

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

IN THE MATTER OF)

The Gros Ventre and Assiniboine Tribes)
of the Fort Belknap Indian Community and)
Prairie Mountain Utilities)

Respondents.)

Fort Belknap Agency Public Water System)
PWS ID #083090041)

Docket No. SDWA-08-2026-0029

**EMERGENCY
ADMINISTRATIVE ORDER**



AUTHORITY

1. This Emergency Administrative Order (Order) is issued by the U.S. Environmental Protection Agency (EPA) pursuant to the authority of section 1431(a) of the Safe Drinking Water Act (Act), 42 U.S.C. § 300i(a). The undersigned official has been properly delegated this authority.
2. The EPA may issue an order under section 1431(a) of the Act, 42 U.S.C. § 300i(a), when a contaminant that is present in or is likely to enter a public water system or an underground source of drinking water may present an imminent and substantial endangerment to the health of persons, and appropriate state and local authorities have not acted to protect the health of such persons.

FINDINGS

3. Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community (FBIC) are federally recognized Indian tribes (Tribes) and therefore “persons” within the meaning of 42 U.S.C. § 300f(12), and 40 C.F.R. § 141.2, for purposes of federal enforcement under the Act.
4. The Prairie Mountain Utilities is an entity chartered under the laws of the FBIC and therefore a “person” as that term is defined in the Act, 42 U.S.C. § 300f(12), and 40 C.F.R. § 141.2, for purposes of federal enforcement under the Act.
5. The Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community and Prairie Mountain Utilities (Respondents) own and/or operate the Fort Belknap Agency Public Water System (System) located within the exterior boundaries of the Fort Belknap Reservation of Montana. The System provides water to the public for human consumption through pipes or other constructed conveyances.

6. The System is supplied by a surface water source, accessed via one intake on the Milk River. Treatment includes sedimentation at two large presedimentation ponds, addition of an alum/polymer blend followed by static mixer, upflow contact adsorption with buoyant media, tri-media rapid sand filtration, and application of sodium hypochlorite for disinfection at the treatment plant. Sodium hypochlorite addition occurs prior to the 96,000-gallon clearwell. Water is then pumped to the single one-million-gallon storage tank approximately four miles from the treatment plant.
7. The System has approximately 461 service connections used by year-round residents and regularly serves an average of approximately 2500 year-round residents and 100 non-residential non-transient people. Therefore, the System is a “public water system” and a “community water system” as defined in 40 C.F.R. § 141.2 and section 1401 of the Act, 42 U.S.C. § 300f.
8. On December 22, 2025, EPA consulted with appropriate tribal and/or local authorities regarding actions such authorities have taken in this matter to protect the health of individuals served by the Systems; to confirm the correctness of the information on which this Order is based; and to ascertain the actions which tribal and/or local authorities are or will be taking.
9. The EPA is responsible for direct implementation of the Act on the Fort Belknap Reservation of Montana as no other governmental entity has received delegated authority to implement the Act on the Reservation. The EPA has determined that tribal and/or local authorities have not acted to protect the health of persons in this instance.
10. The EPA has determined that conditions exist at the Systems that may present an imminent and substantial endangerment to the health of humans, based on the facts indicated in paragraphs 11 and 12, and that this Order is necessary to protect the health of such persons.
11. On December 19, 2025, the EPA was notified that the System had an opening on the one-million-gallon storage tank’s dome after one of the roof panels blew off due to extremely high winds in the state of Montana.

12. An opening on a storage tank dome may allow debris, rain runoff, animal feces or urine, dust, and algae to enter the tank and contaminate the finished water. High wind conditions have been occurring in the area causing a high potential for fecal contamination or other disease-causing organisms to enter the distribution system.
13. On December 19, 2025, the EPA provided Respondents with a public notice template for a boil water advisory, and Respondents issued the boil water advisory to the persons served by the System.

ORDER

INTENT TO COMPLY

14. Within 24 hours of receipt of this Order, Respondents shall notify the EPA in writing of their intent to comply with this Order. Notification by e-mail to the EPA point of contact identified below is acceptable.

BOIL WATER ADVISORY PUBLIC NOTICE

15. The boil water advisory referenced in paragraph 13, above, shall remain in place until the EPA provides written notification to Respondents that the boil water advisory is no longer needed.
16. Respondents must carry out the public notice and other notice requirements as required by 40 C.F.R. part 141, subpart Q.

ALTERNATE WATER SUPPLY

17. Using the public notice template referenced in paragraph 13, above, Respondents shall, no later than 24 hours after receipt of this Order (see paragraph 33, below), notify the public that an alternative potable water supply is available at no cost to all users of the System as needed for drinking, cooking, maintaining oral hygiene, and dish washing. Respondents shall provide at least one gallon of potable water daily per person at a central location that is accessible to all persons served by the System. The alternate water supply shall be made available until the Respondents receive written notification from the EPA that it is no longer necessary to supply it.

CORRECTIVE MEASURES

18. Within seven days after the effective date of this Order, Respondents shall provide the EPA with a plan and schedule that outlines corrective actions taken and/or to be taken to repair the opening on the edge of the storage tank and secure any

additional panels on the storage tank at the System to prevent potential contamination. The plan shall include proposed system modifications, estimated costs of modifications, and a schedule for completion of the project. The proposed schedule shall include specific milestone dates and a final completion date (to be within three months from the date of the EPA's approval of a schedule). The schedule must be approved by the EPA before construction or modifications may commence.

19. The schedule required by paragraph 18, above, will be incorporated into this Order as an enforceable requirement upon written approval by the EPA. If implementation of the plan fails to correct and/or prevent further contamination, the EPA may order further steps.
20. Respondents shall notify the EPA in writing within 24 hours after completing corrective action.

DISTRIBUTION SYSTEM DISINFECTION AND MONITORING REQUIREMENTS

21. Within 24 hours after providing the notification that the corrective action has been required by paragraph 20 above, Respondents shall disinfect and flush the System.
22. After disinfecting and flushing the System, Respondents must take the following action beginning on the first date when chlorine levels returned to normal: collect daily (two samples per day, one sample from a location after the storage tank, and one sample from an approved location in the distribution system) "special" purpose total coliform samples (defined in 40 C.F.R. § 141.853(b)) from the System's distribution system until notified in writing by the EPA that consecutive daily sampling may be discontinued. These daily samples should be labeled as "special" samples, not for determining compliance. Respondents shall ensure that each sample is analyzed for total coliform and *E. coli* and shall email each result to the EPA immediately upon receipt of the analysis from the laboratory (*i.e.*, as soon as practicable, and in no event more than 24 hours after). Along with the total coliform sample collection, Respondents shall measure the chlorine residual indicating free or total and provide these measurements along with the total coliform analysis from the laboratory.

23. After Respondents receive written notification from the EPA to discontinue consecutive daily “special” total coliform sampling, Respondents shall collect weekly “special” total coliform samples (one sample per week from an approved location in the distribution system) until notified in writing by the EPA that weekly sampling may be discontinued.
24. After Respondents receive written notification from the EPA to discontinue “special” daily total coliform sampling, Respondents shall thereafter resume monthly routine total coliform sampling as required by 40 C.F.R. §§ 141.854-857 to determine compliance.
25. The EPA may require Respondents to increase sampling at any time while this Order is in effect.

REPORTING

26. Within 24 hours of receipt of this Order, Respondents must submit daily (Monday through Friday) updates on the progress of corrective actions, disinfecting and flushing the System, and monitoring for total coliform, *E. coli*, and chlorine residual to the EPA. The updates must continue daily until the EPA provides written notification to the Respondents that reports may be submitted less frequently or discontinued. These reports may be submitted via e-mail.
27. Any notices, reports, or updates required by this Order to be submitted to the EPA shall be submitted to:

Christina Carballal

via e-mail: carballal-broome.christina@epa.gov

Telephone (800) 227-8917, ext. 6046, or (303) 312-6046

28. This Order does not relieve Respondents from the obligation to comply with any applicable federal, tribal or local law.
29. Failure to comply with this Order may result in civil penalties of up to \$29,911 per day. 42 U.S.C. § 300(i)(b); 40 C.F.R. part 19; 90 Fed. Reg. at 1375 (January 8, 2025).
30. This Order constitutes final agency action. Respondents may seek federal judicial review of this Order pursuant to section 1448(a) of the Act, 42 U.S.C. 300j-7(a).
31. The EPA may modify this Order. The EPA will communicate any modification(s) to Respondents in writing and they shall be incorporated into this Order.

32. The provisions of this Order shall be deemed satisfied upon Respondents' receipt of written notice from the EPA that Respondents have demonstrated, to the satisfaction of EPA, that the terms of this Order have been satisfactorily completed.
33. Issued and effective this 23rd day of December 2025.

for Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division