



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

MAR - 8 2013

Ref: 8MO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anna Whiting Sorrell
Director IHS Billings
P.O. Box 3600
Billings, MT 59107

Re: Administrative Order
Docket No. SDWA-08-2013-0013
Blackfeet Community Hospital
Public Water System
PWS ID #083090092

Dear Ms. Sorrell:

Enclosed is an Administrative Order (Order) issued by the Environmental Protection Agency (EPA) under the authority of section 1414 of the Safe Drinking Water Act, 42 U.S.C. § 300g-3. Among other things, the Order alleges that the Indian Health Services (Respondent), as owner and/or operator of the Blackfeet Community Hospital Public Water System (System) has violated the National Primary Drinking Water Regulations (drinking water regulations).

The Order is effective upon the date received. Please review the Order and within 10 days provide the EPA with any information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted or pertinent system information, etc.). If the Indian Health Services (IHS) complies with the Order, the EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties.

The Order requires IHS to notify the public of having violated the drinking water regulations. Enclosed please find a public notice template explaining the public notice requirements. Also enclosed is a detailed map of the System's distribution system.

If you would like additional information, please feel free to contact me directly at (800) 457-2690, extension 5025, or (406) 457-5025. If your staff has technical questions, they may contact Sienna Meredith at (800) 457-2690, extension 5026, or (406) 457-5026. If you are represented by an attorney or

have legal questions, please contact Amy Swanson, Enforcement Attorney, at (800) 227-8917, extension 6906, or at (303) 312-6906.

I urge your prompt attention to this matter.

Sincerely,



Julie A. DalSoglio, Director
EPA Region 8 Montana Office

Enclosures:

Public Notice Template
Distribution System Map

cc:

Tina Artemis, EPA 8 Regional Hearing Clerk
Gerald Wagner, Director, Blackfeet Utility Commission, email
Jeff Severn, Safety Officer, Blackfeet Community Hospital, email
Merlin Gilham, CEO, Blackfeet Community Hospital
Pete Conway, Director Billings Area Indian Health Service
The Honorable Willie A. Sharp, Chairman Blackfeet Tribal Business Council

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2013 MAR -8 AM 9:12

FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF:)
)
U.S. Department of Health and Human Services,)
Indian Health Services,)
Blackfeet Community Hospital Public Water System,)
Glacier County, Montana,)
)
)
Respondent.)

Docket No. SDWA-08-2013-0013

ADMINISTRATIVE ORDER

1. This Administrative Order (Order) is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by the Safe Drinking Water Act, 42 U.S.C. § 300f *et seq.* (Act), as properly delegated to the undersigned officials.
2. The Indian Health Services (Respondent) is a Federal agency and therefore a "person" within the meaning of 40 C.F.R. § 141.2.
3. The Respondent owns and/or operates the Blackfeet Community Hospital Public Water System (System) which provides piped water for human consumption to the public in Glacier County, Montana, within the exterior boundaries of the Blackfeet Indian Reservation,
4. The System is supplied primarily by a ground water source consisting of 5 wells (3 of which are actively used). The water is treated with a pressure sand filter before entering the distribution system. The System's back-up source is purchased treated surface water from the Town of Browning.
5. The System has 1 service connection and/or regularly serves at least 295 individuals daily at least 6 months out of the year. Therefore, the System is a "public water system" as defined in section 1401(4) of the Act, 42 U.S.C. § 300f (4), and 40 C.F.R. § 141.2. The System is also a "non-transient, non community" water system as defined in 40 C.F.R. § 141.2. Respondent is subject to the Act and the National Primary Drinking Water Regulations (drinking water regulations) at 40 C.F.R. part 141. The drinking water regulations are "applicable requirements" as defined in section 1414(i) of the Act, 42 U.S.C. § 300g-3(i).
7. Respondent is subject to and required to comply with all substantive and procedural Federal requirements respecting public water systems in the same manner and to the same extent as any person is subject to such requirements including, but not limited to, administrative orders and all civil and administrative penalties and fines. 42 U.S.C. § 300j-6(a).
8. The drinking water regulations include monitoring requirements. EPA has sent notifications to the Respondent for specific monitoring requirements that apply to the System.

VIOLATIONS

9. If two or more samples collected in any month from the System's water are positive for total coliform, then the System has not complied with the maximum contaminant level (MCL) for total coliform bacteria. 40 C.F.R. § 141.63(a)(2). During July and October 2012, two or more samples from the System were positive for total coliform and, therefore, Respondent violated this requirement.

10. Respondent is required to report any coliform MCL violation to the EPA no later than the end of the next business day after learning of it. 40 C.F.R. § 141.21(g)(1). Respondent did not notify the EPA of the July or October 2012 MCL violations and, therefore, violated this requirement.

11. Respondent is required to collect at least five routine samples during the next month the System provides water to the public if the System has one or more sampling results that are positive for total coliform. 40 C.F.R. § 141.21(b)(5). After the System's water tested positive for total coliform on October 1, 2012, the Respondent failed to take at least five routine samples of the System's water in November 2012 and, therefore, violated this requirement.

12. Respondent is required to notify the public of certain violations of the drinking water regulations. 40 C.F.R. §§ 141.201-141.211. Respondent failed to notify the public of the violations cited in paragraph 9 and, therefore, violated this requirement.

13. Respondent is required to report any failure to comply with any coliform monitoring requirement to the EPA within 10 days after discovering the violation. 40 C.F.R. § 141.21(g)(2). Respondent failed to report the violation listed in paragraph 11 above to the EPA, and, therefore, violated this requirement.

14. Respondent is required to report any failure to comply with any other drinking water regulation to the EPA within 48 hours. 40 C.F.R. § 141.31(b). Respondent failed to report the violation listed in paragraph 12 above, to the EPA and, therefore, violated this requirement.

ORDER

Based on the above violations, Respondent is ordered to perform the following actions upon receipt of the Order:

15. Respondent shall monitor the System's water monthly for total coliform bacteria and, if any sample is positive for total coliform, conduct repeat and additional routine monitoring as required by 40 C.F.R. § 141.21. Respondent shall report analytical results to the EPA within the first 10 days following the month in which Respondent receives sample results, as required by 40 C.F.R. § 141.31(a). Respondent shall report any violation of coliform monitoring requirements in 40 C.F.R. part 141 to the EPA within 10 days after discovering the violation, as required by 40 C.F.R. § 141.21(g)(2).

16. Within 30 days of receipt of this Order, Respondent shall provide EPA with a written compliance plan (Plan) on how the System will remain in compliance with these requirements (in paragraphs 15 and 18). Among other things, the Plan should include:

- a. An update to the attached detailed Distribution System map to describe the following: 1) the



flow of water from each source (the primary source which is the 3 active groundwater wells and the secondary, backup source from Town of Browning), 2) the sources for each building or (or taps within the building if a building receives water from multiple sources), and 3) the location of all valves throughout the System which are used to turn on/off the water sources, and indicate sampling locations pursuant to the current total coliform sampling plan;

- b. A plan for how the Respondent will notify EPA, the circumstances requiring notification, and the adjustments to be made to the System when there is a need to switch between sources; and
- c. A plan and schedule to address the ongoing total coliform violations. This shall include plans to add full-time disinfection, to locate and abate the source of coliform contamination, to use a new source of safe water, or a combination of these changes.

17. Within 30 days after receipt of this Order, Respondent shall notify the public of the violations cited in paragraph 9, above, following the instructions provided with the public notice templates accompanying this Order. Following any future violation of the drinking water regulations, Respondent shall comply with any applicable public notice provisions of 40 C.F.R. part 141, subpart Q. Within 10 days after providing public notice, Respondent shall submit a copy of the notice to the EPA. The public notice for the failure to collect routine total coliform sample violations, cited in paragraph 11, is not yet overdue.

18. If Respondent's total coliform sample results exceed the MCL at any time, Respondent shall within 30 days of being notified of the MCL exceedance provide the EPA with a revised compliance plan and schedule for the System to come into consistent compliance with the MCL for total coliform as stated in 40 C.F.R. § 141.63(a). If the System's water does not comply with the total coliform MCL in 40 C.F.R. § 141.63, Respondent shall report this violation to the EPA by the end of the business day after discovering the violation, as required by 40 C.F.R. § 141.21(g)(1).

19. Respondent shall report any violation of the drinking water regulations to EPA within 48 hours of the violation occurring as required by 40 C.F.R. §141.31(b). However, if a different time period for reporting is specified in this Order or the drinking water regulations, Respondent shall report within that different period.

20. Respondent shall direct all reporting required by this Order to:

Sienna Meredith (8MO)
U.S. EPA Region 8, Montana Office
Federal Building, 10 W. 15th Street, Suite 3200
Helena, MT 59626
Fax: (406) 457-
Email: Meredith.sienna@epa.gov



bcc:

Kathleen Craig, 8ENF-PJ
Amy Swanson, 8ENF-L
Sarah Bahrman, 8P-W-DW
Donna Roberts, 8P-W-DW
Breann Bockstalher, 8P-W-DW
Kimberly Pardue Welch, 8ENF-W
Maureen Kiely, 8MO
Reading File

cc addresses:

The Honorable Willie A. Sharp, Chairman
Blackfeet Tribal Business Council
P.O. Box 850
Browning, MT 59417-0850

Pete Conway
Director IHS Billings
2900 4th Avenue North
Billings, MT 59101

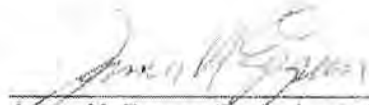
Merlin Gilham, CEO
Blackfeet Community Hospital
P.O. Box 760
Browning, MT 59417

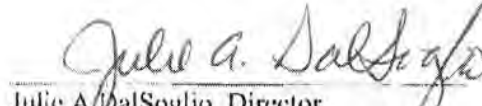
GENERAL PROVISIONS

21. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action.

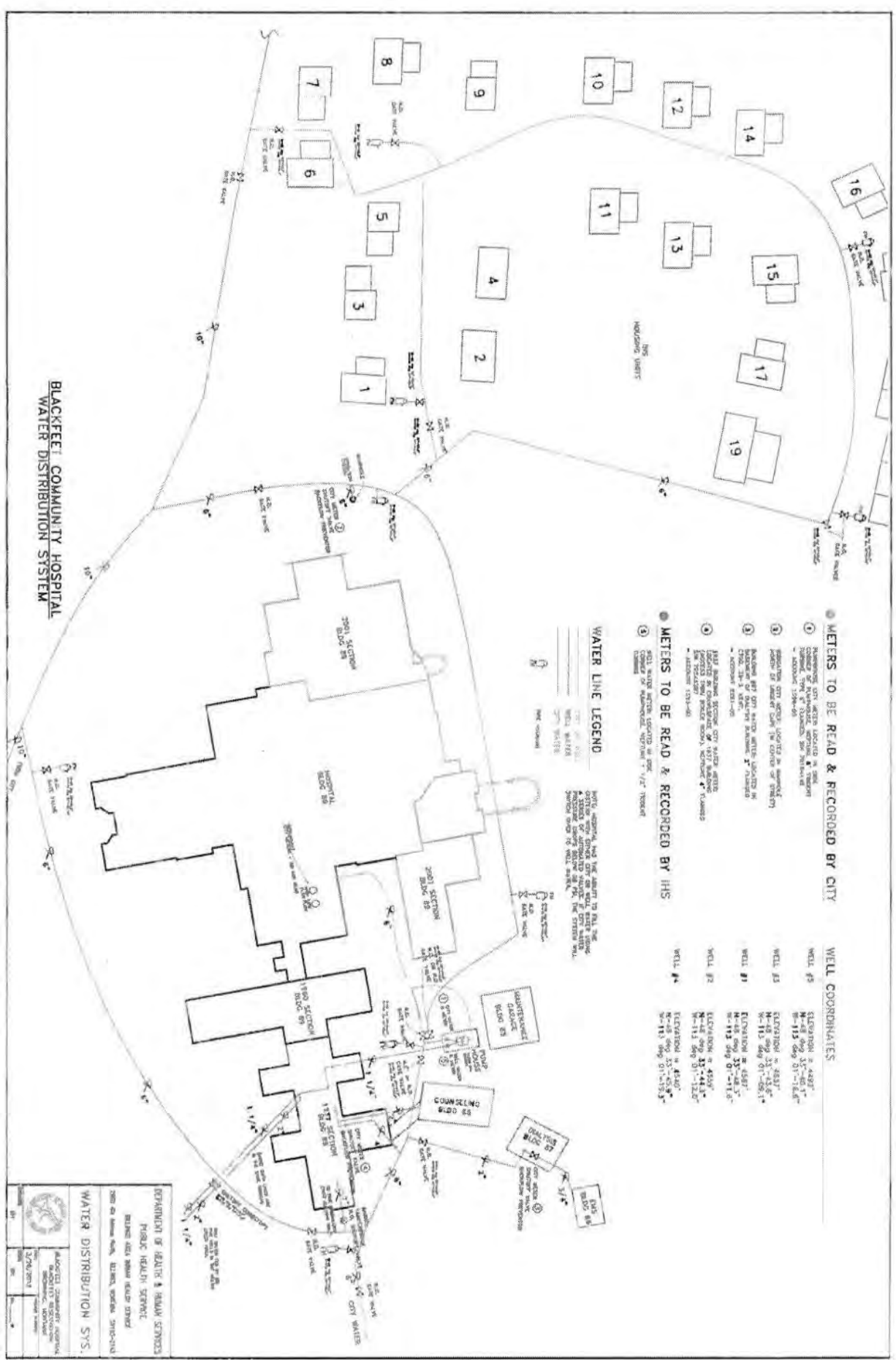
22. Violation of any part of this Order or the drinking water regulations may subject Respondent to a civil penalty of up to \$32,500 (as adjusted for inflation) per day of violation. 42 U.S.C. §300g-3; 40 C.F.R. part 19.

Issued: March, 2013.


James H. Eppers, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice


Julie A. DalSoglio, Director
EPA Region 8 Montana Office

**BLACKFEEL COMMUNITY HOSPITAL
WATER DISTRIBUTION SYSTEM**



METERS TO BE READ & RECORDED BY CITY

- ① COMPENSATING CITY WATER METER LOCATED AT THE CORNER OF 10TH STREET AND 1ST AVENUE - APPROX 1200' N.W.
- ② METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ③ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ④ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑤ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑥ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑦ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑧ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑨ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑩ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑪ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑫ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑬ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑭ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑮ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑯ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑰ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ⑱ METERING CITY WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE

WATER LINE LEGEND

- 1" WATER MAIN
- 1" WATER SERVICE
- 1" WATER METER
- 1" WATER VALVE
- 1" WATER HYDRANT
- 1" WATER TOWER
- 1" WATER TANK
- 1" WATER PUMP
- 1" WATER MOTOR
- 1" WATER GENERATOR
- 1" WATER COMPRESSOR
- 1" WATER EXHAUST
- 1" WATER INTAKE
- 1" WATER OUTLET
- 1" WATER CONNECTION
- 1" WATER ISOLATION
- 1" WATER PROTECTION
- 1" WATER RESTRICTION
- 1" WATER REGULATION
- 1" WATER CONTROL
- 1" WATER MONITORING
- 1" WATER RECORDING
- 1" WATER ALARMING
- 1" WATER TESTING
- 1" WATER MAINTENANCE
- 1" WATER REPAIR
- 1" WATER REPLACEMENT
- 1" WATER REMOVAL
- 1" WATER DESTRUCTION
- 1" WATER RECONSTRUCTION
- 1" WATER RENOVATION
- 1" WATER REPAIR
- 1" WATER REPLACEMENT
- 1" WATER REMOVAL
- 1" WATER DESTRUCTION
- 1" WATER RECONSTRUCTION
- 1" WATER RENOVATION

METERS TO BE READ & RECORDED BY IHS

- ① WELL #1 WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE
- ② WELL #2 WATER METER LOCATED IN GARAGE AT 10TH STREET AND 1ST AVENUE

WELL COORDINATES

WELL #	ELEVATION ±	COORDINATES
WELL #1	4483'	N-113 04g 01'-11.5"
WELL #2	4483'	N-113 04g 01'-11.5"

DEPARTMENT OF HEALTH & FAMILY SERVICES
PUBLIC HEALTH SERVICE
BLACKFEEL COMMUNITY HOSPITAL

WATER DISTRIBUTION SYS.

ADOPTED: 3/27/2014
REVISION: 3/27/2014

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Tests Show Coliform Bacteria in Blackfeet Community Hospital Water

Our water system violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what actions we are taking to correct this situation.

We routinely monitor for the presence of drinking water contaminants. We took two samples for coliform bacteria each month during July and October 2012. All of those samples showed the presence of coliform bacteria. The standard is that no more than two samples per month may contain coliform.

What should I do?

- **You do not need to boil your water or take other corrective actions.** However, if you have specific health concerns, consult your doctor.
- If you have a severely compromised immune system, have an infant, are pregnant, or are/care for the elderly, you may be at increased risk and should seek advice from your health care providers about drinking this water. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at 1-800-426-4791.

The United States Environmental Protection Agency (EPA) sets drinking water standards and has determined that the presence of total coliforms is a possible health concern. Total coliform bacteria are generally not harmful themselves.

What does this mean?

This is not an emergency. If it had been, you would have been notified within 24 hours. Total coliform bacteria are generally not harmful themselves but a sign that there could be a problem with the treatment or distribution system (pipes). *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*

Usually, coliforms are a sign that there could be a problem with the treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing.** If we had, we would have notified you immediately.

We are taking/have taken the following corrective actions:

If you have any questions, please contact _____ at _____ or _____
(Name of water system contact) (Phone)

(Mailing address of PWS contact)

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

PWS Operator/Responsible Party:

You must provide public notice to persons served as soon as practical but within 30 days after you learn of the

violation, [40 CFR 141.201(b)] You must issue a repeat notice every three months for as long as the violation persists.

Community Systems must use one of the following methods [40 CFR 141.203(e)]:

- hand or direct delivery
- mail, as a separate notice or included with the bill

Non-Community Systems must use one of the following methods:

- posting in conspicuous locations
- hand delivery
- mail

In addition, both community and non-community systems must use *another* method reasonably calculated to reach others if they would not be reached by the first method. Such methods could include newspapers, e-mail, or delivery to community organizations. If you mail, post, or hand deliver, you may print the notice on your system's letterhead.

Corrective Action

In your notice, describe corrective actions you are taking/have taken. Listed below are some steps commonly taken by water systems with total coliform violations. Use one or more of the following actions, if appropriate, or develop your own:

- We are chlorinating and flushing the water system.
- We are increasing sampling for coliform bacteria.
- We are investigating the source of contamination.
- We are repairing the wellhead seal (or storage tank).
- We will inform you when additional samples show no coliform bacteria.

Please mail this statement of certification **and** a copy of the printed notice with your PWS ID# clearly written on it, along with the dates the notice was posted to:

Sienna Meredith
US EPA Region 8
10 West 15th Street
Suite 3200
Helena, MT 59626

Or you can fax a copy to: Attn: Sienna Meredith at **406-444-5055**. If you have questions about your total coliform violation call Sienna Meredith at 1866-457-2690, or (406)457-5026.

Certification of Public Notification

I _____ certify that the attached public notification was issued
(PWS Operator/Responsible Party)
from _____ to _____
(Date) (Date)

The attached notice was issued by _____
(Method of delivery)

Signature _____ Date _____