



REGION 8

DENVER, CO 80202

FILED

Nov 20, 2024

1:03 pm

**U.S. EPA REGION 8
HEARING CLERK**

November 20, 2024

Ref: 8ECA-W-S

SENT VIA EMAIL
DIGITAL DELIVERY RECEIPT REQUESTED

Ms. Victoria Falls Down, Superintendent
Lame Deer High School Public Water System
Victoria.fallsdown@lamedeer.k12.mt.us

Subj: Administrative Order issued to Lame Deer Public Schools regarding Lame Deer
High School Public Water System, PWS ID #083090067, Docket No. SDWA-08-2025-0001

Dear Superintendent Falls Down:

Enclosed is an Administrative Order (Order) issued by the United States Environmental Protection Agency under the authority of section 1414(g) of the Safe Drinking Water Act, 42 U.S.C. § 300g3(g). Among other things, the Order alleges that Lame Deer Public Schools, as owner and/or operator of the Lame Deer Public Water System (System), has violated the EPA's drinking water regulations at 40 C.F.R. part 141 (Part 141). The EPA is issuing this Order because our previous compliance assurance efforts have not been effective in returning the System to compliance with Part 141.

The Order includes all violations that have occurred within the 5-year statute of limitations, whether or not the violations have been returned to compliance. Lame Deer Public Schools, as the owner and/or operator of the System, has returned to compliance several of the violations listed in the Order. Resolved violations include a note detailing when the violation was returned to compliance. Violations in paragraphs 8-12 of the Order have been returned to compliance. Violations in paragraphs 7, 13, 14, and 15 are violations that have not been returned to compliance. The remaining violations must be returned to compliance by performing the actions listed in paragraphs 17-23 of the Order.

The Order is effective upon the date received. Please review the Order and within 10 business days provide the EPA with any pertinent information you believe the EPA may not have (e.g., any monitoring that may have been done but not submitted, any updates to the number of service connections and/or individuals served). If the EPA does not hear from you, the EPA will assume this information is correct. If you comply with the Order, the EPA may close the Order without further action. Failure to comply with the Order

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may trigger immediate action by the EPA, including a complaint seeking administrative penalties. The complaint may lead to assessment of civil penalties of up to \$69,733 (as adjusted for inflation) per day of violation, a court injunction ordering compliance, or both. 42 U.S.C. § 300g-3; 40 C.F.R. part 19; 88 Fed. Reg. at 89309 (December 27, 2023).

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to this situation. Enclosed is a small business information sheet, outlining compliance assistance resources available to small businesses and small entities, in case these are relevant. SBREFA does not eliminate the responsibility to comply with the Order or Part 141. Also enclosed are several templates and fact sheets to assist you in addressing the outstanding violations.

Please be aware that you are required to submit to the EPA a plan and schedule for bringing the System into compliance with Part 141. The EPA's approval of Respondent's schedule does not substitute for any other approval that may be required by any other governmental entity for modifying the System. The EPA encourages you to contact any such governmental agency or agencies regarding any applicable approval requirements.

If you have any questions or to request an informal conference with the EPA, please contact Jessica Moore via email at moore.jessica@epa.gov, or by phone at (800) 227-8917, extension 6441, or (303) 312-6441. Any questions from the District's attorney should be directed to Colleen Adams, Honors Attorney, via email at adams.colleen@epa.gov or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

We urge your prompt attention to this matter.

Sincerely,

Emilio Llamozas, Acting Manager
Water Enforcement Branch
Enforcement and Compliance Assurance Division

ENCLOSURES

cc:

EPA Regional Hearing Clerk
Charlene Alden, Environmental Director
Rae Peppers, Northern Cheyenne Utility Manager
Teanna Limpy, Tribal Attorney
Lora Helman, Comptroller
Greg Wegner, Operator
Trixy Birdchief, Business Manager
Todd Rydquist, Indian Health Services
Lonnie Littlebird, Operator