



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-W

SENT VIA ELECTRONIC AND FIRST CLASS MAIL

The Honorable Mark L. Azure, President
Fort Belknap Indian Community Council
RR 1, Box 66
Harlem, Montana 59526

Acting Director
Prairie Mountain Utilities
164 Agency Mail Street
Harlem, Montana 59526

Re: EPA Approval of Lodgepole Housing System New Well Plan and Schedule,
PWS ID #083090047, Docket No. SDWA-08-2017-0002

Dear President Azure and Acting Prairie Mountain Utilities Director:

This purpose of this letter is to provide EPA approval for the schedule for constructing a new well and pump house for the Lodgepole Housing Public Water Systems (System), and for connecting the well to the Agnes Leggins Public Water System. An Administrative Order on Consent (AOC) was issued on October 12, 2016, to the Fort Belknap Indian Community (FBIC) and Prairie Mountain Utilities (PMU), as owner and/or operator of the System. The AOC required the FBIC and PMU to submit to the EPA a plan and schedule for the System to comply with 40 C.F.R. part 141, subparts H, T, and W. The schedule was initially outlined in a November 23, 2016, email from Mr. Rob Adams, Tribal Engineer, on behalf of the FBIC and PMU. The schedule was revised on April 12, 2017, following a conference call between Fort Belknap, the Indian Health Service, and the EPA on April 4, 2017. The schedule was revised a second time and sent to the EPA in an email from Mr. Adams on April 19, 2017, and this second revision was discussed in a conference call with Fort Belknap on July 20, 2017. The schedule was revised two more times following a conference call with Fort Belknap on September 7, 2017, and communication with Mr. Adams on November 1, 2017. This letter constitutes the written approval by the EPA of the final schedule, as indicated in the table below.

<u>Action</u>	<u>Completed by</u>
1. Begin well drilling.	September 7, 2017
2. Begin pump house design modifications.	September 7, 2017
3. Complete pump house design modification.	October 6, 2017
4. Begin pump house construction.	October 20, 2017
5. Complete construction of pump house (i.e., foundation, framing, electrical, mechanical, fencing). Have PMU Operator examine pump house while under construction to confirm suitability for sampling and chemical storage.	March 2, 2018
6. Complete digging of trench and laying of pipe.	March 2, 2018
7. Connect well to distribution system. Notify the EPA that construction has been completed. Submit photos to EPA documenting that new well has no significant deficiencies. Submit <i>Tribal Public Water System Change Form</i> and new schematic to EPA.	March 16, 2018
8. Disinfect, flush, and test water for nitrate, nitrite and total coliform prior to activating the new well. Submit sample results to the EPA.	March 16, 2018
9. Measure pressure at two locations in the Lodgepole Housing and connected Agnes Leggins distribution systems after being supplied by new well. Submit pressure results to the EPA.	March 23, 2018
10. Physically disconnect or abandon old well. Submit photos to EPA documenting appropriate disconnection or abandonment.	March 23, 2018
11. Deliver water to customers and follow new monitoring schedule, to begin 1 st quarter of operation.	April 6, 2018
12. Meeting between Fort Belknap, IHS, and the EPA on regulatory status of connecting Lodgepole Housing and Agnes Leggins PWSs.	April 13, 2018
13. Achieve compliance by providing water from a source that is not subject to the Surface Water Treatment Rule.	April 13, 2018
14. Submit monthly progress reports to the EPA, to include progress on tasks and completion dates.	Each monthly report is due by the 10 th day of the following month.

Consistent with paragraph 25 of the AOC, the milestone deadlines above are now enforceable requirements of the AOC. If the FBIC and PMU have a reasonable basis to believe they may be

unable to meet any deadline in the schedule, they shall notify the EPA well in advance of the scheduled deadline to request an extension. The EPA may, in its discretion, consider granting an extension.

Please be advised that the FBIC and PMU are required to comply with all provisions of the AOC. This includes continuing to continuously chlorinate the water and maintain a chlorine residual of at least 0.2 mg/L throughout the distribution system, conducting a Level 1 assessment within 30 days if the System has more than one positive total coliform sample result within the same month or fails to collect three repeat samples following a total coliform positive sample, and complying with all source water monitoring and related requirements. Pursuant to paragraph 37 of the AOC, the EPA is authorized to seek penalties if any of these deadlines are not met.

Please contact Jill Minter at (800) 227-8917, extension 6084, or (303) 312-6084, or by email at minter.jill@epa.gov if you have any questions concerning this letter. If the FBIC and PMU are represented by an attorney and have legal questions, please ask your attorney to contact Amy Swanson at the above 800 number, extension 6906 or at (303) 312-6906, or by email at swanson.amy@epa.gov.

We urge your prompt attention to this matter.

Sincerely,



Tiffany Cantor, Enforcement Unit Supervisor
Drinking Water Enforcement Program
Office of Compliance, Enforcement,
and Environmental Justice

cc: Mr. Scott Snow, Head Operator, PMU (fbwaterplant@yahoo.com)
Mr. Rob Adams, Tribal Engineer, FBIC (rob.adams@ihs.gov)
Ms. Sherry Bishop, Compliance Officer, FBIC (sherrycbishop65@yahoo.com)
Ms. Catharine Aragon, Tribal Attorney, FBIC (cataragon51@aol.com)
Mr. Jim White, P.E., Director, SFC, Indian Health Service (jim.white@ihs.gov)
Mr. Todd Rydquist, P.E., Assistant Director, SFC, Indian Health Service (todd.rydquist@ihs.gov)

Ms. Melissa Haniewicz, EPA Regional Hearing Clerk