



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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August 5, 2021

12:52 PM

Received by
EPA Region VIII
Hearing Clerk

August 5, 2021

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

Re: Administrative Order Addendum, Blackfeet Tribe of the Blackfeet Reservation of Montana
regarding Blackfoot Public Water System, PWS ID # 083090003
Docket # SDWA-08-2021-0005; ECN:600.0023.2018_BlackfeetPWS

Dear Chairman Davis:

This is an Addendum to the Administrative Order (Order) issued to the Blackfeet Tribe of the Blackfeet
Reservation of Montana (Tribe) on January 15, 2021. The purpose of this letter is to approve the Tribe's
June 7, 2021 schedule (Schedule) for correcting a significant deficiency identified in the January 29,
2018 Sanitary Survey report: lack of required overflow on finished tanks. The Schedule is hereby
incorporated into the Order pursuant to paragraph 22. Each milestone and deadline specified below is an
enforceable provision of the Order.

Milestone

Deadline

Table with 2 columns: Milestone, Deadline. Rows include: Obtain approval from EPA for a concept or an alternative fix. (June 30, 2021); Procure contractor to implement plan described below. (July 9, 2021); Certify the pressure, ensuring it is within appropriate range as required by tank manufacturer. Report results to EPA. (July 30, 2021); Plan: Existing vents on each tank will be converted into overflow pipes. The new overflow pipes will be installed 12 to 24 inches off the ground and will be equipped with flapper valves and 24-mesh screen to prevent contamination. Overflow shall discharge on to a splash pad, engineered rip rap or an outlet structure. Each of the second manway covers on each tank will be equipped with a separate vent, resulting in penetrations of each of two manway covers on each tank. Vents should be downturned, covered in 24-mesh and 24 inches off the highest surface or ground whichever is higher. (August 27, 2021)

Monitor to ensure that overflow tanks are functional (e.g., provide photo documentation proof of the piping elevations).	September 17, 2021
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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 Tribe to correct the significant deficiency by the final date specified in the approved Schedule. The EPA is authorized to seek penalties if these deadlines are not met. If the Tribe has a reasonable basis to believe it may be unable to meet any deadline in the Schedule, it must notify the EPA well in advance of the Scheduled deadline to request an extension. The EPA may, in its discretion, consider granting an extension. For any deadline prior to the date the Addendum was issued, please notify the EPA within 14 days when the milestone was completed or if the deadline was not met, provide a new proposed deadline.

As a reminder, you are required to notify the public of violations quarterly until they are corrected. If not already accomplished, please provide the EPA with a copy of the most recent public notice that was due by July 10, 2021, and the certification that the Tribe delivered it.

In addition, the EPA acknowledges that the COVID-19 pandemic also may impact construction projects. If the Tribe has specific COVID-19 issues that would affect the timeframes listed herein, please contact Christina Carballal via email at 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.

If you have any questions concerning this Addendum, please contact Christina Carballal at the email and phone number listed in the above paragraph. Any legal questions from the Tribe's attorney should be directed to Matthew Castelli, Senior Assistant Regional Counsel, via email at castelli.matthew@epa.gov or by phone at (800) 227-8917, extension 6554, or (303) 312-6554.

Sincerely,

Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division

cc:

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