



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, COLORADO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

May 28, 2020

Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Mr. Mike Tatsey, Superintendent
Heart Butte School District
miket@heartbutte.k12.mt.us

Re: Administrative Order Addendum #2, Heart Butte School District Public Water System,
PWS ID# 083090009, SDWA-08-2018-0025

Dear Mr. Tatsey:

This is the second Addendum to the Administrative Order (Order) issued to the Heart Butte School District (District) on July 18, 2018. The purpose of this letter is to approve the District's May 8, 2020, schedule (Schedule) extension request for coming into consistent compliance with the failure to filter and disinfect violation by switching permanently to an alternate source of water, the Heart Butte Water System, PWS ID# 083090005. The Schedule is hereby incorporated into the Order pursuant to paragraph 19. Each milestone and deadline specified below is an enforceable provision of the Order.

Milestone

Deadline Date

Preliminary Engineering Report	August 2018 (completed)
Design Completion including Geotechnical Work for Storage Tank	June 30, 2020
IHS and BOR Funding Obligated	June 30, 2020
Right of Way Secured	June 30, 2020
Invitation for Construction Bids	July 17, 2020
Construction Award	July 31, 2020
Begin Construction of Water Main to Heart Butte Water System and New Storage Tank	August 1, 2020
Project Completion including Water Main, New Storage Tank, and Connection to Heart Butte Water System	October 31, 2020
Compliance with 40 C.F.R. part 141, subparts H and T	October 31, 2020
Abandonment of Heart Butte School's Wells (WL03 and WL02) and Old Storage Tank (ST01) as a Drinking Water Supply.	November 21, 2020

Within 10 calendar days of completing all steps included in the above Schedule, please notify the EPA of the project's completion as required by the Order. The Order also requires the District to achieve and maintain compliance with 40 C.F.R part 141, subparts H and T, by the final date specified in the approved Schedule. The EPA is authorized to seek penalties if these deadlines are not met. If the District has a reasonable basis to believe it may be unable to meet any deadline in the Schedule, it shall notify the EPA well in advance of the Schedule deadline to request an extension. In addition, the EPA acknowledges that the COVID-19 pandemic also may impact construction projects. If the District has specific COVID-19 issues that would affect the timeframes listed herein, please contact Jill Minter via email at minter.jill@epa.gov or by phone at (800) 227-8917, extension 6084, or (303) 312-6084 as soon as possible. The EPA may, in its discretion, consider granting an extension.

As a reminder, you are required to provide the EPA with quarterly progress reports by the 10th day of the month following the end of the relevant quarter, pursuant to paragraph 20 of the Order.

If you have any questions concerning this Addendum, please contact Jill Minter at the email and phone number listed in the above paragraph. Any legal questions from the District's attorney should be directed to Mia Bearley, Senior Assistant Regional Counsel, via email at bearley.mia@epa.gov or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

Sincerely,

Colleen Rathbone, Chief
Water Enforcement Branch
Enforcement and Compliance Assurance Division

cc: Chairman Timothy Davis, Blackfeet Tribe, (tdavis@blackfeetnation.com)
Mr. Terry Tatsey, Councilman, (ttatsey@blackfeetnation.com)
Mr. Gerald Wagner, Environmental Director, Blackfeet Utilities (gwagner@3rivers.net)
Mr. Eric Day Rider, operator, (ericd@heartbutte.k12.mt.us)
Mr. Quentin Allen, Indian Health Service, (Quentin.allen@ihs.gov)
Mr. Jason Schneider, Indian Health Service, (Jason.schneider@ihs.gov)
Mr. R. Mike Racine, Indian Health Service, (richard.racine@ihs.gov)
Ms. Melissa Haniewicz, EPA Regional Hearing Clerk