

REGION 8 TRIBAL ANNUAL COMPLIANCE REPORT FOR CALENDAR YEAR 2006

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) treatment requirements, 3) variances and exemptions, and 4) monitoring requirements determined to be significant by the Administrator.

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 1-4 above during the calendar year 2006. The source of the information contained in this report is the SDWIS/State database maintained by the EPA Region 8 Tribal Direct Implementation Program.

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 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 (PWSs) 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 2006, EPA Region 8 did not allow variances or exemptions to any MCL or monitoring requirements 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 a brief annual water quality 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 public notification violation occurred if a community water system completely failed to provide its customers the required annual water quality report.

VII. Obtaining a Copy of the 2006 Public Water Systems Report

As required by the Safe Drinking Water Act, EPA Region 8 has made the 2006 Public Water Systems report available to the public for the Tribal Lands of Region 8. Interested individuals can obtain a copy of the 2006 Annual Public Water Systems Report for Region 8 Tribal Lands by accessing:

Website: <http://epa.gov/Region8/water/dwhome/tribes.html>

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 two appendices in this report contain information on the Tribal systems in Region 8 with significant violations in 2006.

The appendices are sorted by: 1) rule, 2) violation type, and 3) PWS name. Appendix A contains data for those systems that had Monitoring and Reporting violations for the total coliform rule (TCR) during the calendar year 2006.

Appendix B contains data for those systems that had violations in the following areas: total coliform rule maximum contaminant level (TCR MCL), surface water treatment rule (SWTR), disinfection byproducts (DBP) rule, chemical contaminants (inorganic contaminants or IOC, volatile organic contaminants or VOC, synthetic organic contaminants or SOC, nitrate or NO₃, and radiological contaminants or rads), lead and copper (LCR), and Consumer Confidence Report (CCR) during the year 2006.

IX. Findings and Conclusions

Bacteriological Contaminants

- There were a total of 17 monitoring/reporting violations of the total coliform rule (TCR) by 15 public water systems (see Appendix A).
- There were a total of 10 monthly maximum contaminant level (MCL) violations of the total coliform rule by 7 public water systems (see Appendix B).
- There were no acute maximum contaminant level violations of the total coliform rule.

Surface Water Treatment Rules / Disinfection Byproducts Rule

- There were 5 treatment technique violation of the surface water treatment rule (SWTR) by 1 public water system (see Appendix B).
- There was 8 monitoring/reporting violations of Disinfection Byproducts (DBP) Rule by 2 public water systems (see Appendix B).

Chemical Contaminants (IOC, VOC, SOC, NO₃, and rads)

- There was 1 monitoring/reporting violations for chemical contaminants (IOC, VOC, SOC, NO₃, and rads) by 1 public water system (see Appendix B).

Lead and Copper Rule

- There were 7 failure to monitor/report violations for the lead and copper rule (PbCu) by 7 public water systems (see Appendix B).

Consumer Confidence Report

- There were no public water systems that did not submit their 2006 Consumer Confidence Reports (CCR).

X. 2006 Annual Compliance Report Summary

- A total of 61 SDWA rule violations were committed by 28 Tribal public water systems, during calendar year 2006. This represents a very small portion of the total safe, unsafe, and missing water sampling reports submitted to or which were to have been submitted to EPA.

2006 SDWA VIOLATIONS SUMMARY TABLE		
Rule	Violation	Number of Violations
Total Coliform Rule (TCR)	Failure to Monitor or Report (FTM/R)	17
	Max Contaminant Level (MCL)	10
	Acute Max Contaminant Level	0
Surface Water Treatment Rule (SWTR) / Disinfection Byproducts Rule (DBP)	FTM/R SWTR	0
	Treatment Technique	5
	Maximum Residual Disinfectant Level	0
	FTM/R DBP	8
	MCL DBP	11
Chemicals (VOCs, SOCs, IOCs, Nitrate, and Radionuclides)	FTM/R	1
	MCL	0
Lead and Copper Rule (PbCu)	Follow up or Routine FTM/R	7
Consumer Confidence Report (CCR)	Failure to Report	0
Tribal 2006 PWS Rule Violation totals		59

REGION 8 TRIBAL LANDS 2006 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	10	7					17	15		
Surface Water Treatment Rule / Disinfection Byproduct Rule (DBP)	11	3			5	1	8	2		
Chemical Contaminant Group							1	1		
Lead and Copper Rule							7	7		
Consumer Confidence Report										

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

In 2006, there were 126 Tribal public water systems in the EPA Region 8 area.

- The numbers, sizes, and types of public water systems in Region 8 Tribal Lands in the calendar year 2006 are as follows:

	<3,300	3,301 - 50,000	>50,000
Community	109	5	0
Non-Community	2	0	0
NTNC	10	0	0

- The percentage of public water systems that are of each size and type in Region 8 Tribal Lands in the calendar year 2006 are as follows:

	<3,300	3,301 - 50,000	>50,000
Percentage (%)	96.0	4.0	0

	Community	Non-Community	NTNC
Percentage (%)	90.5	1.6	7.9

- The total number of customers served by public water systems in Region 8 Tribal Lands in the calendar year 2006 was 93,168.
- The sources of Region 8 Tribal Lands drinking water are surface water, ground water, purchased surface water, and purchased ground water.
- 80.2% of public water systems in Region 8 Tribal Lands in the calendar year 2006 were in compliance with federal drinking water regulations.

APPENDIX A

CALENDAR YEAR 2006

TCR MONITORING AND REPORTING VIOLATIONS

REGION 8 TRIBAL LANDS

<u>Facility Name</u>	<u>PWS ID</u>	<u>Rule</u>	<u>Violation</u>	<u>Violation End Date</u>
BLACKFEET DORM. WATER SYSTEM	83090002	TCR	MONITORING (TCR), ROUTINE MAJOR	12/31/2006
MARTY WATER SYSTEM	84690533	TCR	MONITORING (TCR), ROUTINE MAJOR	7/31/2006
PIERRE INDIAN LEARNING CENTER	84690027	TCR	MONITORING (TCR), ROUTINE MAJOR	5/31/2006
PRYOR WATER SYSTEM	83090012	TCR	MONITORING (TCR), ROUTINE MAJOR	6/30/2006
ROLLING HILLS WS	83890027	TCR	MONITORING (TCR), ROUTINE MAJOR	1/31/2006
		TCR	MONITORING (TCR), ROUTINE MAJOR	2/28/2006
SKULL VALLEY WATER SYSTEM	84990008	TCR	MONITORING (TCR), ROUTINE MAJOR	9/30/2006
		TCR	MONITORING (TCR), ROUTINE MAJOR	10/31/2006
ST. STEPHENS INDIAN MISSION, INC.	85690010	TCR	MONITORING (TCR), ROUTINE MAJOR	12/31/2006
ST. STEPHENS INDIAN SCHOOL	85690011	TCR	MONITORING (TCR), ROUTINE MAJOR	1/31/2006

<u>Facility Name</u>	<u>PWS ID</u>	<u>Rule</u>	<u>Violation</u>	<u>Violation End Date</u>
WAGNER NORTH HOUSING WATER SYSTEM	84690535	TCR	MONITORING (TCR), ROUTINE MAJOR	7/31/2006
WAGNER SOUTH HOUSING WATER SYSTEM	84690536	TCR	MONITORING (TCR), ROUTINE MAJOR	7/31/2006
WYOLA WATER SYSTEM	83090014	TCR	MONITORING (TCR), ROUTINE MAJOR	6/30/2006
LODGEPOLE (JENNY GREY) SR CTR	83090042	TCR	MONITORING (TCR), REPEAT MAJOR	9/30/2006
LODGEPOLE HOUSING WATER SYSTEM	83090047	TCR	MONITORING (TCR), REPEAT MAJOR	8/31/2006
MISSION HOUSING WATER SYSTEM	83090043	TCR	MONITORING (TCR), REPEAT MAJOR	9/30/2006
SKULL VALLEY WATER SYSTEM	84990008	TCR	MONITORING (TCR), REPEAT MAJOR	12/31/2006

APPENDIX B

CALENDAR YEAR 2006 TCR MCL, SWTR, DBP, CHEMICALS (IOC, VOC, SOC, NITRATE, AND RADIONUCLIDES), AND LEAD AND COPPER VIOLATIONS

REGION 8 TRIBAL LANDS

<u>Facility Name</u>	<u>PWS ID</u>	<u>Rule</u>	<u>Violation</u>	<u>Violation End Date</u>
AGNES LEGGINS	83090049	TCR	MCL (TCR), MONTHLY	9/30/2006
		TCR	MCL (TCR), MONTHLY	10/31/2006
		TCR	MCL (TCR), MONTHLY	11/30/2006
ASHLAND COMMUNITY WATER SYSTEM	83090061	TCR	MCL (TCR), MONTHLY	5/31/2006
CROW AGENCY WATER SYSTEM	83090011	TCR	MCL (TCR), MONTHLY	4/30/2006
MISSION HOUSING WATER SYSTEM	83090043	TCR	MCL (TCR), MONTHLY	6/30/2006
		TCR	MCL (TCR), MONTHLY	8/31/2006
OUR LADY OF LOURDES SCHOOL	84690521	TCR	MCL (TCR), MONTHLY	9/30/2006
SKULL VALLEY WATER SYSTEM	84990008	TCR	MCL (TCR), MONTHLY	12/31/2006
WAGNER SOUTH HOUSING WATER SYSTEM	84690536	TCR	MCL (TCR), MONTHLY	8/31/2006
FORT BELKNAP AGENCY WATER SYS.	83090041	SWTR	RESIDUAL DISINFECTION CONCENTRATION (SWTR)	1/31/2006

<u>Facility Name</u>	<u>PWS ID</u>	<u>Rule</u>	<u>Violation</u>	<u>Violation End Date</u>
FORT BELKNAP AGENCY WATER SYS.	83090041	SWTR	MONTHLY COMBINATION FILTER EFFLUENT	1/31/2006
		SWTR	MONTHLY COMBINATION FILTER EFFLUENT	7/31/2006
		SWTR	MONTHLY COMBINATION FILTER EFFLUENT	8/31/2006
		SWTR	MONTHLY COMBINATION FILTER EFFLUENT	6/30/2006
ETHETE WATER SYSTEM	85690002	DBP	MONITORING, ROUTINE (DBP), MAJOR	9/30/2006
		DBP	MONITORING, ROUTINE (TOCA), MAJOR	3/31/2006
FORT BELKNAP AGENCY WATER SYS.	83090041	DBP	MONITORING, ROUTINE (DBP), MAJOR	6/30/2006
		DBP	MONITORING, ROUTINE (DBP), MAJOR	9/30/2006
		DBP	MONITORING, ROUTINE (TOCA), MAJOR	3/31/2006
		DBP	MONITORING, ROUTINE (TOCA), MAJOR	6/30/2006
		DBP	MONITORING, ROUTINE (TOCA), MAJOR	9/30/2006
		DBP	MONITORING, ROUTINE (TOCA), MAJOR	12/31/2006

<u>Facility Name</u>	<u>PWS ID</u>		<u>Rule</u>	<u>Violation</u>	<u>Violation End Date</u>
FORT YATES WATER SYSTEM	083890007		DBP	MCL, AVERAGE	3/31/06
			DBP	MCL, AVERAGE	9/30/06
			DBP	MCL, AVERAGE	12/31/06
FORT THOMPSON WATER SYSTEM	084690440		DBP	MCL, AVERAGE	3/31/06
			DBP	MCL, AVERAGE	6/30/06
			DBP	MCL, AVERAGE	9/30/06
			DBP	MCL, AVERAGE	12/31/06
WAKPALA WATER SYSTEM	084690510		DBP	MCL, AVERAGE	3/31/06
			DBP	MCL, AVERAGE	6/30/06
			DBP	MCL, AVERAGE	9/30/06
			DBP	MCL, AVERAGE	12/31/06
BIG BEND WATER SYSTEM		84690438	CHEMICAL	NITRATE MONITORING, ROUTINE MAJOR (NO ₃)	12/31/2006
AMERICAN HORSE SCHOOL		84690466	LCR	FOLLOW-UP OR ROUTINE TAP M/R (PB/CU)	12/31/2006

<u>Facility Name</u>	<u>PWS ID</u>	<u>Rule</u>	<u>Violation</u>	<u>Violation End Date</u>
OUR LADY OF LOURDES SCHOOL	84690521	LCR	FOLLOW-UP OR ROUTINE TAP M/R (PB/CU)	12/31/2006
PIERRE INDIAN LEARNING CENTER	84690027	LCR	FOLLOW-UP OR ROUTINE TAP M/R (PB/CU)	12/31/2006
ROSEBUD CASINO	84690019	LCR	FOLLOW-UP OR ROUTINE TAP M/R (PB/CU)	12/31/2006
SKULL VALLEY WATER SYSTEM	84990008	LCR	FOLLOW-UP OR ROUTINE TAP M/R (PB/CU)	12/31/2006
TOWAOC-UTE MTN TRIBAL COUNCIL	80890010	LCR	FOLLOW-UP OR ROUTINE TAP M/R (PB/CU)	12/31/2006
WHITE MESA WATER SYSTEM	84990004	LCR	FOLLOW-UP OR ROUTINE TAP M/R (PB/CU)	12/31/2006