

REGION 8 TRIBAL ANNUAL COMPLIANCE REPORT FOR CALENDAR YEAR 2015

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 2015. 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), non-transient 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 2015, 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 2015 Public Water Systems Report

As required by the Safe Drinking Water Act, EPA Region 8 has made the 2015 Public Water Systems report available to the public for the Tribal Lands of Region 8. Interested individuals can obtain a copy of the 2015 Annual Public Water Systems Report for Region 8 Tribal Lands by accessing:

Website: <https://www.epa.gov/region8-waterops/about-us>

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 eight appendices in this report contain information on the Region 8 Tribal water systems with significant violations in 2015.

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 9 major monitoring/reporting violations of the Total Coliform Rule (TCR) by 9 public water systems out of a total of approximately 139 Tribal water systems (see Appendix A).
- There were a total of 16 monthly maximum contaminant level (MCL) violations of the Total Coliform Rule by 9 public water systems. There were no acute maximum contaminant level (MCL) violations of the Total Coliform Rule (see Appendix B).

Surface Water Treatment Rules

- There were 3 treatment technique violations of the Surface Water Treatment Rule by 3 public water systems (see Appendix C).
- There were 2 major monitoring/reporting violations of the Surface Water Treatment Rule by 2 public water systems (see Appendix C).

Disinfection Byproducts Rule

- There were 7 monitoring/reporting violations of the Disinfection Byproducts Rule (DBP) by 7 public water systems (see Appendix D).
- There were 8 MCL violations of the DBP Rule by 3 public water systems (see Appendix D).
- There were 4 treatment technique 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 3 monitoring/reporting violations for chemical contaminants (IOC's, VOC's, SOC's, NO₃, and Rads) by 3 public water system (see Appendix E).

Lead and Copper Rule

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

Ground Water Rule

- There were no monitoring/reporting violations for the Ground Water Rule (GWR) by public water systems (see Appendix G).
- There were 6 treatment technique violations for the GWR by 6 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 2014 during 2015 (see Appendix H).

X. 2014 Annual Compliance Report Summary

- A total of 64 SDWA major rule violations were committed by 39 Tribal public water systems, during calendar year 2015.

| 2015 SDWA VIOLATIONS SUMMARY TABLE | | |
|--|-------------------------------------|-----------------------------|
| Rule | Violation | Number of Violations |
| Total Coliform Rule (TCR) | Failure to Monitor or Report (M/R) | 9 |
| | Max Contaminant Level (MCL) | 16 |
| | Acute Max Contaminant Level | 0 |
| Surface Water Treatment Rule (SWTR) | M/R SWTR | 2 |
| | Treatment Technique | 3 |
| Disinfection Byproducts Rule (DBP) | Maximum Residual Disinfectant Level | 0 |
| | Treatment Technique | 4 |
| | M/R DBP | 7 |
| | MCL DBP | 8 |
| Chemicals (VOCs, SOCs, IOCs, Nitrate, and Radionuclides) | M/R | 3 |
| | MCL | 0 |
| Lead and Copper Rule (LCR) | Follow-up or Routine Tap M/R | 3 |
| | Initial Tap Sampling | 0 |
| Ground Water Rule | Failure to Monitor or Report (M/R) | 0 |
| | Treatment Technique | 6 |
| Consumer Confidence Report (CCR) | Failure to Report | 3 |
| Total Number of PWS Rule Violations | | 64 |
| Total Number of PWSs with Violations | | 39 |

REGION 8 TRIBAL LANDS 2015 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 | 16 | 9 | 0 | 0 | | | 9 | 9 | | |
| Surface Water Treatment Rule | | | | | 3 | 3 | 2 | 2 | | |
| Disinfection Byproduct Rule (DBP) | 8 | 3 | | | 4 | 2 | 7 | 7 | | |
| Chemical Contaminant Group | 0 | 0 | | | | | 3 | 3 | | |
| Lead and Copper Rule | | | | | | | 3 | 3 | | |
| Ground Water Rule | | | | | 6 | 6 | 0 | 0 | | |
| Consumer Confidence Report | | | | | | | 3 | 3 | | |

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

In 2015, there were 139 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 2015 are as follows:

| | <3,300 | 3,301 - 50,000 | >50,000 | Total |
|----------------------|--------|----------------|---------|-------|
| Community | 106 | 9 | 0 | 115 |
| Non-Community | 13 | 0 | 0 | 13 |
| NTNC | 11 | 0 | 0 | 11 |
| Total | 130 | 9 | 0 | 139 |

- The percentage of public water systems that are of each size and type in Region 8 Tribal Lands in the calendar year 2015 are as follows:

| | <3,300 | 3,301 - 50,000 | >50,000 |
|-----------------------|--------|----------------|---------|
| Percentage (%) | 93.5 | 6.5 | 0 |

| | Community | Non-Community | NTNC |
|-----------------------|-----------|---------------|------|
| Percentage (%) | 82.7 | 9.4 | 7.9 |

- The total number of customers served by public water systems in Region 8 Tribal Lands in the calendar year 2015 was 127,399.
- 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.
- 69.8% of public water systems in Region 8 Tribal Lands in the calendar year 2015 were in compliance with federal drinking water regulations.

APPENDIX A

**CALENDAR YEAR 2015
TCR MONITORING AND REPORTING VIOLATIONS
REGION 8 TRIBAL LANDS**

| PWS ID | Facility Name | Rule | Violation End Date | Violation Type |
|-----------------|--|-------------|---------------------------|--|
| 83090039 | FOUR STAR BAR & RESTAURANT | TCR | 3/31/2015 | Monitoring, Routine Major (TCR) |
| 83090064 | LAME DEER WATER SYSTEM | TCR | 11/30/2015 | Monitoring, Routine Minor (TCR) |
| 83890017 | PARSHALL LUCKY MOUND | TCR | 6/30/2015 | Monitoring, Repeat Major (TCR) |
| 84690027 | PIERRE INDIAN LEARNING CENTER | TCR | 9/30/2015 | Monitoring, Routine Minor (TCR) |
| 84690030 | NORTH ALLEN WATER SYSTEM | TCR | 2/28/2015 | Monitoring, Routine Major (TCR) |
| 84690437 | CROW CREEK TRIBAL SCHOOL | TCR | 8/31/2015 | Monitoring, Routine Major (TCR) |
| 84690467 | WOUNDED KNEE DISTRICT SCHOOL | TCR | 9/30/2015 | Monitoring, Routine Major (TCR) |
| 84690481 | ALLEN WATER SYSTEM | TCR | 2/28/2015 | Monitoring, Routine Major (TCR) |
| 84690483 | WOLF CREEK WATER SYSTEM | TCR | 4/30/2015 | Monitoring, Routine Major (TCR) |
| 84690516 | SICANGU MNI WICONI RURAL WATER SYSTEM | TCR | 3/31/2015 | Monitoring, Routine Minor (TCR) |
| 85690003 | FORT WASHAKIE | TCR | 8/31/2015 | Monitoring, Routine Major (TCR) |
| 85690007 | TROUT CREEK WATER SYSTEM | TCR | 8/31/2015 | Monitoring, Routine Major (TCR) |

APPENDIX B

**CALENDAR YEAR 2015
TCR MAXIMUM CONTAMINANT LEVEL VIOLATIONS
REGION 8 TRIBAL LANDS**

| PWS ID | Facility Name | Rule | Violation End Date | Violation Type |
|---------------|---------------------------------------|-------------|---|--|
| 83090009 | HEART BUTTE SCHOOL | TCR | 9/30/2015 | MCL Violation, Monthly (TCR) |
| 83090024 | ELMO WATER SYSTEM | TCR | 9/30/2015, 12/31/2015 | MCL Violation, Monthly (TCR), MCL Violation, Monthly (TCR) |
| 83090027 | ARLEE | TCR | 2/28/2015, 4/30/2015 9/30/2015, 12/31/2015 | MCL Violation, Monthly (TCR), MCL Violation, Monthly (TCR), MCL Violation, Monthly (TCR), MCL Violation, Monthly (TCR) |
| 83090029 | MISSION DAM WATER SYSTEM | TCR | 1/31/2015, 4/30/2015 | MCL Violation, Monthly (TCR), MCL Violation, Monthly (TCR) |
| 83090033 | WOODCOCK WATER SYSTEM | TCR | 4/30/2015, 9/30/2015 | MCL Violation, Monthly (TCR), MCL Violation, Monthly (TCR) |
| 83090301 | GRAY WOLF CASINO | TCR | 3/31/2015 | MCL Violation, Monthly (TCR) |
| 84690030 | NORTH ALLEN WATER SYSTEM | TCR | 10/31/2015 | MCL Violation, Monthly (TCR) |
| 84690485 | PINE RIDGE HOSPITAL | TCR | 12/31/2015 | MCL Violation, Monthly (TCR) |
| 84690516 | SICANGU MNI WICONI RURAL WATER SYSTEM | TCR | 1/31/2015, 9/30/2015 | MCL Violation, Monthly (TCR), MCL Violation, Monthly (TCR) |

APPENDIX C
CALENDAR YEAR 2015
SWTR VIOLATIONS
REGION 8 TRIBAL LANDS

| PWS ID | Facility Name | Rule | Violation End Date | Violation Type |
|---------------|----------------------------------|----------------|---------------------------|--|
| 83090011 | CROW AGENCY WATER SYSTEM | LT2E SWTR | - | Failure To Address Deficiency |
| 83090090 | TWO MEDICINE WATER | LT2ESWTR, SWTR | - , 5/31/2015 | Failure To Address Deficiency, Monitoring of Treatment (SWTR-Filter) |
| 83090091 | TOWN OF BROWNING | LT2E SWTR | - | Failure To Address Deficiency |
| 84690510 | STANDING ROCK RURAL WATER SYSTEM | SWTR | 12/31/2015 | Monitoring of Treatment (SWTR-Filter) |

APPENDIX D

**CALENDAR YEAR 2015
DBPR VIOLATIONS
REGION 8 TRIBAL LANDS**

| PWS ID | Facility Name | Rule | Violation End Date | Violation Type |
|----------|--|------|---|---|
| 83090011 | CROW AGENCY WATER SYSTEM | DBP | 3/31/2015 | Monitoring and Reporting , Carbon, Total |
| 83090041 | FORT BELKNAP AGENCY WATER SYSTEM | DBP | 3/31/2015, 6/30/2015 | Treatment Technique Precursor Removal, Carbon, Total |
| 83090050 | ASSINIBOINE & SIOUX RURAL WATER SYSTEM | DBP | 3/31/2015, 06/30/2015 | Treatment Technique Precursor Removal, Carbon, Total |
| 83090016 | PRETTY EAGLE SCHOOL | DBP | 12/31/2015 | Monitoring and Reporting, TTHM & HAA5 |
| 83090041 | FORT BELKNAP AGENCY WATER SYSTEM | DBP | 3/31/2015, 6/30/2015, 9/30/2015, 12/31/2015 | Maximum Contaminant Level Violation, Average, TTHM |
| 83890001 | MANDAREE WATER PLANT | DBP | 9/30/2015 | Monitoring and Reporting, TTHM & HAA5 |
| 83890002 | WHITE SHIELD WATER TREATMENT PLANT | DBP | 3/31/2015, 6/30/2015, 9/30/2015 | Maximum Contaminant Level Violation, Average |
| 83890003 | TWIN BUTTES WATER PLANT | DBP | 6/30/2015, 9/30/2015 | Maximum Contaminant Level Violation, Average, Monitoring and Reporting, TTHM & HAA5 |
| 84690030 | NORTH ALLEN WATER SYSTEM | DBP | 9/30/2015 | Monitoring and Reporting, TTHM & HAA5 |
| 84690481 | ALLEN WATER SYSTEM | DBP | 12/31/2015 | Monitoring and Reporting, TTHM & HAA5 |
| 84990003 | WHITEROCKS WATER SYSTEM | DBP | 9/30/2015 | Monitoring and Reporting, TTHM & HAA5 |

APPENDIX E

**CALENDAR YEAR 2015
CHEMICAL (Nitrates, IOC's, SOC's, VOC's, Radionuclides) VIOLATIONS
REGION 8 TRIBAL LANDS**

| PWS ID | Facility Name | Rule | Violation End Date | Violation Type |
|---------------|----------------------|-------------|---------------------------|------------------------------|
| 84690486 | BATESLAND SOUTH | Rads | 9/30/2015 | Monitoring, Radionuclides |
| 83890026 | DAKOTA MAGIC CASINO | Rads | 9/30/2015 | Monitoring, Radionuclides |
| 83090053 | FRAZER WATER SYSTEM | Rads | 3/31/2015 | Monitoring, Radionuclides |

APPENDIX F

**CALENDAR YEAR 2015
LEAD AND COPPER (LCR) VIOLATIONS
REGION 8 TRIBAL LANDS**

| PWS ID | Facility Name | Rule | Violation Date | Violation Type |
|----------|----------------------------------|----------------------|----------------|----------------------------------|
| 83890015 | FOUR BEARS WATER TREATMENT PLANT | Lead and Copper Rule | - | Follow-up Or Routine LCR Tap M/R |
| 84990002 | URIAH HEEPS SPRING WATER SYSTEM | Lead and Copper Rule | - | Follow-up Or Routine LCR Tap M/R |
| 83890001 | MANDREE WATER PLANT | Lead and Copper Rule | - | Follow-up Or Routine LCR Tap M/R |

APPENDIX G

**CALENDAR YEAR 2015
GWR MONITORING AND REPORTING VIOLATIONS
REGION 8 TRIBAL LANDS**

| PWS ID | Facility Name | Rule | Violation Date | Violation Type |
|----------|--------------------------|------|---------------------|---|
| 83090045 | OLD HAYS | GWR | 1/1/2015 | Failure To Address Deficiency |
| 84990006 | KANOSH WATER SYSTEM | GWR | 4/18/2015,4/21/2015 | Failure To Address Deficiency, Failure to Consult with State |
| 83090061 | ASHLAND | GWR | 2/2/2015 | Failure To Address Deficiency |
| 83890023 | BELCOURT/TURTLE MOUNTAIN | GWR | 2/2/2015 | Failure To Address Deficiency |
| 84690458 | OLD AGENCY | GWR | 2/2/2015 | Failure to Consult with State |
| 84690512 | RED CLOUD SCHOOL | GWR | 2/2/2015 | Failure To Address Deficiency |
| 83090075 | ROCKY BOY RURAL WATER | GWR | 2/2/2015 | Failure to Consult with State |
| 84690020 | ST. FRANCIS | GWR | 2/2/2015 | Failure To Address Deficiency |

APPENDIX H

**CALENDAR YEAR 2015
CONSUMER CONFIDENCE REPORT FAILURE TO REPORT VIOLATIONS
REGION 8 TRIBAL LANDS**

| PWS ID | Facility Name | Rule | Violation End Date | Violation Type |
|----------|---------------------------------|--------------------------|--------------------|---|
| 83090090 | TWO MEDICINE WATER | Consumer Confidence Rule | - | Consumer Confidence Report Complete Failure to Report |
| 84990002 | URIAH HEEPS SPRING WATER SYSTEM | Consumer Confidence Rule | - | Consumer Confidence Report Complete Failure to Report |
| 84990003 | WHITEROCKS WATER SYSTEM | Consumer Confidence Rule | - | Consumer Confidence Report Complete Failure to Report |