



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

2009 MAY 26 PM 12:37

MAY 26 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 amended Order provided by email from Eric Finke of the EPA Region 8 Montana Office to Tina Magnan of the Commission on April 21, 2009.

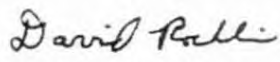
In response to paragraph 20 of the Order, the Utilities Commission collected three consecutive daily coliform samples as required. The results from all three of those samples were negative. Therefore, in accordance with paragraph 21, EPA notified the Commission by letter on April 24, 2009 that it could discontinue daily sampling and begin weekly sampling (that letter confirmed an April 6 email message from Mr. Finke to Ms. Magnan that provided the same direction).

Secondly, the results of weekly sampling conducted by the Commission on April 6 (following Mr. Finke's April 6 email message) and again on April 14, 2009, were also negative for total coliform. Accordingly, this letter confirms an email message to Tina Magnan from Eric Finke on April 21, 2009, that the Commission may resume monthly routine sampling for total coliform at Frazer. Because this letter will arrive on your desk so long after Mr. Finke's April 21 email message, the Commission will likely already have resumed monthly sampling.

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



Printed on Recycled Paper

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, Regional Hearing Clerk