



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

2009 APR 24 AM 8:05

APR 24 2009

Ref: 8MO

A. T. "Rusty" Stafne, Chairman  
Fort Peck Tribes Executive Board  
P.O. Box 1027  
Poplar, MT 59255

Re: Docket No. SDWA-08-2009-0027  
Amended Emergency Order  
Frazer Water System  
PWS ID # 083090053

Dear Chairman Stafne:

On January 28, 2009, EPA issued an Emergency Administrative Order to the Fort Peck Utilities Commission in response to a water outage at the Frazer public water system. On April 14, 2009, EPA issued an Amended Emergency Order to the Fort Peck Utilities Commission in response to a second water outage at the Frazer public water system. This letter confirms direction regarding certain provisions of the original and the amended Orders provided by email from Eric Finke of the EPA Region 8 Montana Office to Tina Magnan of the Commission on April 6, 2009.

In response to paragraph 20 of the January 28, 2009 Order, the Utilities Commission collected three consecutive daily coliform samples on March 31, and April 1 and 2, as required. The results from all three of those samples were negative. Therefore, in accordance with paragraph 21, EPA has determined that the Commission may discontinue daily sampling and begin weekly sampling. Please note that paragraph 22 states that the Commission must continue weekly sampling until notified by EPA that it can resume monthly sampling.

In addition, in accordance with paragraphs 15 and 25, respectively, the Commission may discontinue providing bottled water and lift the boil order unless the Commission has determined that they should remain in place.

Again, we would like to commend the Commission for its rapid and thorough response to the water outage and for its cooperation with EPA, and we look forward to the Commission successfully completing the remaining aspects of the amended Order. If you have any questions of a technical nature, please contact Eric Finke, EPA Montana Office, at 406-457-5026.



Questions of a legal nature should be directed to Amy Swanson, enforcement attorney, EPA Denver at 303-312-6906.

Sincerely,

John F. Wardell, Director  
EPA Montana Office



David Rochlin, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance and  
Environmental Justice

cc: Deb Madison, Director  
Fort Peck Utilities Commission

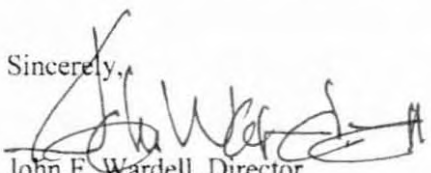
Tina Magnan, Manager  
Operations and Maintenance  
Fort Peck Utilities Commission

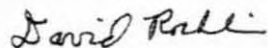
Leonard Youngman, Operator  
Frazer and Fort Kipp Public Water Systems  
Fort Peck Utilities Commission

Tina Artemis, EPA Regional Hearing Clerk

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Sincerely,

  
John F. Wardell, Director  
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