



REGION 10

SEATTLE, WA 98101

February 8, 2024

Josh Koger
Big Sky N. Subdivision
1870 Falcon Cir E.
Pocatello, ID 83204

Failure to Submit Lead Consumer Notice and Certification, Big Sky N. Subdivision, PWS ID 101600010

Dear Mr. Koger:

The Environmental Protection Agency (EPA) has not received a certification by 12/30/2023 that Big Sky N. Subdivision provided consumer notices of individual lead tap results to its customers for the 6/1/2023 – 9/30/2023 compliance period, which constitutes a violation of the National Primary Drinking Water Regulations [[40 CFR 141.90\(f\)\(3\)](#)]. All water systems that sample for lead and copper must provide a consumer notice of individual lead tap results to each location where samples were taken within 30 days of receiving results [[40 CFR 141.85\(d\)](#)]. One example copy of a consumer notice that was distributed, along with a certification that the consumer notices contained all required information must be submitted to EPA within 90 days following the end of the compliance period [[40 CFR 141.90\(f\)\(3\)](#)].

To return to compliance Big Sky N. Subdivision must either:

1. If lead consumer notices were already delivered to customers, submit one example copy along with the certification form to R10TribalDW@epa.gov as soon as possible.

-OR-

2. Distribute consumer notices of individual lead tap results to customers and submit one example copy along with the certification form to R10TribalDW@epa.gov as soon as possible.

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](#).

Please contact R10TribalDW@epa.gov with questions.

Sincerely,

**DEREK
SCHRUHL**

Digitally signed by DEREK
SCHRUHL

Date: 2024.02.09 18:20:38
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For Karen Burgess
Manager

Groundwater and Drinking Water Section

cc: Pete Cortez, Big Sky N. Subdivision
Beth Read, RCAC/EFC Region 10