



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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

December 3, 2020  
10:06 AM

December 2, 2020

Received by  
EPA Region VIII  
Hearing Clerk

Ref: 8ENF-W-SD

**SENT VIA EMAIL**  
**DIGITAL READ RECEIPT REQUESTED**

The Honorable Timothy Davis, Chairman  
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana  
[tdavis@blackfeetnation.com](mailto:tdavis@blackfeetnation.com)

Mr. Alvin Yellow Owl Jr., Director  
Two Medicine Water Company  
P.O. Box 1529  
Browning, Montana 59417  
[ayowl65@yahoo.com](mailto:ayowl65@yahoo.com)

Re: Administrative Order Addendum, regarding the Town of Browning Public Water System,  
PWS ID # 083090091, Docket # SDWA-08-2020-0032

Dear Chairman Davis and Mr. Yellow Owl:

This is an Addendum to the Administrative Order (Order) issued to the Two Medicine Water Company on July 13, 2020. The purpose of this letter is to approve the Two Medicine Water Company's November 9, 2020 schedule (Schedule) for coming into consistent compliance to correct a significant deficiency: restoring the structural integrity of the Weasel Head Tank - ST04 (Tank). The Schedule is hereby incorporated into the Order pursuant to paragraph 30. Each milestone and deadline specified below is an enforceable provision of the Order.

<b>Milestone</b>	<b>Completion Date</b>
Complete Preliminary Engineering Report	August 2020 (reported as completed)
Water tank renovation IHS Project funding confirmation	September 2021
Right-of-way (ROW) and engineering work	June 2021
Update existing proposal to repair existing tank	August 2021
Repair of existing tank (weather dependent)	November 2021
Review final engineering design	December 2021
Submit crossing permit and final ROW	April 2022
Construction of a new tank and water lines	June 2020

Construction completion	December 2022
Send EPA case manager quarterly enforcement reports commencing on April 30, 2021	Until Project Ends
Project Construction Complete	December 31, 2022

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 Two Medicine Water Company to correct the significant deficiency, restoring the structural integrity of the Tank) by the final date specified in the approved Schedule. The EPA is authorized to seek penalties if these deadlines are not met. If the Two Medicine Water Company 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's deadline to request an extension. The EPA may, in its discretion, consider granting an extension.

As a reminder, you are required to provide the EPA with quarterly progress reports starting December 31, 2020.

In addition, the EPA acknowledges that the COVID-19 pandemic also may impact construction projects. If the Two Medicine Water Company has specific COVID-19 issues that would affect the timeframes listed herein, please contact Christina Carballal via email at [carballal-broome.christina@epa.gov](mailto:carballal-broome.christina@epa.gov) or by phone at (800) 227-8917, extension 6046, or (303) 312-6046 as soon as possible. The EPA may, in its discretion, consider granting an extension. For legal issues, please contact Matt Castelli, Legal Enforcement Branch, who may be reached at (800) 227-8917, extension 6491, or (303) 312-6491 or [castelli.mathew@epa.gov](mailto:castelli.mathew@epa.gov).

Sincerely,

**COLLEEN  
RATHBONE**

Digitally signed by COLLEEN  
RATHBONE  
Date: 2020.12.02 14:32:30  
-07'00'

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

cc: Gerald Wagner, [gwagner@3rivers.net](mailto:gwagner@3rivers.net)  
Dawn Gray, [dgray@blackfeetnation.com](mailto:dgray@blackfeetnation.com)  
Quentin Allen, [quentin.allen@ihs.com](mailto:quentin.allen@ihs.com)  
Mike Racine, [Richard.racine@ihs.gov](mailto:Richard.racine@ihs.gov)