



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

2013 JUL 18 AM 10:43

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Ref: 8MO

JUL 18 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Robert Anderson, Acting Superintendent
Heart Butte K-12 Schools School District
P.O. Box 259
Heart Butte, MT 59417

Re: **2nd Violation of the Administrative Order**
Docket No. SDWA-08-2012-0040
Heart Butte School Public Water System
PWS ID #083090009

Dear Mr. Robert Anderson:

On July 30, 2012, the U.S. Environmental Protection Agency (EPA) issued an Administrative Order (Order), Docket No. SDWA-08-2012-0040, ordering the Heart Butte K-12 Schools School District (Respondent) to comply with various regulations issued by the EPA under the Safe Drinking Water Act (SDWA), 42 U.S.C. section 300f et seq.

Our records indicate that the Respondent is in violation of the Order. The Order included the following requirements (quoted from item 16 of the "Order" section on page 3 of the Order).

1. If Respondent's total coliform sample results exceed the maximum contaminant level (MCL) while this Order is in effect. Respondent shall, within 30 days after learning of this violation, provide the EPA with a compliance plan and schedule for the system to come into compliance with the MCL for total coliform as stated in 40 C.F.R. § 141.63(a). If the System's water does not comply with the total coliform MCL as stated in 40 C.F.R. § 141.63, Respondent shall report this violation to the EPA by the end of the business day after discovering the violation, as required by 40 C.F.R. § 141.21(g)(1).

Respondent had a positive total coliform sample on May 13, 2013. The Respondent collected 5 repeat samples on May 16, 2013. Four of the five repeat samples were also positive for total coliform bacteria, which caused the System to exceed the total coliform MCL. The Respondent failed to provide EPA with a compliance plan and schedule within 30 days of learning of the MCL (by June 30, 2013). Respondent also failed to report the May 2013 total coliform MCL violation to the EPA within 10 days after discovering the violation.

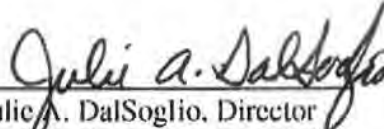
As discussed in a June 28, 2013, email communication between you and Sienna Meredith, EPA understands that the School's Board of Trustees has approved the required upgrades to the System recommended in the Significant Deficiency letter issued to the System on February 22, 2013 to address

the ongoing total coliform MCL violations that have occurred at the System. EPA appreciates your cooperation in resolving these violations.

We urge your prompt attention to this matter. Should you have any questions or wish to have an informal conference with the EPA, you may contact Sienna Meredith at 1-866-457-2690, extension 5026 or (406) 457-5026. If you are represented by an attorney who has questions, please ask your attorney to contact Amy Swanson, Enforcement Attorney, at 1-800-227-8917, extension 6906 or (303) 312-6906 or at the following address:

Amy Swanson
Enforcement Attorney
U.S. EPA, Region 8 (8ENR-1)
1595 Wynkoop Street
Denver, Colorado 80202-1129

Sincerely,


Julie A. DalSoglio, Director
EPA Region 8 Montana Office

cc:

Tina Artemis, EPA 8 Regional Hearing Clerk
Dick Richardson, Principal
The Honorable T.J. Show, Chairman Blackfeet Tribal Business Council
Gerald Wagner, Environmental Director, Blackfeet Environmental Office, email
Merlin Running Crane, PWS Operator