



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
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JUN 13 2007

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John Chance Houle, Chairman  
Chippewa Cree Business Committee  
for the Rocky Boy Utilities  
P.O. Box 544 – Rocky Boy Route  
Box Elder, MT 59521

Re: Addendum to Emergency Administrative  
Order  
Docket No. SDWA-08-2007-0054  
Rocky Boy Utilities  
PWS ID #083090075

Dear Chairman Houle:

On May 30, 2007, the Environmental Protection Agency (EPA) issued an Emergency Administrative Order (“Order”) (Docket No. SDWA-08-2007-0054) to the Rocky Boy Utilities (“Respondent”) under section 1431 of the Safe Drinking Water Act (“SDWA”), 40 U.S.C. § 300i. This Addendum supplements the requirements of the Order. Each requirement in this Addendum will be enforceable as if it were part of the Order itself.

The Order required Respondent to conduct the following activities: (1) within 24 hours, provide a written intent to EPA to comply with the Order; (2) continue to provide alternative water to all users of the system; (3) flush the public water system and maintain a detectable disinfectant residual; (4) if required by EPA, submit and implement a plan to regain compliance with the total coliform maximum contaminant level (MCLs); (5) conduct increased monitoring for total coliform bacteria; and (6) provide public notice within 24 hours. Respondent is required to comply with all provisions of the Order with the following modifications:



1. Pursuant to paragraph 7. of the Order (page 6), this Addendum serves as written notification that upon the effective date of this Addendum, Respondent shall conduct weekly bacteriological sampling to determine compliance with the total coliform maximum contaminant level ("MCL"). Respondent shall take two total coliform samples each week at varying locations throughout the distribution system. Respondent shall report weekly total coliform sampling results to EPA by telephone and facsimile (303-312-7202) immediately upon receiving the laboratory results.
2. By providing oral or written notification, EPA may require Respondent to increase and/or decrease total coliform sampling any time while the Order is in effect.
3. Pursuant to paragraph 11. of the Order (page 7), and within 15 days of the date of this Addendum, Respondent shall submit a detailed plan to EPA for bringing Respondent's public water system into compliance with the MCL for coliform bacteria at 40 C.F.R. § 141.63. The plan shall, at a minimum, address the following items: identify the cause of the bacteriological contamination; include proposed system modifications; estimated costs of modifications; and a schedule for construction of the project and compliance with the MCL for coliform bacteria. The proposed schedule shall include specific milestone dates, a final compliance date and shall be submitted to EPA for approval. The plan must be approved by EPA before construction can commence. If EPA does not approve Respondent's plan, within 15 days, Respondent shall submit modified plan(s) to EPA. The schedule for implementing and completing improvements will be incorporated into the Order and Addendum upon written approval by EPA.
4. Upon the effective date of this Addendum, this Addendum serves as EPA's notification pursuant to paragraph 12.b. of the Order (pages 7 – 10) for Respondent to modify the public notice as set forth in paragraph 12.b.

Please be advised that Respondent is required to comply with all other provisions of the Order. Penalties for failing to comply are set forth in the Order.

EPA is committed to working with you to ensure the safety of Newtown's public water supply. If your staff has questions specific to the elements of the Order, the most knowledgeable people regarding these issues are Melanie Wasco, Environmental Protection Specialist, who can be reached at (800) 227-8917 ext. 6540, or Michelle Marcu, Enforcement Attorney, who can be reached at (800) 227-8917 ext 6921.

We urge your prompt attention to this matter.

Sincerely,



Michael T. Risner  
Acting Assistant Regional Administrator  
Office of Enforcement, Compliance  
and Environmental Justice



Diane L. Sipe, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice



Matthew Cohn, Acting Director  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

*Deputy*

cc: George Henderson, Utilities Manager  
Rocky Boy Utilities

Jim Morsette, Director of Water Resources  
Chippewa Cree Tribe of the Rocky Boy's Reservation