



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

Ref: 8MO

FORT BELKNAP TRIBES
RECEIVED

March 14, 2008

MAR 18 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

BY _____
CENTRAL ADMINISTRATION

Julia Doney, President
Fort Belknap Indian Community
R.R. 1, Box 66
Harlem, MT 59526

Re: Fort Belknap Agency Public Water System
PWS #083090041
Notice of Violation

Dear President Doney:

This letter is to inform you officially that the Fort Belknap Public Water System has had a violation of the National Primary Drinking Water Regulations (NPDWR). As an owner/operator of a public water system using surface water, you are required by federal law to monitor turbidity and disinfectant residual for the water treatment plant. As required by the Surface Water Treatment Rule (SWTR) and the Long Term 1 Enhanced SWTR (LT1SWTR), turbidity of representative samples of the combined water from the two filters must be monitored and reported at least once every 4 hours. Turbidity from the individual filters must be monitored continuously, and recorded at least once every 15 minutes. Disinfectant residual must be monitored continuously at the point-of-entry, and in the distribution system at the same time and location as your bacteriological sampling. Monthly reports on the turbidity monitoring and disinfectant residuals must be submitted to EPA by no later than the 10th day of the following month.

The LT1SWTR also requires that if, for three months in a row, effluent turbidity exceeds 1.0 NTU at the same filter, the system must conduct a self-assessment of the filter within 14 days of the day the filter exceeded 1.0 NTU for the third consecutive month. The self-assessment must consist of at least the following components: assessment of filter performance, development of a filter profile, identification and prioritization of factors limiting filter performance, assessment of the applicability of corrections, and preparation of a report summarizing this information.

Based upon the data submitted in your report for the months of January and February 2008, the turbidity of your combined filtered water was not measured and reported at least once



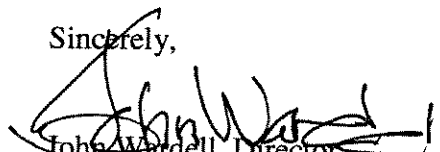
every 4 hours. In fact, on only two days in January was this requirement met. This failure to monitor and report combined filter effluent turbidity at least once every 4 hours is a violation of 40 CFR §141.74(c)(1). The failure to monitor and report violation requires Tier 3 public notice (PN) within one year from the end of the month. **A copy of a PN template and instructions is enclosed with this letter. Please send us a copy of your posted PN with your certification statement, within 10 days after you issue it.**

Also, based upon the data submitted in your reports and/or on plant chart recorders; in December 2007, January 2008, and February 2008, both filters exceeded 1.0 NTU. In January and February 2008, Filter 2 exceeded 2.0 NTU. A filter self-assessment report for both filters is therefore required, per 40 CFR §141.563. EPA and its contractors have provided Utility Manager Scott Snow with a great deal of information that can be used in these reports.

As you know, this water system is currently under an Administrative Order. The failures to meet turbidity limits constitute a violation of that Order. EPA is preparing an Amended Administrative Order to further address and clarify the federal turbidity requirements applicable to this particular system. EPA has provided extensive technical assistance to the Manager and Operators of the plant. Most recently we provided on-site assistance related to the turbidity issues March 4-6, 2008. At the same time, however, action will be needed on the part of Utility Management, staff, the Utility Commissioners and the Council to address these problems. The plant is frequently run with no staff on site, inexperienced staff is allowed to run the plant unsupervised, and the Manager does not review data and enforce required monitoring.

Our goal is to work with you to ensure that safe drinking water is provided to your customers. If we can provide any assistance or training, or if you have any questions, please contact me at (406)457-5001 or Barbara Burkland of my staff at (406)457-5009.

Sincerely,


John Wardell, Director
EPA Region 8 Montana Office

cc: Scott Snow, Manager
Prairie Mountain Utilities

Robert Fox, Chairman
Prairie Mountain Utilities Board

bcc: Tina Artemis, 8RC
Brenda Cazier, 8ENF-PT
Amy Swanson, 8ENF-L
Sadie Hoskie, 8P-W
Lucita Chin, 8ORC
Jack Rychecky, 8P-W
Gary Carlson, 8P-W-MS
Diane Sipe, 8ENF-W
Lisa Kahn, 8ENF-W
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Lucita Chin, 8RC
David Janik, 8ENF-L
Maureen Kiely, 8MO
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Andrew Stewart, OECA/OCE/WED
Mary Andrews, OECA/OCE/RED/WIEPB
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