



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

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JAN 20 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tracy King, President
Fort Belknap Indian Community
R.R. 1, Box 66
Harlem, MT 59526

Margaret Nicholson, Director
Prairie Mountain Utilities
RR 1, Box 91
Fort Belknap Agency, MT 59526

RE: Emergency Administrative Order
Addendum and Notice of Violation
Docket No. SDWA-08-2010-0002
Hays White Cow Water System
PWS ID 083090044

Dear President King and Ms. Nicholson:

As you are aware, EPA issued an Emergency Administrative Order (EAO) to the Fort Belknap Indian Community (the Tribes) and Prairie Mountain Utilities (the Utility Department) regarding the Hays White Cow water system on October 6, 2009 due to E. coli contamination in the distribution system for that water system. This letter serves as notification for reduced total coliform monitoring and continued weekly disinfection monitoring requirements, and notification of a violation of the EAO.

Paragraph 17 of the EAO requires weekly total coliform sampling in the distribution system. Weekly samples collected on October 26, November 3, 9 and 23, December 7 and 15, 2009, tested negative for total coliform bacteria. Based upon these results, and as originally conveyed to Ms. Nicholson on December 21, 2009, via email from Barbara Burkland of EPA, sampling may now be reduced to once monthly. Chlorine residual must be monitored and reported to EPA at least once per week.

Monthly total coliform sampling per paragraph 19 of the EAO is now required. The sample must be collected at a representative point within the distribution system. These monthly



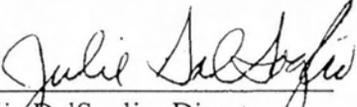
samples may also be used for the monthly compliance sample for this water system. Paragraph 18 of the EAO requires that the chlorine residual be measured and recorded on the lab slip at the same time the coliform samples are collected.

Also as conveyed in EPA's December 21, 2009, email, this letter formally amends the EAO to provide that chlorine residual must continue to be monitored at least once per week at or near the last service connection on the distribution system. The residuals may be reported to EPA on a weekly basis, via email, unless a residual reading is less than 0.2 mg/l. In that case, EPA must be notified immediately by phone.

Paragraph 23 of the EAO requires that, within 7 days of issuance of the EAO, the Tribes and Utility Department shall provide EPA with a modification to the plan and schedule that was submitted to EPA on February 27, 2009 (copy attached). No such plan modification has been provided to EPA, resulting in a violation of the EAO. It appears that the primary causes of the recent E. coli contamination are insufficient levels of chlorine and improper monitoring of residual levels in the distribution system. EPA recommends that among other things, the modified plan describe how the Tribes and Utility Department will address these deficiencies and explain how the system's operation will be improved in a manner that prevents future contamination events.

Should you have any questions about these or other requirements of the EAO, you may contact Barbara Burkland in the EPA Montana Office, who can be reached at (406) 457-5009, or your attorney(s) may contact Peggy Livingston, Enforcement Attorney, who can be reached at (303) 312-6858.

Sincerely,


Julie DalSoglio, Director
EPA Region 8 Montana Office


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

cc: Scott Snow, Operator, Prairie Mountain Utilities
Tina Artemis, EPA Regional Hearing Clerk
Rob Adams, IHS