



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-W-SDW

SENT VIA ELECTRONIC AND FIRST CLASS MAIL

The Honorable Andrew Werk, Jr. President  
Fort Belknap Indian Community Council  
656 Agency Main Street  
Harlem, Montana 59526

Mr. Raymond King, Director  
Prairie Mountain Utilities  
164 Agency Mail Street  
Harlem, Montana 59526

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

Dear President Werk and Director King:

This purpose of this letter is to provide EPA approval for a revised 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 or connect to a different water source that is not subject to these requirements. An EPA Approval Letter of the Lodgepole Housing System New Well Plan and Schedule was issued November 15, 2017.

Mr. Rob Adams, Tribal Engineer, sent an email to the EPA on March 2, 2018, to report on progress and to request an extension to complete the pump house. Construction was not progressing as expected due to delays caused by extreme weather over the winter months. A proposed revised schedule was submitted to the EPA by Mr. Adams in an email on May 10, 2018.

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.	June 30, 2018
6. Complete digging of trench and laying of pipe.	June 30, 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.	July 13, 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.	July 13, 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.	July 20, 2018
10. Physically disconnect or abandon old well. Submit photos to EPA documenting appropriate disconnection or abandonment.	July 27, 2018
11. Deliver water to customers and follow new monitoring schedule, to begin 1 <sup>st</sup> quarter of operation.	August 3, 2018
12. Meeting between Fort Belknap, IHS, and the EPA on regulatory status of connecting Lodgepole Housing and Agnes Leggins PWSs.	August 10, 2018
13. Achieve compliance by providing water from a source that is not subject to the Surface Water Treatment Rule.	August 31, 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 <sup>th</sup> day of the following month.

Consistent with paragraph 25 of the AOC, the revised 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.

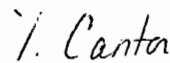
Please be advised that the FBIC and PMU are required to comply with all provisions of the AOC. This includes continuing to continuously chlorinate the water and maintain a chlorine residual of at least 0.2 mg/L throughout the distribution system, conducting a Level 1 assessment within 30 days if the 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](mailto: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](mailto: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, Water Operations Manager, PMU ([fbwaterplant@yahoo.com](mailto:fbwaterplant@yahoo.com))  
Mr. Rob Adams, Tribal Engineer, Indian Health Service ([rob.adams@ihs.gov](mailto:rob.adams@ihs.gov))  
Ms. Sherry Bishop, Compliance Officer, FBIC ([sherrycbishop65@yahoo.com](mailto:sherrycbishop65@yahoo.com))  
Ms. Catharine Aragon, Tribal Attorney, FBIC ([cataragon51@aol.com](mailto:cataragon51@aol.com))  
Mr. Jim White, P.E., Director, SFC, Indian Health Service ([jim.white@ihs.gov](mailto:jim.white@ihs.gov))

Ms. Melissa Haniewicz, EPA Regional Hearing Clerk