



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, COLORADO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

2019 SEP 19 AM 8:29

FILED
EPA REGION VIII
HEARING CLERK

SEP 18 2019

Ref: 8ENF-W-SD

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Rynalea Whiteman Pena, President
Northern Cheyenne Tribe
P.O. Box 128
Lame Deer, Montana 59043-0128

Re: Emergency Administrative Order Addendum, Busby Community Water System,
PWS ID # 083090063, Docket # **SDWA-08-2019-0037**

Dear President Pena:

This is an Addendum to the Emergency Administrative Order (Order) issued on August 6, 2019, to the Northern Cheyenne Utilities Commission (Utility) and the Northern Cheyenne Tribe (Tribe). The purpose of this letter is to approve the Busby Community Water System's September 13, 2019, schedule extension request for coming into consistent compliance after the pressure loss at the System. The revised schedule is hereby incorporated into the Order per paragraph 20 (page 3) of the Order. Each milestone is an enforceable provision of the Order.

Actions

Completion Date

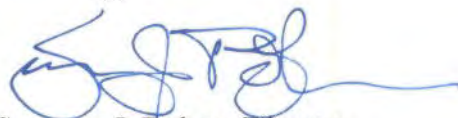
Utility began delivering safe drinking water to the Busby community.	8-2-2019 (reported as completed)
Water was delivered door-to-door. Utility also set up a water buffalo for the community for flushing, etc., not for consumption.	8-3-2019 (reported as completed)
Utility called Gary's Drilling to assess what was wrong with the pumps. Gary's Drilling was on site and pulled one pump, replaced it with a smaller pump because they didn't have the appropriate 7 1/2 horse power pump.	8-4-2019 (reported as completed)
IHS submitted a request for emergency funding. A MOA must be signed by the Northern Cheyenne Tribe to proceed with use of these funds. The emergency funding covers cleaning of the wells to remove biofilm and debris as well as replacement of the pumps.	8-8-2019 (reported as completed)

<p>On September 3, 2019, prior to proceeding with this planned work, the wells failed, and a complete water outage occurred again. The EPA's Order was still open so the Enforcement Officer, Steven Latino, sent a public notice template to the Tribe to be reissued. The Tribe has arranged for porta potties and bottled water to be delivered.</p>	<p>9-3-2019 (reported as completed)</p>
<p>The EPA issues boil order, it is hand delivered door-to-door to the Busby Community</p> <p>On September 4, 2019, Utility Manager Adam Spang met with the Tribal Council and then followed up with a phone call with Steve Latino and Barbara Burkland with the EPA as well as Jim White, IHS. Adam indicated he will do everything possible to get the MOA signed but he feels he must proceed with pump replacement immediately to restore water service to the community. Northern Cheyenne Board of Health pays for the cost of the installation of two pumps.</p> <p>September 4, 2019: installed pumps in both wells. Driller is on-site. Distribute boil orders and alternate water. When water pressure is above 20 psi throughout community, disinfect and flush the system. Begin collection of special coliform samples at instruction of EPA.</p>	<p>9-4-2019 (reported as completed)</p>
<p>Clean wells. (Driller did not bring equipment to clean wells on September 4).</p>	<p>October 31, 2019</p>
<p>Determine work needed to restore iron curtain system to remove iron and manganese from water. Restart use of treatment system and maintain per manufacturer's instructions.</p>	<p>December 31, 2019</p>

Within 10 days after completing all steps included in the above schedule, notify the EPA of the project's completion as required by the Order. The EPA is authorized to seek penalties if these deadlines are not met. If the Tribe and/or Utility has a reasonable basis to believe it may be unable to meet any deadline in the schedule, it shall notify the EPA well in advance of the scheduled deadline to request an extension. The EPA may, in its discretion, consider granting an extension.

Please contact Steven Latino, Environmental Protection Specialist, at (303) 312-6440 or via email at latino.steven@epa.gov if you have any questions concerning this Addendum.

Sincerely,



Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division

cc: Rynalea Whiteman Pena, President (rynalea.pena@cheyennation.com)
Adam Spang, Manager, Northern Cheyenne Utility Commission (Adamspang.ncuc@gmail.com)
Charlene Alden, Environmental Director (charlene.alden@cheyennation.com)
Donita Sioux, Finance Director (donita.siuox@cheyennation.com)
Jim White, Indian Health Service (jim.white@ihs.gov)
Cleve McManus, Foreman, Northern Cheyenne Utility Commission
Ethelyn Shoulderblade, (ethelyn.ncuc@gmail.com; ncuc@rangeweb.net)