



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

Ref: 8 Montana

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Jamison
Alameda's Hot Springs Retreat
P.O. Box 716
Hot Springs, Montana 59845

Re: Inspection Report for Alameda's Hot Springs Retreat

Dear Mr. Jamison:

On June 13, 2022, representatives of the U.S. Environmental Protection Agency and Confederated Salish & Kootenai Tribes inspected the Alameda's Hot Springs Resort in Hot Springs, Montana, to evaluate compliance with the Clean Water Act and EPA regulations. The inspection was conducted under the authority of Section 308 of the Clean Water Act (Act). Enclosed is a report of the inspection.

Based on the information reviewed and obtained during the inspection, I did not document any findings and am not requesting additional information at this time. I would like to thank you for your cooperation during the inspection.

Please contact me at 406-457-5022 or Prideaux.lisakay@epa.gov if you have any questions regarding this letter or the enclosed report.

Sincerely,

Prideaux, LisaKay

Digitally signed by Prideaux,
LisaKay
Date: 2022.07.15 11:03:38 -06'00'

Lisa-kay Prideaux
NPDES and Wetlands Enforcement Section
Enforcement and Compliance Assurance Division

Enclosures:

- 1) NPDES Inspection Report
- 2) Photo Log

cc:

The Honorable Tom McDonald, Chairman, CSKT (email)
Wilhelmina Keenan, Environmental Director, CSKT (email)
Evan Smith, Water Quality Regulatory Specialist, CSKT (email)

NPDES Reconnaissance Inspection Report

National Database Information	
Inspection Date: June 13, 2022	Inspection Type: Reconnaissance Inspection
Entry/Exit Time: 10:43 / 11:15	NPDES ID Number: formerly MT0030694
NAICS Code: 713990 – All other Amusement & Recreation Industries	Inspection ID: 202206_MT0030694
Lead inspector and affiliation: Lisa-kay Prideaux, U.S. EPA Region 8, Montana Operations Office	
Inspector and affiliation:	
Inspector and affiliation:	

Facility Location Information	
Site/Facility Name & Location: Alameda's Hot Springs Retreat 308 North Spring Street Hot Springs, Montana 59845 47.6114544°N; -114.6680804°W	Mail Report to: David Jamison P.O. Box 472 Hot Springs, Montana 59845 (b) (6)

Contact Information	
	Name(s)/Title
Facility Contacts: <i>(indicate primary lead and present during inspection)</i>	David 'Cotton' Jamison, Co-owner and General Manager, Alameda's Hot Spring Retreat (present)
Person/Company meeting definition of "Operator" per the permit type and relevant citation here	David Jamison, Co-owner and General Manager, Alameda's Hot Springs Retreat (present)
Authorized Official(s)	David Jamison, Co-Owner and General Manager, Alameda's Hot Springs Retreat (present)
Tribe Representative(s)	Evan Smith, Water Quality Regulatory Specialist, Confederated Salish & Kootenai Tribes (present)
Indian Health Service Representative(s)	None present

Permit Information		
Is the permit on site and available? N/A	Discharge Category: N/A	Monitoring Frequency: N/A
Effective Date: Unpermitted	Expiration Date: Unpermitted	Is the Facility under a compliance schedule? N/A
Is correct contact information indicated on ICIS? No		Indicate correct contact information: David Jamison replaced Paul Stelter as General Manager/contact

Receiving Water(s): No discharge
Discharge point location (longitude, latitude): formerly 47.6111566°N; -114.6676792°W
Regulatory Inspector's source of information: Aerial imagery, EPA records, facility personnel, and site review.

Areas Evaluated During Inspection		
<u>Permit</u>	<u>Effluent/Receiving Waters</u>	<u>Compliance Schedule</u>
<u>Records/Reports</u>	<u>Flow Measurement</u>	<u>Discharge Monitoring Reports</u>
<u>Facility Site Review</u>	<u>Monitoring Program</u>	<u>Lift Station Operation and Maintenance</u>
<u>Collection System Review</u>	<u>Lagoon Self- Inspections</u>	<u>Preventive and Emergency Operation and Maintenance</u>

Report Review and Signature		
Drafter Signature/Name	Address/Phone Number	Date
	U.S. EPA Region 8, Montana Operations Office 10 West 15th Street, Suite 3200 Helena, Montana 59626	07.07.2022
Lisa-kay Prideaux	406-457-5022	
Management Signature/Name	Address/Phone Number	Date
Boeglin, Michael Digitally signed by Boeglin, Michael Date: 2022.07.15 10:43:15 -06'00'	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202	07.15.2022
Michael Boeglin	303-312-6250	

Inspection Narrative and Site Description

On Monday, June 13, 2022, U.S. Environmental Protection Agency (EPA) inspector Lisa-kay Prideaux, and the Water Quality Regulatory Specialist for the Confederated Salish Kootenai Tribes, Evan Smith, conducted an unannounced inspection to evaluate compliance with the Clean Water Act and EPA regulations. The inspection commenced at approximately 10:40, when Lisa-kay and Evan arrived at the facility, presented credentials and identification, and asked to meet with the owner/operator. The office personnel stated that Mr. David 'Cotton' Jamison was the general manager and that he was not on-site at the time. After explaining the reason for our visit, she called Mr. Jamison and he arrived shortly thereafter. Throughout the inspection, observations and photograph descriptions were documented. All photographs taken during the inspection are included in the attached photo log.

Alameda's Hot Springs Retreat (facility) was previously covered under National Pollution Discharge Elimination System (NPDES) permit number MT0030694, which was terminated in 2017. The permit covered discharges from an outdoor soaking pool and greenhouse. The soaking pool was supplied by water from an on-site artesian well with a temperature of approximately 97° F. Water from the well flowed through a soaking pool and then through a greenhouse to provide heat. The water flowing through the green house did not come into contact with plants or soil. The facility decided to terminate the permit and therefore closed the outdoor pool as well as the greenhouse. No discharge is currently coming from the facility. The resort has 18 suites which all have private hot mineral baths. Water to the baths is from the on-site artesian well, water discharges to the Town of Hot Spring's wastewater treatment system.

When walking the facility grounds, we observed the location of the old discharge pipe and sampling location. This location is in the southeast corner of the property and the northwest side of the intersection of 3rd Street and A Street. There was no discharge at the time of the inspection (photo 516). Mr. Jamison explained the discharge pipe leads under A Street through a drainage ditch and into a wetland complex connected to Hot Springs Creek.

In speaking with Mr. Jamison, he indicated the facility would like to obtain permit coverage once again for the outdoor hot pool, greenhouse, and future expansion to the east of the current facility. Mr. Jamison's contact information was forwarded to the NPDES permitting team.



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SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

David Wipf
Glendale Colony, Inc
Farmboss.gc@colonymt.com

Re: Inspection Report for Harvey Farms, Inc./Glendale Colony Inc., unpermitted

Dear Mr. Wipf:

On July 19, 2022, a representative of the U.S. Environmental Protection Agency inspected the Harvey Farms, Inc./Glendale Colony Inc. Concentrated Animal Feeding Operation (CAFO) in Cut Bank, Montana. At the time of the inspection, the CAFO was not covered by a National Pollutant Discharge Elimination System (NPDES) permit for animal feeding operations. The inspection was conducted under the authority of Section 308 of the Clean Water Act (Act). Enclosed is a report of the inspection.

Based on the information reviewed and obtained during the inspection, I did not document any findings and am not requesting additional information at this time.

Please contact me at 406-457-5022 or prideaux.lisakay@epa.gov if you have any questions regarding this letter or the enclosed report.

Sincerely,

Prideaux, LisaKay Digitally signed by Prideaux,
LisaKay
Date: 2022.09.19 10:33:56 -06'00'

Lisa-kay Prideaux
NPDES and Wetlands Enforcement Section
Enforcement and Compliance Assurance Division

Enclosures:

- 1) NPDES CAFO Inspection Report – Glendale Colony, Inc.
- 2) NPDES Inspection Photo Log – Glendale Colony, Inc.

cc: The Honorable Illif 'Scott' Kipp Sr, Chairperson, Blackfeet Tribe (electronic)
Gerald Wagner, Environmental Director, Blackfeet Tribe (electronic)
Barry Adams, Water Quality Coordinator, Blackfeet Tribe (electronic)

NPDES Inspection Report – Concentrated Animal Feeding Operations

National Database Information	
Inspection Date: July 19, 2022	Inspection Type: Concentrated Animal Feeding Operation
Entry/Exit Time: 8:00 am / 11:00 am	NPDES ID Number: Unpermitted Site
NAICS Code: 112112	Inspection ID: 202207 Glendale Colony
Lead inspector and affiliation: Lisa-kay Prideaux, EPA Region 8 Montana Operations Office	

Facility Location Information (Name/Location/ Mailing Address)	
Site/Facility Name & Location: Glendale Colony, Inc. / Harvey Farms, Inc. (b) (6)	Email Report to: David Wipf Farmboss.gc@colonymt.com

Contact Information	
	Name(s)/Title
Facility Contacts:	David Wipf / Farm Boss / Glendale Colony, Inc. / present during the inspection
Person/Company meeting definition of “Operator”	Glendale Colony, Inc.
Authorized Official(s)	Jacob Wipf / President / Glendale Colony, Inc. David Wipf / Farm Boss / Glendale Colony, Inc.

Permit Information		
Is the permit on site and available? N/A, the site is not permitted	Effective Date: N/A Expiration Date: N/A	
Receiving Water(s): No Discharge	Latitude (from inspection): (b) (6)	Longitude (from inspection): (b) (6)
Regulatory Inspector’s source of information: Conversations with Facility contacts, field observations made during site visit, previous inspections, previous permit, Integrated Compliance Information System (ICIS), and Enforcement and Compliance History Online (ECHO).		
Weather conditions during inspection (e.g., temperature, sky, precipitation): Clear, sunny and 73°F, no precipitation within the previous 24-hours		

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

Site Information					
Permitted Capacity of Facility		N/A	Type of Confinement		Roofed confinement
Max. Capacity of Facility		Unknown	Annual Report Submission		N/A
Animal Type	# confined	Large/Medium Definition	Animal Type	# confined	Large/Medium Definition
Cattle	0	≥1,000/≥300	Sheep	0	≥10,000/≥3,000
Dairy mature	75	≥700/≥200	Dairy (heifers)	0	≥1,000/≥300
Swine (farrow to finish)	400	≥2,500/≥750	Swine (<55#)	0	≥10,000/≥3,000
Chickens (solid manure)	75,000	≥125,000/≥37,500	Chickens (liquid manure)	0	≥30,000/≥9,000
Turkeys	250	≥55,000/≥16,500	Other (specify) _____	0	

Report Review and Signature		
Drafter Name	Address/Phone Number	Date
Prideaux, LisaKay Digitally signed by Prideaux, LisaKay Date: 2022.09.19 10:34:48 -06'00'	U.S. EPA Region 8, Montana Operations Office 10 West 15th Street, Suite 3200 Helena, Montana 59626	09/06/2022
Lisa-kay Prideaux	406-457-5022	
Reviewer Name	Address/Phone Number	Date
	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202	9/13/2022
Stephanie Meyers	303-312-6938	
Management Signature/Name	Address/Phone Number	Date
Boeglin, Michael Digitally signed by Boeglin, Michael Date: 2022.09.19 09:52:11 -06'00'	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202	9/19/2022
Michael Boeglin	303-312-6250	

Inspection Narrative and Site Description

The inspection was conducted at the Glendale Colony, Inc. Concentrated Animal Feeding Operation (CAFO or facility) located in Cut Bank, Montana to evaluate the facility's discharge status and permit application status. The facility was covered under an individual National Pollutant Discharge Elimination System (NPDES) permit (MT0031819) from April 1, 2014, to March 31, 2019; currently, the facility is unpermitted. The facility is located within the boundaries of the Blackfeet Reservation. The EPA is responsible for implementing the NPDES program in Indian Country within the State of Montana. The inspection was announced approximately one week prior to the inspection to coordinate logistics and ensure a facility representative would be on site. On July 19, 2022, I, U.S. Environmental Protection Agency (EPA) inspector Lisa-kay Prideaux, met with the farm boss, David Wipf. I presented credentials and had an opening conference to explain the purpose of the inspection. I then proceeded to ask questions of Mr. Wipf to help me evaluate the facility's discharge status, and to obtain facility information for NPDES permit coverage. Throughout the inspection, I noted my observations in a field notebook. Photographs taken during the inspection are included in the attached photo log.

The Glendale Hutterite Colony was founded in 1969 and is a multi-animal species farm. Harvey Farms, Inc. was formed in 2009 and is separately managed tracts of lands, owned entirely by Glendale Colony, Inc. used for animal grain harvest and land application of manure, litter and/or process wastewater from the Glendale Colony, Inc. production area. There are no animals managed by Harvey Farms, Inc. At the time of the inspection, the facility had approximately 75,000-layer chickens, 500 chickens (other than layers), 400 farrow to finish swine, and 250 turkeys within confinement buildings and a partial open lot/confinement area with approximately 75 dairy cows. The facility also has adjacent feed storage and handling areas and manure containment structures. Wastewater generated from animal confinement areas flows to an underground 'holding pond' and then to the separator building. Solid material is stored on an open stacking pad (dry manure), which has a 247-day capacity and liquid waste is stored in an open, 3-million-gallon lagoon with a 70-day capacity.

The production area is approximately 35 acres, and approximately 14,000 acres of cropland is available for land application of solids and liquid waste. Mr. Wipf manages the records for animal inventory and mortality, records of dry manure and liquid waste sample analyses, soil sample analyses for all land application fields, and type of crop with crop yield for each field. Mr. Wipf indicated this information is submitted to a certified crop advisor (CCA) in Valier, MT, who manages the Nutrient Management Plan (NMP). The CCA calculates the appropriate dry/liquid waste application rates for each field, which is followed and recorded by the facility. Mr. Wipf stated best management practices (BMPs) for the land application areas include conservation or reduced tillage, riparian buffers or vegetative filter strips, and manure injection or incorporation. Mr. Wipf indicated weekly inspections are conducted and documented around the facility including the animal barns, water lines, waste storage structure, and stormwater diversion ditches; however, I did not review them. Mr. Wipf described the stormwater (clean water ditches) throughout the facility and stated they collect and divert stormwater from the southern barns/production area and housing area into two small stormwater ponds located to the east of the dairy pens; stormwater from the center barns/production area flows northeast of the wastewater lagoon into a vegetated field; and stormwater from the northern silo/feed storage area flows to the northeast into a vegetated field. I then asked about the previous permit coverage and indicated that although the facility does not currently discharge, a permit is required if the facility were to discharge or has plans to discharge. Mr. Wipf stated the facility does not discharge and therefore the permit was let to expire. The wastewater lagoon sits approximately 125 feet to the west of an unnamed intermittent channel. The channel flows southeast for approximately 6.3 miles before joining Big Rock Coulee for approximately 16.3 miles. Big

Rock Coulee flows south to merge with Cut Bank Creek, which is a navigable water. I then asked about the domestic lagoons on-site. Mr. Wipf stated it is a two-celled total retention facultative lagoon system for the approximate 80 on-site members of the community.

After the records review, Mr. Wipf escorted me throughout the facility grounds. I first observed the location of the underground holding tank where all waste from the barns collects (photo 556). Following the waste stream, I then observed the separator building where waste from the underground storage tank flows into a rotary press separating liquid and solid wastes (photo 557). Solid waste is transferred via conveyor belt to the north of the building and is deposited on the stacking pad (photo 558). Mr. Wipf described a portion of the stacking pad is where dead animals and facility organic wastes are composted. I observed the stacking pad is a concrete pad with concrete walls on three sides and slopes inward to prevent runoff. There is a drain in the stacking pad area to collect any stormwater and pipes it to the wastewater lagoon. I then followed the liquid waste, which flows from the separator building to a wastewater lagoon (photo 559). The lagoon is total retention, and I did not observe any outlet structures. The dike walls were not fully vegetated; however, it allowed a visual assessment of for any stormwater rills and/or rodent damage, which there were none noted. Mr. Wipf then brought me by the new chicken barn (1), the hog barns (4), turkey barn (1) and the dairy cattle barn (1) and pens. There are seven outdoor pens connected to the barn. The pens drain via gravity flow to the north where it is collected in the underground piping system to the holding basin (Photo 556). There is another previously used dairy barn with 2 outdoor pens connected located south of the other dairy pens. These pens and barn are currently not in use, and the facility is slowly reducing the number of dairy cows on-site. The domestic lagoon cells were noted from the dairy pens; the lagoon walls were well vegetated and appeared to be in good operating condition.

Stormwater conveyance structures were noted throughout the site as shallow and wide ditches as to still allow farm vehicles to easily cross. Other stormwater ditches were noted to the east of the dairy pens (photo 561) which directs flow to two stormwater ponds east of the ditches (photo 560). Mr. Wipf drove by the stormwater ditch outlet northwest of the lagoon. Mr. Wipf also drove me through the food storage area, where all food is located within a silo or a Quonset hut. Stormwater from this area flows northeast into a vegetated field.

At the end of the inspection, I held a closing conference with Mr. Wipf where I discussed the recommendation to submit an application for permit coverage for the facility.

After the inspection was complete, a review of rules and regulations was conducted, and it was determined the facility does not meet the definition of a CAFO. In 40 CFR Part 122.25(b)(6) defines a medium CAFO to include (i) the type and number of animals that fall within defined ranges; and (ii) either (A) discharge pollutants into waters of the United States through a designated conduit, or (B) discharge pollutants indirectly through direct contact with the confined animals. The facility meets the threshold number for laying hens or broiler chickens; however, the facility does not have a discharge to surface water, or animals having access to pass through a surface water. Therefore, the facility as it currently operates does not meet the definition. If the facility changes operations to include discharging from the animal waste lagoon or allowing animals direct access to surface waters, the facility will then meet the definition of a medium CAFO and would require permit coverage.

Findings, Corrective Actions and Recommendations

Recommendation #1: Submit an application for NPDES permit coverage prior to discharge.

If Glendale Colony, Inc. changes its current operation as a non-discharging facility, to include discharging from the animal waste lagoon, or allowing animals direct access to surface waters, permit coverage would be required.

Regulatory requirement:

In accordance with 40 C.F.R. 122.23(f), “A CAFO must be covered by a permit at the time that it discharges.”

40 C.F.R. 122.23(d)(1) states “A CAFO must not discharge unless the discharge is authorized by an NPDES permit. In order to obtain authorization under an NPDES permit, the CAFO owner or operator must either apply for an individual NPDES permit or submit a notice of intent for coverage under an NPDES general permit.”

Recommended Action:

If the facility changes operations and/or an emergency arises where a discharge is eminent; the facility is required to prepare and submit a permit application for NPDES permit coverage. Provide a copy of the permit application to the EPA and the Blackfeet Tribe if the facility plans to discharge.