



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

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Leroy Spang, President
Northern Cheyenne Tribe
P.O. Box 128
Lame Deer, MT 59043

Re: Amendment to the Emergency
Administrative Order
Docket No. SDWA-08-2012-0031
Northern Cheyenne Utility Commission
Ashland Water System, 083090061
Birney Water System, 083090062

Dear President Spang:

On June 29, 2012, the EPA issued an Emergency Administrative Order (Order) in anticipation of a fire-related disruption of water service in the Ashland and Birney communities. The purpose of this letter is to make several amendments to that Order. Information was provided to our office on June 28, 2012, by the Northern Cheyenne Utility Commission (NCUC), indicating these communities had been evacuated and lost power. On July 2, 2012, the EPA received an update from Winslow Whitecrane, notifying us that there had not been any evacuations or loss of water pressure in Birney. Water service in Ashland was temporarily disrupted and the NCUC immediately complied with the requirements of the Order. One of those requirements was the collection of special samples. I am happy to report that coliform samples collected in Ashland on July 4, 5, and 6 were all negative for total coliform bacteria.

1. Please consider this letter EPA's notification that the Order is hereby amended to apply to Ashland only.
2. Paragraph 12 of the Order requires that the public notice be continued until notified in writing that it may be discontinued. Public notice may now be discontinued.



3. Paragraph 13 of the Order requires that alternate water be provided until notified otherwise by EPA. Provision of alternate water may now be discontinued.
4. Paragraph 16 of the Order requires that daily coliform sampling be continued until notified by EPA that they may reduce sampling to weekly. Based upon the number of safe samples from Ashland, sampling may now be reduced to once per week.
5. Paragraph 20 states that one of these weekly samples may be designated as the monthly compliance sample. Please ensure that sample is marked "compliance" rather than "special".
6. Paragraph 23 states that the system will report the extent and nature of damage to the system. On July 10 you reported to EPA that one home in the Walking Horse subdivision served by the Ashland public water system had burned. Please ensure the service connection to that home is valved off to prevent backflow of contaminated water.


All other requirements of the Order, including but not limited to special sampling and reporting, remain in effect for Ashland.

If your staff has questions specific to the elements of the Order, the most knowledgeable people regarding these issues are Barbara Burkland, Environmental Scientist, who can be reached at (406) 457-5009, or Amy Swanson, Enforcement Attorney, who can be reached at (800) 227-8917 ext 6906. You are also welcome to contact Julie DalSoglio, Montana Office Director, at (406) 457-5025

Sincerely,



Julie DalSoglio, Director
EPA Region 8, Montana Office



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

cc: Winslow White Crane, Manager, Northern Cheyenne Utility Commission
Charlene Alden, Director, Northern Cheyenne Environmental Department
Carole Boerner, Associate Area Director, Environmental Health and Engineering, Indian
Health Service
Tina Artemis, Regional Hearing Clerk, EPA Region 8