dated December 2, 2010, those other issues are contractual in nature and unrelated to the issue that prompted the Order.

With regard to the site tour proposed by EPA and scheduled for December 20, 2010, EPA understands that this visit has been postponed until January 2011. EPA encourages the Respondents to continue to work within the scope of your respective agreements with one another and the Fort Belknap Indian Community (FBIC) to resolve the outstanding issues that continue to plague the new plant. Please be advised that failure to do so may result in future enforcement actions by EPA, including the issuance of an Emergency Administrative Order in response to conditions threatening imminent and substantial endangerment to human health, with appropriate enforcement escalation if violations within the purview of your authority continue.

Please feel free to have your staff contact Lisa Kahn, Drinking Water Technical Enforcement Program, at (303) 312-6896, or Barbara Burkland in the Montana Operations Office at (406) 457-5009, if you have any questions. If you have legal counsel, please have them contact Amy Swanson, Legal Enforcement Program, at (303) 312-6906. EPA appreciates your timely and coordinated responses to the Order.

Sincerely,


Julie DalSoglio, Director
Montana Operations Office

cc:

Tina Artemis, Regional Hearing Clerk

Ron Harris, Project Manager
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by email to rharris@apollog-gc.com

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President King
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