



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8ENF-W-SD

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

The Honorable Alvin Not Afraid, Jr., Chairman
Crow Tribe of Montana
aj.notafraid@crow-nsn.gov

Mr. Cedric Black Eagle, Cabinet Head
Crow Tribe Water Resource Department
cedric.black eagle@crow-nsn.gov

August 18, 2020

9:52 AM

Received by

EPA Region VIII

Hearing Clerk

Re: Emergency Administrative Order under Section 1431 of the Safe Drinking Water Act,
Wyola Public Water System, PWS ID #083090014, Docket No. SDWA-08-2020-0039

Dear Chairman Not Afraid, Jr. and Mr. Black Eagle:

Enclosed is an Emergency Administrative Order (Order) issued by the U.S. Environmental Protection Agency (EPA) to the Apsaalooke Water and Waste Water Authority (Utility) and the Crow Tribe of Montana (Tribe), under section 1431 of the Safe Drinking Water Act (Act), 42 U.S.C. § 300i.

The EPA has determined that conditions exist at the Wyola Public Water System (System) that may present an imminent and substantial endangerment to the persons served by the System. The EPA has made this determination based on notification from a Wyola resident on July 22, 2020, that the System lost pressure. On July 24, 2020, the EPA authorized the EPA tribal circuit rider to assess the pressure and water service in the Town of Wyola. A residual pressure of more than 40 psi was measured throughout the main town. However, zero water pressure was determined at the homes located east of the highway, leaving two homes and a small motel without water. A complaint for the main portion of the Town was received by the Indian Health Service (IHS) on August 14, 2020. The IHS inspected Wyola on August 14, 2020. Three locations in the main portion of the Town were visited and found to have very low pressure with predominantly air coming from the taps.

Pursuant to the authority set forth in section 1431 of the Act, 42 U.S.C. § 300i, the EPA is authorized to take actions necessary to protect human health. The Order and its requirements are necessary to ensure adequate protection of public health.

The enclosed Order sets forth the actions that must be taken to ensure that the people served by the System are provided with safe drinking water. The Order requires the Utility and Tribe to, among other things, take the following actions: issue a boil water advisory and provide an alternate source of water to all impacted individuals until notified by the EPA to discontinue; submit a plan and schedule to resolve


the pressure loss at all locations; disinfect and flush the System; and take additional total coliform bacteria samples.

The penalties for failing to comply are set forth in the Order. If you have any questions or wish to discuss the Order, please contact Steven Latino at (800) 227-8917 extension 6440 or 303-312-6440, or by email at latino.steven@epa.gov. Any questions from counsel should be directed to Peggy Livingston, Senior Assistant Regional Counsel, (800) 227-8917, extension 6858, or at (303) 312-6858, or by email at livingston.peggy@epa.gov.

Thank you for your attention to this matter.

Sincerely,

**SUZANNE
BOHAN**

 Digitally signed by SUZANNE
BOHAN
Date: 2020.08.17 19:21:41 -06'00'

Suzanne J. Bohan, Director
Enforcement and Compliance Assurance Division

Enclosure

cc:

Ms. Connie How, Environmental Director Crow Tribe
Ms. Katherine Stacie, CFO
Ms. Miranda Rowland, Water Quality Coordinator
Mr. Dion Killsback, Tribal Counsel, Crow Agency
Ms. Susan Messerly, Acting BIA Regional Director, Rocky Mountain Region
Mr. Gerald Pease, Cabinet Head, Crow Agency
Mr. Brewster Pretty on Top, Operator
Mr. Jason Schneider, Utility Consultant, Indian Health Services
Mr. Quentin Allen, Acting Director, Indian Health Services
Ms. Missy Haniewicz, EPA Regional Hearing Clerk, U.S. EPA Region 8