



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

WATER
DIVISION

April 27, 2023

Mr. Joseph Bob
Nooksack Indian Tribe
P.O. Box 157
Deming, WA 98244

**RE: Notice of Violation for Failure to Complete Public Notification Requirements
Whispering Cedars, PWS ID 105300120**

Dear Mr. Bob:

This letter serves as notification of violations of the drinking water regulations resulting from failure to complete Tier 2 public notice requirements at Whispering Cedars from the Ground Water Rule notice of violation letter dated 2/3/2023. In this case, the system was required to inform customers within 30 days, by 3/5/2023, of the six uncorrected significant deficiencies in violation under the Public Notification requirements.

Federal regulation 40 CFR 141.203(b)(1) requires the system to provide Tier 2 public notice as soon as practical but no later than 30 days after the system learns of the violation. The system failed to meet this requirement. The people served by the water system were not notified in a timely manner of the violation or situation with potential to have adverse health effects on those persons with a severely compromised immune system, infants, who are pregnant, or the elderly.

This letter serves as initial notification of non-compliance under the Safe Drinking Water Act for the regulation and time period cited. EPA supports compliance assistance and encourages early action to return to compliance. Issues not addressed in a timely manner may be referred to enforcement. Prior to an enforcement action for the cited violation(s), EPA Region 10 will offer government-to-government consultation, in accordance with the [EPA Policy on Consultation and Coordination with Indian Tribes](#).

If you have questions, please contact R10 Drinking Water Program staff at R10TribalDW@epa.gov or 206-553-6253.

Sincerely,

Karen Burgess, Manager
Groundwater and Drinking Water Section

cc: Sandy Redsteer, Indian Health Service

Kevin Roberts, Nooksack Indian Tribe