



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

Ref: 8MO

December 15, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Julia doney, President
Fort Belknap Indian Community
R.R. 1, Box 66
Harlem, MT 59526

Re: Violation of Amended Administrative Order
Docket No. SDWA-08-2009-0004
PWS #083090049

Dear President doney:

This letter is to inform you officially that the Agnes Leggins Public Water System has had a violation of the Administrative Order (Order), issued on October 9, 2008. The Order requires Prairie Mountain Utilities (the Utility) and the Ft. Belknap Indian Community (Tribe) to comply with various regulations issued by EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

1. The Administrative Order, page 6, item 8 states:

"Within 30 days of the effective date of this Order, Respondents shall provide EPA with a compliance plan and schedule for the System to come into consistent compliance with the total coliform MCL and implement recommendations identified in the sanitary survey dated October 19, 2006 (attached to and incorporated herein). The plan shall include proposed physical and operational modifications (including installation of a permanent and continuous disinfection System), estimated costs of modifications, and a schedule for completion of the project and compliance with the total coliform MCL. The proposed schedule shall include specific milestone dates and a final compliance date (to be within 6 months from the date of EPA's approval of the plan). The plan and schedule must be approved by EPA before construction or modifications can commence."

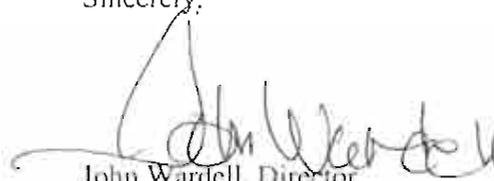
The Tribe and Utility failed to provide the compliance plan within 30 days of issuance of the Order, November 8, 2008.



Please note that the Orders issued on October 9, 2008 for the Hays Whitecow, Mission Housing and Lodgepole Housing public water systems also require a plan and schedule for these systems to come into consistent compliance with the total coliform MCL and implement recommendations of the most recent sanitary surveys. For these three systems the plans are due within 90 days of the Orders being issued, which is January 7, 2009.

EPA is considering additional enforcement action as a result of the noncompliance with the Order. Violating an Administrative Order may lead to (1) a penalty of up to \$32,500 per day per violation of the Order, and/or (2) a court injunction, ordering compliance. If you have any questions or wish to have an informal conference with EPA, please contact me at (406) 457-5001, or Barbara Burkland of my staff at (406) 457-5009. If you are represented by an attorney, please have them contact Amy Swanson at (303) 312-6906. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Wardell", written over a horizontal line.

John Wardell, Director
EPA Region 8 Montana Office

cc: Scott Snow, Manager
Prairie Mountain Utilities

Robert Fox, Chairman
Prairie Mountain Utilities Board