



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

2009 FEB -5 AM 8:22

Ref: 8MO

February 2, 2009

SENT VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Chance Houle, Chairman
Chippewa Cree Tribe
RR1 Box 544
Box Elder, MT 59521

Jim Morsette, Director
Water Resources Department
RR1 Box 800
Box Elder MT 59521

Re: Closure of Emergency Administrative
Order
Docket No. SDWA-08-2008-0061
Rocky Boy's Rural/Newtown
PWS ID #083090075

Dear Chairman Houle and Mr. Morsette:

On May 28, 2008, EPA issued an Emergency Administrative Order to the Rocky Boy Utilities of the Chippewa Cree Tribe. The Order was issued following a loss of pressure in the Newtown water system

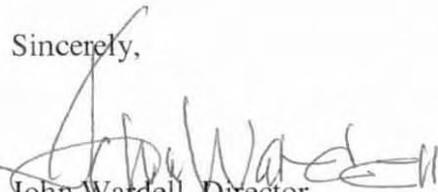
In that Order, EPA incorrectly named the Rocky Boy Utilities as the Respondent, instead of the Water Resources Department. Because of this error, EPA cannot enforce the Order and therefore we will close it at this time. EPA appreciates the work that the Chippewa Cree Tribe has done to comply with the public notification and sampling requirements of the Order. A pressure maintenance plan was submitted as requested, and EPA strongly recommends that the Tribe take measures to implement that plan and prevent future violations of the Total Coliform maximum contaminant level.

The Newtown water system is complex to operate and needs a high degree of operator attention to prevent future pressure losses. It is important that the Tribe continues to increase its degree of capability to operate the system, through hiring of qualified staff and training for



existing staff. While EPA can assist with some training, it is important that the Tribe also enlist the help of an engineer who can advise the Tribe on operation of this system. If either you or your staff has questions regarding the emergency or our Order, the most knowledgeable person to contact is Barbara Burkland, at (406) 457-5009.

Sincerely,



John Wardell, Director
EPA Region 8 Montana Office

cc:
Jay Eagleman, Manager, Water Resources Department
Tina Artemis, Regional Hearing Clerk, EPA