

REGION 8 TRIBAL ANNUAL COMPLIANCE REPORT FOR CALENDAR YEAR 2013

I. Introduction

Section 1414(c)(3)(B) of the amended Safe Drinking Water Act (SDWA) requires the U.S. Environmental Protection Agency (EPA) to prepare and make available to the public an annual report on violations of the National Primary Drinking Water Regulations by public water systems (PWSs) on Tribal Lands each year. This report includes violations pertaining to: 1) maximum contaminant levels, 2) maximum residual disinfectant level, 3) treatment requirements, 4) monitoring requirements determined to be significant by the Administrator, and 5) significant consumer confidence report requirements.

EPA Region 8 has primary enforcement authority in Indian Country throughout Region 8 states and thus prepared this annual compliance report. This report is intended to summarize and identify PWSs on Tribal Lands within EPA Region 8 that have been identified as having violations in categories 1-5 above during the calendar year 2013. The source of the information contained in this report is EPA's SDWIS-Fed database.

II. The Drinking Water Program: An Overview

The EPA established the Public Water System Supervision (PWSS) Program under the authority of the 1974 Safe Drinking Water Act (SDWA). Under the SDWA and the 1986 Amendments, EPA sets national limits on contaminant levels in drinking water to ensure that the water is safe for human consumption. These limits are known as Maximum Contaminant Levels (MCLs) and Maximum Residual Disinfectant Levels (MRDLs). For some regulations, EPA establishes treatment techniques (TT) in lieu of an MCL to control unacceptable levels of contaminants in water. For example, treatment techniques have been established for viruses, some bacteria, and turbidity. The Agency also regulates how often public water systems monitor their water for contaminants and report the monitoring results to the states or EPA. Generally, the larger the population served by the water system, the more frequent the monitoring and reporting (M/R) requirements. In addition, EPA requires PWSs to monitor for unregulated contaminants to provide data for future regulatory development. Finally, EPA requires PWSs to notify their consumers when they have violated these regulations. The 1996 Amendments to the SDWA require consumer notification to include clear and understandable explanation of the nature of the violation, its potential adverse health effects, steps that the PWS is undertaking to correct the violation and the possibility of alternative water supplies during the violation. The SDWA applies to the 50 states, the District of Columbia, Indian Lands, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

The SDWA allows states and territories to seek EPA approval to administer their own PWSS Programs. The authority to run a PWSS Program is called primacy. For a state to receive primacy, EPA must determine that the state meets certain requirements laid out in the SDWA and the regulations, including the adoption of drinking water regulations that are at least as stringent as the Federal regulations and a demonstration that they can enforce the program requirements. Of the 56 states and territories, all but Wyoming and the District

of Columbia have primacy. The EPA Regional Offices administer the PWSS Programs within these two jurisdictions.

The 1986 SDWA Amendments gave Indian Tribes the right to apply for and receive primacy. EPA currently administers PWSS Programs on all Tribal Lands except the Navajo Nation, which was granted primacy in 2000.

III. Public Water System

A Public Water System (PWS) is defined as a system that provides water via piping or other constructed conveyances for human consumption to at least 15 service connections or serves an average of at least 25 people for at least 60 days each year. There are three types of PWSs. PWSs can be community (such as towns), nontransient noncommunity (such as schools or factories on independent water sources), or transient noncommunity systems (such as rest stops or parks). For this report, the use of the acronym “PWS” means systems of all types unless specified in greater detail.

IV. Variances and Exemptions

During calendar year 2013, EPA Region 8 did not allow variances or exemptions for Tribal Land public water systems.

V. Monitoring

A PWS is required to monitor and verify that the levels of contaminants present in the water do not exceed the MCL. If a PWS fails to have its water tested as required or fails to report test results correctly to the primacy agent, a monitoring violation occurs. For this report, significant monitoring violations are generally defined as any significant monitoring violation that occurred during the calendar year of the report. A significant monitoring violation, with rare exception, occurs when no samples were taken or no results were reported during a compliance period.

VI. Consumer Notification

Every Community Water System is required to deliver to its customers an annual Consumer Confidence Report. This report is to include some educational material, and will provide information on the source water, the levels of any detected contaminants, and compliance with drinking water regulations. For this report, a significant consumer notification violation occurred if a community water system completely failed to provide its customers the required annual report.

VII. Obtaining a Copy of the 2013 Public Water Systems Report

As required by the Safe Drinking Water Act, EPA Region 8 has made the 2013 Public Water Systems report available to the public for the Tribal Lands of Region 8. Interested individuals can obtain a copy of the 2013 Annual Public Water Systems Report for Region 8 Tribal Lands by accessing:

Website: <http://www2.epa.gov/region8/tribal-drinking-water-program>

Telephone: 303-312-6312 or 800-227-8917

E-Mail: r8eisc@epa.gov

Contact Name: EPA Region 8's Environmental Information Service Center

VIII. Violations Tables

The seven appendices in this report contain information on the Region 8 Tribal water systems with significant violations in 2013.

The appendices are sorted by: 1) rule and 2) facility name.

- Appendix A - Monitoring and reporting violations for the Total Coliform Rule (TCR)
- Appendix B - Total Coliform Rule maximum contaminant level (TCR MCL) violations
- Appendix C - Surface Water Treatment Rule (SWTR) violations
- Appendix D - Disinfection Byproducts Rule (DBP) violations
- Appendix E - Chemical contaminants (inorganic contaminants or IOC's, volatile organic contaminants or VOC's, synthetic organic contaminants or SOC's, nitrate or NO₃, and radiological contaminants or Rads) violations
- Appendix F - Lead and Copper Rule (LCR) violations
- Appendix G - Ground Water Rule (GWR) violations
- Appendix H - Consumer Confidence Report (CCR) violations

IX. Findings and Conclusions

Bacteriological Contaminants

- There were a total of 23 major monitoring/reporting violations of the Total Coliform Rule (TCR) by 19 public water systems out of a total of approximately 136 Tribal water systems (see Appendix A).
- There were a total of 11 monthly maximum contaminant level (MCL) violations of the Total Coliform Rule by 9 public water systems (see Appendix B).

Surface Water Treatment Rules / Disinfection Byproducts Rule

- There were 2 monitoring/reporting violations of the Surface Water Treatment Rule by 2 public water systems (see Appendix C).
- There were 2 treatment technique violations of the Surface Water Treatment Rule by 1 public water system (see Appendix C).
- There were 2 monitoring/reporting violations of the Disinfection Byproducts Rule (DBP) by 2 public water systems (see Appendix D).
- There were 4 MCL violations of the DBP Rule by 2 public water systems (see Appendix D).

Chemical Contaminants (IOC's, VOC's, SOC's, NO₃, and Rads)

- There were 23 monitoring/reporting violations for chemical contaminants (IOC's, VOC's, SOC's, NO₃, and Rads) by 10 public water systems (see Appendix E). Six of these monitoring/reporting violations were for nitrate.
- There were 2 maximum contaminant level (MCL) violations for chemical contaminants by 1 public water system (see Appendix E).

Lead and Copper Rule

- There were 4 monitoring/reporting violations for the Lead and Copper Rule (lcr) by 3 public water systems (see Appendix F).

Ground Water Rule

- There were 6 monitoring/reporting violations for the Ground Water Rule (GWR) by 6 public water systems (see Appendix G).
- There were 4 failure to consult with EPA treatment technique violations for the GWR by 4 public water systems (see Appendix G).

Consumer Confidence Report

- There were 3 public water systems that failed to submit Consumer Confidence Reports (CCR) for calendar year 2012 during 2013 (see Appendix H).

X. 2013 Annual Compliance Report Summary

- A total of 86 SDWA major rule violations were committed by 42 Tribal public water systems, during calendar year 2013.

2013 SDWA VIOLATIONS SUMMARY TABLE		
Rule	Violation	Number of Violations
Total Coliform Rule (TCR)	Failure to Monitor or Report (M/R)	23
	Max Contaminant Level (MCL)	11
	Acute Max Contaminant Level	0
Surface Water Treatment Rule (SWTR)	M/R SWTR	2
	Treatment Technique	2
Disinfection Byproducts Rule (DBP)	Maximum Residual Disinfectant Level	0
	Treatment Technique	0
	M/R DBP	2
	MCL DBP	4
Chemicals (VOCs, SOCs, IOCs, Nitrate, and Radionuclides)	M/R	23
	MCL	2
Lead and Copper Rule (LCR)	Follow-up or Routine Tap M/R	1
	Initial Tap Sampling	3
Ground Water Rule	Failure to Monitor or Report (M/R)	6
	Treatment Technique	0
	Failure to Consult	4
Consumer Confidence Report (CCR)	Failure to Report	3
Total Number of PWS Rule Violations		86
Total Number of PWSs with Violations		42

REGION 8 TRIBAL LANDS 2013 COMPLIANCE REPORT

Violation Category	MCL		Acute MCL		Treatment Techniques		Significant Monitoring		Maximum Residual Disinfectant Level	
	Total Violations	Systems in Violation	Total Violations	Systems in Violation	Total Violations	Systems in Violation	Total Violations	Systems in Violation	Total Violations	Systems in Violation
Total Coliform Rule	11	9					23	19		
Surface Water Treatment Rule					2	1	2	2		
Disinfection Byproduct Rule (DBP)	4	2					2	2		
Chemical Contaminant Group	2	1					23	10		
Lead and Copper Rule							4	3		
Ground Water Rule					4	4	6	6		
Consumer Confidence Report							3	3		

XI. General Information on the Inventory of Public Water Systems in Region 8 Tribal Lands

In 2013, there were 135 Tribal public water systems in EPA Region 8.

- The numbers, sizes, and types of public water systems in Region 8 Tribal Lands in the calendar year 2013 are as follows:

	<3,300	3,301 - 50,000	>50,000
Community	104	7	0
Non-Community	10	0	0
NTNC	14	0	0

- The percentage of public water systems that are of each size and type in Region 8 Tribal Lands in the calendar year 2013 are as follows:

	<3,300	3,301 - 50,000	>50,000
Percentage (%)	94.8	5.2	0

	Community	Non-Community	NTNC
Percentage (%)	82.2	7.4	10.4

- The total number of customers served by public water systems in Region 8 Tribal Lands in the calendar year 2013 was 110,426.
- The sources of Region 8 Tribal Lands drinking water are surface water, ground water, ground water under the influence of surface water, purchased surface water, and purchased ground water.
- 68.9% of public water systems in Region 8 Tribal Lands in the calendar year 2013 were in compliance with federal drinking water regulations.

APPENDIX A

**CALENDAR YEAR 2013
TCR MONITORING AND REPORTING VIOLATIONS
REGION 8 TRIBAL LANDS**

PWS ID	Facility Name	Rule	Violation End Date	Violation
84690029	NORTH MARTIN WATER SYSTEM	TCR	5/31/2013	Monitoring, Repeat Major (TCR)
84690030	NORTH ALLEN WATER SYSTEM	TCR	6/30/2013	Monitoring, Routine Major (TCR)
83090011	CROW AGENCY WATER SYSTEM	TCR	11/30/2013	Monitoring, Routine Major (TCR)
85690010	ST. STEPHENS INDIAN MISSION, INC.	TCR	12/31/2013	Monitoring, Routine Major (TCR)
		TCR	5/31/2013	Monitoring, Routine Major (TCR)
84990002	URIAH HEEPS SPRING WATER SYST.	TCR	3/31/2013	Monitoring, Routine Major (TCR)
		TCR	1/31/2013	Monitoring, Routine Major (TCR)
84990003	WHITEROCKS	TCR	3/31/2013	Monitoring, Routine Major (TCR)
		TCR	1/31/2013	Monitoring, Routine Major (TCR)
83090067	LAME DEER HIGH SCHOOL	TCR	8/31/2013	Monitoring, Routine Major (TCR)
83890001	MANDAREE WATER PLANT	TCR	2/28/2013	Monitoring, Routine Major (TCR)
83890003	TWIN BUTTES WATER PLANT	TCR	2/28/2013	Monitoring, Routine Major (TCR)
83090051	POPLAR	TCR	12/31/2013	Monitoring, Routine Major (TCR)
84690027	PIERRE INDIAN LEARNING CENTER	TCR	10/31/2013	Monitoring, Routine Major (TCR)
83890017	PARSHALL LUCKY MOUND	TCR	2/28/2013	Monitoring, Routine Major (TCR)
83090010	ST MARY KOA	TCR	9/30/2013	Monitoring, Routine Major (TCR)
83090056	HORSESHOE BAR	TCR	12/31/2013	Monitoring, Routine Major (TCR)
84690533	MARTY WATER SYSTEM	TCR	5/31/2013	Monitoring, Routine Major (TCR)
84690534	LAKE ANDES TRIBAL HOUSING WATER SYSTEM	TCR	5/31/2013	Monitoring, Routine Major (TCR)
84690535	WAGNER NORTH HOUSING WATER SYSTEM	TCR	5/31/2013	Monitoring, Routine Major (TCR)
84690536	WAGNER SOUTH HOUSING WATER SYSTEM	TCR	5/31/2013	Monitoring, Routine Major (TCR)
83890016	LITTLE SHELL	TCR	2/28/2013	Monitoring, Routine Major (TCR)
		TCR	5/31/2013	Monitoring, Routine Major (TCR)

APPENDIX B

**CALENDAR YEAR 2013
TCR MAXIMUM CONTAMINANT LEVEL VIOLATIONS
REGION 8 TRIBAL LANDS**

PWS ID	Facility Name	Rule	Violation End Date	Violation
83090061	ASHLAND COMMUNITY WATER SYSTEM	TCR	8/31/2013	MCL (TCR), Monthly
83090003	BLACKFOOT WATER SYSTEM	TCR	8/31/2013	MCL (TCR), Monthly
83090041	FORT BELKNAP AGENCY WATER SYSTEM	TCR	11/30/2013	MCL (TCR), Monthly
84690440	FORT THOMPSON WATER SYSTEM	TCR	8/31/2013	MCL (TCR), Monthly
85690003	FORT WASHAKIE	TCR	4/30/2013	MCL (TCR), Monthly
83090009	HEART BUTTE SCHOOL	TCR	5/31/2013	MCL (TCR), Monthly
83090047	LODGEPOLE HOUSING WATER SYSTEM	TCR	6/30/2013	MCL (TCR), Monthly
		TCR	10/31/2013	MCL (TCR), Monthly
84690029	NORTH MARTIN WATER SYSTEM	TCR	4/30/2013	MCL (TCR), Monthly
84990002	URIAH HEEPS SPRING WATER SYSTEM	TCR	2/28/2013	MCL (TCR), Monthly
		TCR	4/30/2013	MCL (TCR), Monthly

APPENDIX C
CALENDAR YEAR 2013
SWTR VIOLATIONS
REGION 8 TRIBAL LANDS

PWS ID	Facility Name	Rule	Violation End Date	Violation
83090041	FORT BELKNAP AGENCY WATER SYSTEM	SWTR	8/31/2013	Monitoring, Turbidity (LT1 ESWTR)
83090011	CROW AGENCY WATER SYSTEM	SWTR	8/31/2013	Monitoring of Treatment (SWTR-Filter)
83090050	ASSINIBOINE & SIOUX RURAL WATER SYSTEM	SWTR	6/30/2013	Single Turbidity Exceed (LT1 ESWTR)
		SWTR	6/30/2013	Monthly Turbidity Exceed (LT1 ESWTR)

APPENDIX D
CALENDAR YEAR 2013
DBP VIOLATIONS
REGION 8 TRIBAL LANDS

PWS ID	Facility Name	Rule	Violation End Date	Violation
83090041	FORT BELKNAP AGENCY WATER SYSTEM	DBP	6/30/2013	MCL, Average
		DBP	9/30/2013	MCL, Average
		DBP	3/31/2013	MCL, Average
80890010	TOWAOC WATER SYSTEM	DBP	5/13/2013	Failure to Submit IDSE* Report/Mon. Plan
83890003	TWIN BUTTES WATER PLANT	DBP	3/31/2013	MCL, Average
84690471	WANBLEE WATER SYSTEM	DBP	12/31/2013	Monitoring (DBP), Major

* Initial Distribution System Evaluation (IDSE)

APPENDIX E

**CALENDAR YEAR 2013
CHEMICAL (Nitrates, IOC's, SOC's, VOC's, Radionuclides) VIOLATIONS
REGION 8 TRIBAL LANDS**

PWS ID	Facility Name	Rule	Violation End Date	Violation Type
85690004	ARAPAHOE COMM WATER SYSTEM	NO3	12/31/2013	Monitoring, Routine Major
83090023	DIXON (OLD AGENCY)	IOC	3/31/2013	MCL, Average (Arsenic)
		IOC	6/30/2013	MCL, Average (Arsenic)
83090025	EVARO WATER SYSTEM	VOC	12/31/2013	Monitoring, Routine Major
84690441	LOWER BRULE RURAL WTR SUP SYS	Rads	12/31/2013	Monitoring, Routine Major
84690532	MISSION WATER SYSTEM	IOC	12/31/2013	Monitoring, Routine Major
83090012	PRYOR WATER SYSTEM	NO3	12/31/2013	Monitoring, Routine Major
85690010	ST. STEPHENS INDIAN MISSION, INC.	IOC	12/31/2013	Monitoring, Routine Major
		Rads	6/30/2013	Monitoring, Routine Major
		Rads	9/30/2013	Monitoring, Routine Major
		Rads	12/31/2013	Monitoring, Routine Major
		SOC	12/31/2013	Monitoring, Routine Major
		SOC	12/31/2013	Monitoring, Routine Major
		VOC	12/31/2013	Monitoring, Routine Major
84990002	URIAH HEEPS SPRING WATER SYST.	NO3	12/31/2013	Monitoring, Routine Major
		IOC	12/31/2013	Monitoring, Routine Major
		SOC	12/31/2013	Monitoring, Routine Major
		VOC	12/31/2013	Monitoring, Routine Major
84990004	WHITE MESA WATER SYSTEM	NO3	12/31/2013	Monitoring, Routine Major
		Rads	12/31/2013	Monitoring, Routine Major
84990003	WHITEROCKS	NO3	12/31/2013	Monitoring, Routine Major
		IOC	12/31/2013	Monitoring, Routine Major
		SOC	12/31/2013	Monitoring, Routine Major
		VOC	12/31/2013	Monitoring, Routine Major
83090014	WYOLA WATER SYSTEM	NO3	12/31/2013	Monitoring, Routine Major

APPENDIX F

**CALENDAR YEAR 2013
LEAD AND COPPER (LCR) VIOLATIONS
REGION 8 TRIBAL LANDS**

PWS ID	Facility Name	Rule	Violation End Date	Violation
83890017	PARSHALL LUCKY MOUND	LCR	6/30/2013	Initial tap sampling
83890016	LITTLE SHELL	LCR	6/30/2013	Initial tap sampling
			12/31/2013	Initial tap sampling
84690484	WAKPAMNI WATER SYSTEM	LCR	12/31/2013	Follow-up sampling

APPENDIX G

**CALENDAR YEAR 2013
GWR MONITORING AND REPORTING VIOLATIONS
REGION 8 TRIBAL LANDS**

PWS ID	Facility Name	Rule	Violation End Date	Violation Type
83090061	ASHLAND COMMUNITY WATER SYSTEM	GWR	NA	Monitoring, Source Water (GWR)
84690522	BADLANDS RANCH RESORT	GWR	8/2/2013	Failure to Consult with EPA
83890023	BELCOURT-TURTLE MTN RURAL WTR	GWR	3/11/2013	Monitoring, Source Water (GWR)
84990006	KANOSH WATER SYSTEM	GWR	11/15/2013	Failure to Consult with EPA
		GWR	NA	Monitoring, Source Water (GWR)
83090064	LAME DEER WATER SYSTEM	GWR	NA	Monitoring, Source Water (GWR)
83090047	LODGEPOLE HOUSING WATER SYSTEM	GWR	NA	Monitoring, Source Water (GWR)
84990002	URIAH HEEPS SPRING WATER SYSTEM	GWR	6/13/2013	Monitoring, Source Water (GWR)
		GWR	NA	Failure to Consult with EPA
84990004	WHITE MESA WATER SYSTEM	GWR	NA	Failure to Consult with EPA

APPENDIX H

**CALENDAR YEAR 2013
CONSUMER CONFIDENCE REPORT FAILURE TO REPORT VIOLATIONS
REGION 8 TRIBAL LANDS**

PWS ID	Facility Name	Rule	Violation End Date	Violation Type
85690010	ST. STEPHENS INDIAN MISSION, INC.	CCR	NA	Complete Failure to Report
84990002	URIAH HEEPS SPRING WATER SYSTEM	CCR	NA	Complete Failure to Report
84990003	WHITEROCKS	CCR	NA	Complete Failure to Report