NPDES Inspection Report – Wastewater Treatment Facility

National Database Information	
Inspection Date: September 10, 2024	Inspection Type: CEI – Wastewater Treatment Facility
Entry/Exit Time: Opening Conference: 8:00 a.m. - 9:00 a.m. Site Review: 1:20 p.m. – 1:35 p.m.	NPDES ID Number: SDG589806
NAICS Code: 221320	Inspection ID: 202409_SDG589806
Lead inspector and affiliation: Stephanie Meyers / EPA Region 8	
Inspector and affiliation: Stephanie Passarelli / EPA Region 8	

Facility Location Information	
Site/Facility Name & Location: Long Hollow Wastewater Treatment Facility Lake Traverse Reservation, South Dakota Lat/Long: 45°41'29.3"N 97°09'40.2"W	Email Report to: John Cloud, III, Program Manager Lake Traverse Utility Commission johnc@swo-nsn.gov

Contact Information	
	Name(s)/Title
Facility Contacts:	John Cloud, III / Program Manager / Lake Traverse Utility Commission (LTUC) / present during the opening conference
	Enrique Pagan / Operator / LTUC / present during the opening conference
	Jerwyn "JJ" Marks / Operator / LTUC / present during the inspection and closing conference
	Ross Hanson / Environmental Engineer Consultant / Indian Health Service (IHS) / present during the opening conference as well as the inspection
	Jon Ireland / Tribal Utility Consultant / Indian Health Service (IHS) / present during the inspection and closing conference
Person/Company meeting definition of "Operator"	Sisseton-Wahpeton Oyate Tribe, LTUC
Authorized Official(s)	John Cloud, III / Program Manager / LTUC

Permit Information		
Is the permit on site and available? Yes, digitally	Lagoon Category: No Discharge	Monitoring Frequency: N/A
Effective Date: 01/01/2023	Expiration Date: 3/31/2027	Is the Facility under a compliance schedule? No
Is correct contact information indicated on ICIS? Yes	Indicate correct contact information: N/A	
Receiving Water(s): No-discharge		
Regulatory Inspector's source of information: Notice of Intent for the permit, ICIS, ECHO and facility representatives		

Areas Evaluated During Inspection		
Permit	**Self-Monitoring Program**	Pretreatment
Records	Compliance Schedule	Pollution Prevention
Facility Site Review	Laboratory	Stormwater
Effluent/Receiving Waters	**Operations and Maintenance**	Combined Sewer Overflow
Flow Measurement	Sludge Handling/Disposal	Sanitary Sewer Overflow

Report Review and Signature		
Drafter Name	Draft Date	Contact Information
Stephanie Meyers	**11/4/2024**	**U.S. EPA Region 8** **Denver, Colorado** **meyers.stephanie@epa.gov** **(303) 312-6938**
Reviewer Name	Draft Date	Contact Information
Stephanie Passarelli	**11/18/2024**	**U.S. EPA Region 8** **Denver, Colorado** **passarelli.stephanie@epa.gov** **(303) 312-6803**
Management Reviewer Name/Signature/Date		Contact Information
EMILIO LLAMOZAS	Digitally signed by EMILIO LLAMOZAS Date: 2024.11.21 15:31:13 -07'00'	**U.S. EPA Region 8** **Denver, Colorado** **llamozas.emilio@epa.gov** **(303) 312-6407**
Emilio Llamozas, NPDES and Wetlands Enforcement Section Supervisor		

Inspection Narrative and Site Description

The inspection was conducted at the Long Hollow wastewater treatment facility (facility; WWTF) located within the exterior boundaries of the Lake Traverse Reservation in South Dakota, to evaluate compliance with the facility's National Pollutant Discharge Elimination System (NPDES) permit. The EPA is responsible for implementing the NPDES program in Indian Country within the State of South Dakota. The inspection was announced approximately three weeks prior to the inspection to coordinate logistics for the inspection.

On the morning of September 10, 2024, U.S. Environmental Protection Agency (EPA) inspectors Stephanie Meyers and Stephanie Passarelli (inspectors) met with Sisseton-Wahpeton Oyate Tribe, Lake Traverse Utility Commission (LTUC) Program Manager, John Cloud, III. Inspectors were also joined by Enrique Pagan, LTUC Operator, and Ross Hanson, IHS Environmental Engineer Consultant during the opening conference.

Inspectors presented their credentials and had an opening conference in the LTUC office to explain the purpose of the inspection and discussed current operations and future planned upgrades of all WWTFs operated by LTUC, including the subject facility. During the opening conference, LTUC representatives shared that there were six staff responsible for wastewater operations and that staffing levels are not currently sufficient. After the opening conference, inspectors proceeded to conduct site reviews of the WWTFs operated by LTUC, including the subject facility, for the remainder of the day on September 10, 2024. During the field portion of the inspections, inspectors were joined by Ross Hanson, Jon Ireland, and JJ Marks. Throughout the inspection, inspectors noted observations in a checklist. Photographs taken during the inspection are included in the attached photo log.

The facility serves the community of roughly 284 people in the Lake Traverse Reservation. The facility is permitted as a No-discharge facility, under the Lagoon General Permit (Permit) for the Lake Traverse Reservation. The year in which the lagoon was originally built is unknown to LTUC. The average design flow, peak design flow, average design organic treatment capacity, and peak design organic treatment capacity are also unknown to LTUC. The facility does not accept hauled septic waste currently and only receives domestic wastewater from the surrounding homes. The facility does not have any lift stations associated with the lagoon. Facility representatives also shared with inspectors that the facility is on IHS Sanitary Deficiencies System list to receive funding to expand the primary cell due to the community growing over time and it is now too small. Approximately 15 new homes are anticipated to be discharging the lagoons. Since the last inspection, facility representatives shared CCTV evaluation was conducted to identify and fix inflow and infiltration problems within the system.

The inspectors proceeded to inspect the lagoon cells. The facility is a three-cell lagoon system. The table below has the operating volume for all three cells.

Cell ID	Area (acres)	Operating Volume (MG)
Cell 1	0.5	0.81
Cell 2	0.5	0.81
Cell 3	1	1.62
Total	2	3.24

During the inspection of the facility, inspectors and facility representatives arrived on site and first observed cell 3 (photo 1). Inspectors then proceeded to inspect cells 1 and 2 (photos 2 and 3). All three cells had vegetation and trees that had reached heights greater than six inches growing inside of and around the berms of the cells.

At the end of each inspection of LTUC-operated WWTFs on September 10, 2024, inspectors held a brief closing conference with JJ Marks and Jon Ireland where preliminary findings were discussed.

Findings, Corrective Actions and Recommendations

Finding #1: The Permittee was not properly conducting nor documenting weekly lagoon inspections.

A facility representative stated that LTUC staff visit each lagoon on a regular basis and maintain logs but logs did not include all required documentation of weekly lagoon inspections and LTUC staff were not walking the entirety of the lagoons.

Permit requirement:

Part 6.5.1 of the Permit states, "On at least a weekly basis, unless otherwise modified by written approval from EPA, the Permittee shall inspect its wastewater treatment facility. Permission for less frequent inspections must be requested in writing by the Permittee and may be granted on a case-by-case basis where appropriate (e.g. a lagoon located in a remote area where access is a problem during the winter and compliance issues are not present), at the discretion of EPA. The Permittee shall maintain a notebook/logbook recording all information obtained during the inspection using indelible ink pens (or inspection logs may be kept in electronic format in accordance with proper record-keeping procedures) and in sufficient detail so that decision logic may be traced back, once reviewed. At a minimum, the notebook/logbook shall include the following (see Appendix D of this Permit for an Example Lagoon Inspection Form):

6.5.1.1. Name of facility and permit number;
6.5.1.2. Date and time of the inspection;
6.5.1.3. Name of the inspector(s);
6.5.1.4. The facility's discharge status;
6.5.1.5. The flow rate of the discharge, if occurring;
6.5.1.6. Determine if a discharge is occurring, has occurred since the previous inspection, and/or if a discharge is likely to occur before the next inspection. (Note: If a discharge has occurred or is likely to occur before the next inspection, perform the appropriate monitoring and reporting requirements in Sections 3 and 5.4 of this Permit if not already done.);
6.5.1.7. If there is any leakage through the dikes;
6.5.1.8. If there are any animal burrows in the dike;
6.5.1.9. If there is any erosion of the dikes (e.g., rills, cracks or other structural indications of erosion);
6.5.1.10. If there are any rooted plants, including weeds or trees growing in the water;
6.5.1.11. If the vegetative growth on the dikes need mowing (i.e. no greater than 6" tall or any height that may interfere with monitoring, operation and maintenance of the system);
6.5.1.12. Visual observation for visible sheen, floating oil, floating solids and foam;
6.5.1.13. Visual observation to check for evidence of illicit septic dumping;
6.5.1.14. List the date scheduled for operation and maintenance procedures to be undertaken at the wastewater treatment facility;
6.5.1.15. Identification of operational and/or maintenance problems, and a determination of whether proper operation and maintenance procedures are being undertaken at the frequency necessary to maintain working operations and the overall treatment and collection systems of the wastewater treatment lagoon system;
6.5.1.16. Recommendations, as appropriate, to remedy identified problems;

6.5.1.17. A brief description of any actions taken with regard to problems identified;
6.5.1.18. Overall visual observations to identify potential concerns with the "health" of the lagoon system (e.g., water is cloudy, water coloration concerns (e.g. red, black, grey, dark blue-green and cloudy), etc.); and
6.5.1.19. Other information, problems identified, or observations, as appropriate.

The Permittee shall maintain the notebook/logbook in accordance with required record-keeping items listed above and shall make the log available for inspection, upon request, by authorized representatives of the U.S. Environmental Protection Agency or the applicable Tribe(s) (see Appendix A for list of Tribes).

Problems identified during the inspection (including, but not limited to, those associated with this section of the Permit) shall be corrected at the time of inspection, if possible. If they cannot be corrected at the time of the inspection, the inspector must identify a corrective action to remedy the problem(s), as well as a timeline for completion of the remedy. Corrective actions to remedy problem(s) shall be in line with (and addressed through) proper operation and maintenance (Section 6.6 of this Permit.). All problems identified during inspections, as well as associated corrective actions and timelines, shall be documented in the inspection log."

Part 5.9 of the permit states, "The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for the Permit, for a period of at least three years from the date of the sample, measurement, report or application. Records of monitoring required by the Permit related to sludge use and disposal activities must be kept at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the EPA at any time. Data collected on site, data used to prepare the DMR, copies of DMRs, and a copy of this NPDES Permit must be maintained on site."

Corrective Action:
Ensure that weekly lagoons inspections are conducted and documented in accordance with the permit. Ensure that weekly lagoon inspection reports are retained in accordance with the recordkeeping requirements of the permit. Provide the EPA and IHS with 1 months' worth of weekly lagoon inspection reports.

Finding #2: Excessive vegetation and trees were evident throughout the cells.
Vegetation and trees had reached greater than six inches in height along the berms and on the inside of the cells (photos 1 and 2).

Permit requirement:
Part 6.6 of the Permit states, "The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems

which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this Permit.

The Permittee shall do the following as part of the operation and maintenance program for the wastewater treatment facility…
6.6.1.10. The Permittee shall ensure that necessary action to promptly remove burrowing animals from the dikes is taken and documented in the maintenance log;
6.6.1.11. The Permittee shall ensure prompt repair of damage to dikes caused by burrowing animals and/or erosion and documentation of all actions in the maintenance log;
6.6.1.12. The Permittee shall ensure removal of rooted plants, including weeds and trees, from the water on a regular basis or as needed and documentation of all actions in the maintenance log; and
6.6.1.13. The Permittee shall ensure that the dikes are kept mowed on a regular basis during the growing season or as needed (i.e., vegetation not greater than 6" tall or any height that may interfere with monitoring, operation and maintenance of the system) and that documentation of all actions taken are recorded in the maintenance log..."

Corrective Action:
Remove the overgrown vegetation and trees on the inside and around the berms in all cells in accordance with Part 6.6 and relevant subparts of the Permit. Submit to the EPA and the IHS photos once the vegetation and trees have been removed.

Finding #3: The facility does not have enough staff or funding.
During the opening conference, staffing and funding resources were discussed. It is apparent based on that conversation as well as field observations that this facility does not have adequate staff or funding to fully comply with the permit.

Permit requirement:
Part 6.6.2 of the Permit states, "Staffing and Funding: The Permittee shall provide adequate staff and funding to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this Permit. The level of staffing needed, in numbers, training and experience, shall be determined taking into account the work involved in operating the system, conducting maintenance, and complying with this Permit."

Corrective Action:
Develop a staffing and funding plan (plan) that includes the number of staff needed to comply with the permit, staff retention plan (competitive pay and proper training), SOPs for collection of outstanding fees, and evaluation of alternative funding sources. The plan should include deadlines for accomplishing each of the items listed in the plan. Provide the EPA and the IHS with a copy of the plan.