

REGION 8 TRIBAL ANNUAL COMPLIANCE REPORT FOR CALENDAR YEAR 2012

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 2012. 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 (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 2012, 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 2012 Public Water Systems Report

As required by the Safe Drinking Water Act, EPA Region 8 has made the 2012 Public Water Systems report available to the public for the Tribal Lands of Region 8. Interested individuals can obtain a copy of the 2012 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 2012.

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, volatile organic contaminants or VOC, synthetic organic contaminants or SOC, nitrate or NO₃, and radiological contaminants or rads) violations

Appendix F - Lead and copper (Pb/Cu) 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 monitoring/reporting violations of the total coliform rule (TCR) by 18 public water systems out of a total of approximately 135 Tribal water systems (see Appendix A).
- There were a total of 10 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 17 monitoring/ reporting violations of the surface water treatment rule by 5 public water systems (see Appendix C).
- There were 10 treatment technique violations of the surface water treatment rule by 4 public water systems (see Appendix C).
- There were 11 monitoring/reporting violations for Disinfection Byproducts (DBP) by 8 public water system (see Appendix D).

- There were 9 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 1 public water system (see Appendix D).

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

- There were 3 monitoring/reporting violations for chemical contaminants (IOC, VOC, SOC, NO₃, and rads) by 3 public water systems (see Appendix E).
- There was 1 maximum contaminant level (MCL) violation for chemical contaminants by 1 public water system (see Appendix E).

Lead and Copper Rule

- There were 9 monitoring/reporting violations for the lead and copper rule (PbCu) by 8 public water systems (see Appendix F).

Ground Water Rule

- There was 1 monitoring/reporting violation for the ground water rule (GWR) by 1 public water system (see Appendix G).
- There were 4 treatment technique violations for the GWR by 3 public water system (see Appendix G).

Consumer Confidence Report

- There was 1 public water system that failed to submit its Consumer Confidence Report (CCR) for calendar year 2011 during 2012 (see Appendix H).

X. 2012 Annual Compliance Report Summary

- A total of 103 SDWA major rule violations were committed by 44 Tribal public water systems, during calendar year 2012.

2012 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)	10
	Acute Max Contaminant Level	0
Surface Water Treatment Rule (SWTR)	M/R SWTR	17
	Treatment Technique	10
Disinfection Byproducts Rule (DBP)	Maximum Residual Disinfectant Level	0
	Treatment Technique	4
	M/R DBP	11
	MCL DBP	9
Chemicals (VOCs, SOCs, IOCs, Nitrate, and Radionuclides)	M/R	3
	MCL	1
Lead and Copper Rule (Pb/Cu)	Follow-up or Routine Tap	4
	Initial Tap Sampling	5
Ground Water Rule	Failure to Monitor or Report (M/R)	1
	Treatment Technique	2
	Failure to Consult	2
Consumer Confidence Report (CCR)	Failure to Report	1
Total Number of PWS Rule Violations		103
Total Number of PWSs with Violations		44

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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	9					23	18		
Surface Water Treatment Rule					10	4	17	5		
Disinfection Byproduct Rule (DBP)	9	3			4	1	11	8		
Chemical Contaminant Group	1	1					3	3		
Lead and Copper Rule							9	8		
Ground Water Rule					4	3	1	1		
Consumer Confidence Report							1	1		

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

In 2012, 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 2012 are as follows:

	<3,300	3,301 - 50,000	>50,000
Community	106	7	0
Non-Community	9	0	0
NTNC	13	0	0

- The percentage of public water systems that are of each size and type in Region 8 Tribal Lands in the calendar year 2012 are as follows:

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

	Community	Non-Community	NTNC
Percentage (%)	83.7	6.7	9.6

- The total number of customers served by public water systems in Region 8 Tribal Lands in the calendar year 2012 was 114,871.
- The sources of Region 8 Tribal Lands drinking water are surface water, ground water, purchased surface water, and purchased ground water.
- 67.4% of public water systems in Region 8 Tribal Lands in the calendar year 2012 were in compliance with federal drinking water regulations.

APPENDIX A

CALENDAR YEAR 2012 TCR MONITORING AND REPORTING VIOLATIONS

REGION 8 TRIBAL LANDS

PWS ID	Facility Name	Rule	Violation End Date	Violation
84690522	BADLANDS RANCH RESORT	TCR	6/30/2012	MONITORING (TCR), ROUTINE MAJOR
84690438	BIG BEND WATER SYSTEM	TCR	4/30/2012	MONITORING (TCR), ROUTINE MAJOR
84690439	CROW CREEK SIOUX TRIBE WTR SYS	TCR	4/30/2012	MONITORING (TCR), ROUTINE MAJOR
84690437	CROW CREEK TRIBAL SCHOOL	TCR	12/31/2012	MONITORING (TCR), ROUTINE MAJOR
84690440	FORT THOMPSON WATER SYSTEM	TCR	4/30/2012	MONITORING (TCR), ROUTINE MAJOR
83090056	HORSESHOE BAR	TCR	3/31/2012	MONITORING (TCR), ROUTINE MAJOR
		TCR	6/30/2012	MONITORING (TCR), ROUTINE MAJOR
84990006	KANOSH WATER SYSTEM	TCR	8/31/2012	MONITORING (TCR), ROUTINE MAJOR
		TCR	10/31/2012	MONITORING (TCR), ROUTINE MAJOR
		TCR	11/30/2012	MONITORING (TCR), REPEAT MAJOR
84690030	NORTH ALLEN WATER SYSTEM	TCR	7/31/2012	MONITORING (TCR), ROUTINE MAJOR
		TCR	9/30/2012	MONITORING (TCR), ROUTINE MAJOR
84690029	NORTH MARTIN WATER SYSTEM	TCR	7/31/2012	MONITORING (TCR), ROUTINE MAJOR
		TCR	8/31/2012	MONITORING (TCR), ROUTINE MAJOR
84690027	PIERRE INDIAN LEARNING CENTER	TCR	7/31/2012	MONITORING (TCR), ROUTINE MAJOR
84690456	RED IRON LAKE WATER SYSTEM	TCR	10/31/2012	MONITORING (TCR), ROUTINE MAJOR
83090010	ST MARY KOA	TCR	6/30/2012	MONITORING (TCR), ROUTINE MAJOR
85690010	ST. STEPHENS INDIAN MISSION, INC.	TCR	9/30/2012	MONITORING (TCR), REPEAT MAJOR
80890010	TOWAOC WATER SYSTEM	TCR	1/31/2012	MONITORING (TCR), ROUTINE MAJOR
84990002	URIAH HEEPS SPRING WATER SYST.	TCR	9/30/2012	MONITORING (TCR), ROUTINE MAJOR
84690536	WAGNER SOUTH HOUSING WATER SYSTEM	TCR	1/31/2012	MONITORING (TCR), REPEAT MAJOR
84990004	WHITE MESA WATER SYSTEM	TCR	1/31/2012	MONITORING (TCR), ROUTINE MAJOR
84990003	WHITEROCKS	TCR	9/30/2012	MONITORING (TCR), ROUTINE MAJOR

APPENDIX B

CALENDAR YEAR 2012

TCR MAXIMUM CONTAMINANT LEVEL VIOLATIONS

REGION 8 TRIBAL LANDS

PWS ID	Facility Name	Rule	Violation End Date	Violation
83890023	BELCOURT-TURTLE MTN RURAL WTR	TCR	11/30/2012	MCL (TCR), MONTHLY
83090092	BLACKFEET COMMUNITY HOSPITAL	TCR	9/30/2012	MCL (TCR), MONTHLY
		TCR	10/31/2012	MCL (TCR), MONTHLY
83090302	DAYTON SCHOOL	TCR	6/30/2012	MCL (TCR), MONTHLY
83090303	EAST BAY SUBDIVISION	TCR	9/30/2012	MCL (TCR), MONTHLY
84990006	KANOSH WATER SYSTEM	TCR	11/30/2012	MCL (TCR), MONTHLY
83090064	LAME DEER WATER SYSTEM	TCR	4/30/2012	MCL (TCR), MONTHLY
84690516	SICANGU MNI WICONI RURAL WATER SYSTEM	TCR	12/31/2012	MCL (TCR), MONTHLY
84990008	SKULL VALLEY WATER SYSTEM	TCR	3/31/2012	MCL (TCR), MONTHLY
85690010	ST. STEPHENS INDIAN MISSION, INC.	TCR	10/31/2012	MCL (TCR), MONTHLY

APPENDIX C

CALENDAR YEAR 2012 SWTR VIOLATIONS

REGION 8 TRIBAL LANDS

PWS ID	Facility Name	Rule	Violation End Date	Violation
83090011	CROW AGENCY WATER SYSTEM	SWTR	3/31/2012	MONITORING, ROUTINE (IESWTR/LT1), MAJOR
		SWTR	4/30/2012	MONITORING, RTN/RPT MINOR (SWTR-FILTER)
		SWTR	5/31/2012	MONITORING, ROUTINE (IESWTR/LT1), MAJOR
		SWTR	5/31/2012	MONITORING, RTN/RPT MAJOR (SWTR-FILTER)
		SWTR	5/31/2012	MONITORING, RTN/RPT MAJOR (SWTR-FILTER)
		SWTR	5/31/2012	MONITORING, ROUTINE (IESWTR/LT1), MAJOR
		SWTR	5/31/2012	RES DISINFECT CONCENTRATION (SWTR)
		SWTR	5/31/2012	SINGLE COMB FLTR EFFLUENT (IESWTR/LT1)
		SWTR	7/31/2012	MONITORING, RTN/RPT MAJOR (SWTR-FILTER)
		SWTR	7/31/2012	MONITORING, RTN/RPT MAJOR (SWTR-FILTER)
		SWTR	7/31/2012	MONITORING, ROUTINE (IESWTR/LT1), MAJOR
		SWTR	7/31/2012	SINGLE COMB FLTR EFFLUENT (IESWTR/LT1)
		SWTR	8/31/2012	MONITORING, RTN/RPT MAJOR (SWTR-FILTER)
		SWTR	8/31/2012	MONITORING, ROUTINE (IESWTR/LT1), MAJOR
		SWTR	8/9/2012	SINGLE COMB FLTR EFFLUENT (IESWTR/LT1)
		SWTR	9/30/2012	MONITORING, RTN/RPT MAJOR (SWTR-FILTER)
		SWTR	9/30/2012	RES DISINFECT CONCENTRATION (SWTR)
		SWTR	3/28/2012	MONITORING, RTN/RPT MAJOR (SWTR-FILTER)
		SWTR	7/22/2012	RES DISINFECT CONCENTRATION (SWTR)
		SWTR	8/23/2012	SINGLE COMB FLTR EFFLUENT (IESWTR/LT1)
83090041	FORT BELKNAP AGENCY WATER SYS.	SWTR	1/4/2012	MONITORING, RTN/RPT MINOR (SWTR-FILTER)
83890015	FOUR BEARS WATER TREATMENT PLANT	SWTR	9/30/2012	MONITORING, RTN/RPT MINOR (SWTR-FILTER)
		SWTR	9/30/2012	RES DISINFECT CONCENTRATION (SWTR)

83890001	MANDAREE WATER PLANT	SWTR	11/30/2012	MONITORING, RTN/RPT MINOR (SWTR-FILTER)
		SWTR	11/30/2012	RES DISINFECT CONCENTRATION (SWTR)
84690510	STANDING ROCK RWS	SWTR	9/30/2012	MONITORING, RTN/RPT MINOR (SWTR-FILTER)
83090090	TWO MEDICINE WATER	SWTR	10/31/2012	RES DISINFECT CONCENTRATION (SWTR)

APPENDIX D

CALENDAR YEAR 2012 DBP VIOLATIONS

REGION 8 TRIBAL LANDS

PWS ID	Facility Name	Rule	Violation End Date	Violation
85690008	ARAPAHOE INDUSTRIAL PARK	MRDL	9/30/2012	MONITORING, ROUTINE (DBP), MAJOR
83090050	ASSINIBOINE & SIOUX RURAL WATER SYSTEM	MRDL	12/31/2012	MONITORING, ROUTINE (DBP), MAJOR
83090011	CROW AGENCY WATER SYSTEM	TOCA	3/31/2012	MONITORING, ROUTINE (DBP), MAJOR
83090041	FORT BELKNAP AGENCY WATER SYS.	TOCA	3/31/2012	INADEQUATE DBP PRECURSOR REMOVAL
		TOCA	6/30/2012	INADEQUATE DBP PRECURSOR REMOVAL
		TOCA	9/30/2012	INADEQUATE DBP PRECURSOR REMOVAL
		TOCA	12/31/2012	INADEQUATE DBP PRECURSOR REMOVAL
		DBP	3/31/2012	MCL, AVERAGE
		DBP	6/30/2012	MCL, AVERAGE
		DBP	9/30/2012	MCL, AVERAGE
		DBP	12/31/2012	MCL, AVERAGE
84690440	FORT THOMPSON WATER SYSTEM	MRDL	9/30/2012	MONITORING, ROUTINE (DBP), MAJOR
		DBP	3/31/2012	MCL, AVERAGE
		DBP	6/30/2012	MCL, AVERAGE
83090009	HEART BUTTE SCHOOL	MRDL	9/30/2012	MONITORING, ROUTINE (DBP), MAJOR
84690528	ROSEBUD RURAL WATER SYSTEM	MRDL	6/30/2012	MONITORING, ROUTINE (DBP), MAJOR
84990008	SKULL VALLEY WATER SYSTEM	MRDL	3/31/2012	MONITORING, ROUTINE (DBP), MAJOR
		MRDL	6/30/2012	MONITORING, ROUTINE (DBP), MAJOR
		MRDL	9/30/2012	MONITORING, ROUTINE (DBP), MAJOR
		MRDL	12/31/2012	MONITORING, ROUTINE (DBP), MAJOR
83890025	SPIRIT LAKE WTR MGMT RWS	MRDL	3/31/2012	MONITORING, ROUTINE (DBP), MAJOR
83890002	WHITE SHIELD WATER TREATMENT PLANT	DBP	3/31/2012	MCL, AVERAGE
		DBP	6/30/2012	MCL, AVERAGE
		DBP	9/30/2012	MCL, AVERAGE

APPENDIX E
CALENDAR YEAR 2012
CHEMICAL (Nitrates, IOC's, SOC's, VOC's, Radionuclides) VIOLATIONS

PWS ID	Facility Name	Rule	Violation End Date	Violation
84990006	KANOSH WATER SYSTEM	NO3	12/31/2012	MONITORING, ROUTINE MAJOR
83890025	SPIRIT LAKE WTR MGMT RWS	IOC	12/31/2012	MCL, AVERAGE
85690010	ST. STEPHENS INDIAN MISSION, INC.	NO3	12/31/2012	MONITORING, ROUTINE MAJOR
84990004	WHITE MESA WATER SYSTEM	IOC	6/30/2012	MONITORING, ROUTINE MAJOR

APPENDIX F

CALENDAR YEAR 2012 LEAD AND COPPER VIOLATIONS

REGION 8 TRIBAL LANDS

PWS ID	Facility Name	Rule	Violation End Date	Violation
84690468	CRAZY HORSE SCHOOL	PbCu	6/30/2012	INITIAL TAP SAMPLING (LCR)
84690534	LAKE ANDES TRIBAL HOUSING WATER SYSTEM	PbCu	12/31/2012	FOLLOW-UP OR ROUTINE TAP M/R (LCR)
84690533	MARTY WATER SYSTEM	PbCu	12/31/2012	FOLLOW-UP OR ROUTINE TAP M/R (LCR)
84690535	WAGNER NORTH HOUSING WATER SYSTEM	PbCu	12/31/2012	FOLLOW-UP OR ROUTINE TAP M/R (LCR)
84690536	WAGNER SOUTH HOUSING WATER SYSTEM	PbCu	12/31/2012	FOLLOW-UP OR ROUTINE TAP M/R (LCR)
84690471	WANBLEE WATER SYSTEM	PbCu	6/30/2012	INITIAL TAP SAMPLING (LCR)
		PbCu	12/31/2012	INITIAL TAP SAMPLING (LCR)
84690483	WOLF CREEK WATER SYSTEM	PbCu	6/30/2012	INITIAL TAP SAMPLING (LCR)
84690478	WOUNDED KNEE WATER SYSTEM	PbCu	6/30/2012	INITIAL TAP SAMPLING (LCR)

APPENDIX G

CALENDAR YEAR 2012

GWR MONITORING AND REPORTING VIOLATIONS

REGION 8 TRIBAL LANDS

PWS ID	Facility Name	Rule	Violation End Date	Violation
84990006	KANOSH WATER SYSTEM	TCR	NA	MONITOR GWR TRIGGERED/ADDITONAL, MAJOR
		TCR	NA	FAILURE TO COMPLETE CORRECTIVE ACTION
		TCR	NA	FAILURE TO CONSULT WITH EPA
83090079	ROCKY BOY SCHOOL	TCR	5/08/2012	FAILURE TO CONSULT WITH EPA
83090014	WYOLA	TCR	NA	FAILURE TO COMPLETE CORECTIVE ACTION

APPENDIX H
CALENDAR YEAR 2012
CONSUMER CONFIDENCE REPORT FAILURE TO REPORT VIOLATIONS
REGION 8 TRIBAL LANDS

PWS ID	Facility Name	Rule	Violation End Date	Violation
84690530	TRI-COUNTY RWS	CCR	NA	COMPLETE FAILURE TO REPORT