

NPDES Inspection Report – Wastewater

National Database Information	
Inspection Date: July 14, 2021	Inspection Type: CEI - Wastewater Treatment Facility
Entry/Exit Time: 8:45 am / 10:30 am	NPDES ID Number: COG587103
NAICS Code: 221320	Inspection ID: 202107 COG587103
Lead inspector and affiliation: Emilio Llamozas / EPA Region 8	
Inspector and affiliation: Stephanie Meyers / EPA Region 8	

Facility Location Information (Name/Location/ Mailing Address)	
Site/Facility Name & Location: Towaoc Lagoon 1 South Ute Trail Road Towaoc, Colorado 81334	Mail Report to: Lee Trabaudo Public Works Director ltrabaudo@utemountain.org

Contact Information	
	Name(s)/Title
Facility Contacts: <i>(indicate primary lead and present during inspection)</i>	Starne Wall / Utility Manager / Ute Mountain Ute Tribe / primary lead during the inspection
	Jake Dance / Lead Plumber / Ute Mountain Ute Tribe / present during part of the inspection
	Lee Trabaudo / Public Works Director / Ute Mountain Ute Tribe / present during closing conference
	Scott Clow / Environmental Programs Director / Ute Mountain Ute Tribe / present during inspection
	Tony James / Brownfields Coordinator / Ute Mountain Ute Tribe / present during inspection
Person/Company meeting definition of “Operator”	Ute Mountain Ute Tribe
Authorized Official(s) (Per NOI)	Lee Trabaudo / Public Works Director / Ute Mountain Ute Tribe

Permit Information		
Is the permit on site and available? No	Lagoon Category: No Discharge	Monitoring Frequency: N/A
Effective Date: April 5, 2016	Expiration Date: December 31, 2020 (Administratively Continued)	Is the Facility under a compliance schedule? No
Is correct contact information indicated on ICIS? No	Indicate correct contact information: Lee Trabaudo, Public Works Director 970-749-6129	
Receiving Water(s): Unnamed tributary to Navajo Wash		
Discharge point location (longitude, latitude): There were no outfalls for this facility.		
Regulatory Inspector’s source of information: Notice of Intent for the permit, permit, facility representatives and facility observations.		

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

Report Review and Signature		
Drafter Name	Address/Phone Number	Date
Emilio Llamozas	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202	8/16/2021
	303-312-6407	
Reviewer Name	Address/Phone Number	Date
Stephanie Meyers	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202	8/17/2021
	303-312-6938	
Supervisor Signature/Name	Address/Phone Number	Date
MICHAEL BOEGLIN Digitally signed by MICHAEL BOEGLIN Date: 2021.08.26 08:22:56 -06'00'	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202	8/26/2021
	Michael Boeglin 303-312-6250	

Inspection Narrative and Site Description

The inspection was conducted at the Towaoc Lagoon 1 (facility) located on the Ute Mountain Ute Reservation, in Towaoc, Colorado to evaluate compliance with its National Pollutant Discharge Elimination System (NPDES) permit. The EPA is responsible for implementing the NPDES program in Indian Country within the State of Colorado. The inspection was announced a few weeks prior to the inspection, to coordinate logistics for the inspection. On July 14, 2021, U.S. Environmental Protection Agency (EPA) inspectors Emilio Llamozas and Stephanie Meyers met with Starne Wall and Jake Dance with the Ute Mountain Ute Public Works and Scott Clow and Tony James with the Ute Mountain Ute Environmental Department. The EPA inspectors presented their credentials and had an opening conference to explain the purpose of the inspection. The inspectors proceeded to inspect the facility and asked questions to the facility representatives to help the inspectors evaluate compliance with the facility's permit. Throughout the inspection, the inspectors noted their observations in a checklist. Photographs taken during the inspection are included in the attached photo log.

The Towaoc Lagoon 1 is one of two wastewater treatment facilities that serve the community of Towaoc in the Ute Mountain Ute reservation. The two wastewater treatment facilities serve approximately 1,545 residents and approximately 100 guests at the casino. The second facility called the Towaoc Lagoon 2 is located east of the Towaoc Lagoon 1. Both facilities are owned and operated by the Ute Mountain Ute Tribe (Tribe). The Tribe alternates the use of the two facilities. At the time of the inspection, the Towaoc Lagoon 1 was receiving approximately 20 percent of the total wastewater generated by the community of Towaoc, which included wastewater generated at tribal Government offices, a health center and older homes located on South Ute Trail Road and new homes located near Rodeo Drive. The other 80 percent was sent to the Towaoc Lagoon 2. Service connections in Towaoc include approximately 100 homes, a casino, a gas station, tribal government offices, and a health center. All residences and businesses are connected to both systems with the exception of the casino and the adjacent gas station, which are connected to Towaoc Lagoon 2.

The inspectors then went to inspect the lagoon cells. The facility is a five-cell lagoon system that serves the community of Towaoc. Wastewater via gravity flow can be diverted to any of the five cells for treatment. Cell 1 (photo 50) has an overflow pipe that routes wastewater to cell 2 (photos 51 and 52). Cell 3 (photo 53) has an overflow pipe that routes wastewater to cell 4 (photo 54), which in turn has an overflow pipe to cell 5 (photos 55 and 56). There were no outfalls at the facility. The facility is permitted as a no discharge facility, under the Lagoon General Permit for the Ute Mountain Ute Reservation. Any discharge from the facility is expected to be under emergency circumstances. The facility representative indicated that this facility has not had to discharge because it has sufficient capacity to contain the wastewater.

In 2017, cell 5 was added to the lagoon system and the berm liner was replaced in cell 4. Also, the biosolids were removed from all cells and land applied south of cell 5.

Cell ID	Area (Square Feet)	Operating Depth (feet)	Operating Volume (MG)
Cell 1	64,479	4	1.9
Cell 2	70,674	4	2.1
Cell 3	137,025	5	5.1
Cell 4	111,212	5	4.1

Cell 5	unknown	unknown	Unknown
Total	-	-	13.2 (cells 1-4)

The inspectors and facility representatives walked around the interior of the lagoon enclosure to evaluate berm integrity and the facility's discharge status. Vegetation had reached a height more than six inches on the berms of cells 1, 2, 3 and 4 (photos 50-54). There were Russian Olive trees growing on the western berm of cell 2 (photo 52). There was trash in the southeast corner of cell 3 (photo 58). Cell 5 was dry and had tumble weeds in the corners of the cells that need to be removed (photos 55 and 56). It is recommended that wastewater be placed in cell 5 to prevent the liner from cracking and prevent dispersal of dried sewage sludge by the wind. There were some small erosion rills on the outer berms of the newly constructed cell 5 that need to be repaired (photo 57).

At the end of the day, the inspectors returned to the main office and held a closing conference with Mr. Trabaudo where they discussed preliminary findings. A facility representative indicated that inspections of the lagoons were only being conducted on a quarterly basis instead of the required weekly inspection schedule. EPA requested the inspection reports records for the past 5 years, but has not received the records to this date. On July 28, 2021, the EPA sent an email to Mr. Trabaudo with the preliminary findings from the inspection.

Findings, Corrective Actions and Recommendations

Finding #1: There was vegetation growing in and around the berms of cells 1, 2, 3 and 4.

Vegetation had reached a height more than six inches on the berms of cells 1, 2, 3 and 4 (photos 50-54). There were Russian Olive trees growing on the western berm of cell 2 (photo 52).

Permit Requirement:

Part 6.5 of the General Permit (Permit) states, "Proper Operation and Maintenance. 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 the permit. However, the permittee shall operate, at a minimum, one complete set of each main line unit treatment process whether or not this process is needed to achieve permit effluent compliance. In addition to the operation and maintenance items in the manual for the lagoon system, the permittee shall do the following maintenance:

6.5.1. Take necessary action to promptly correct the problem of leakage through the dikes;

6.5.2. Take necessary action to promptly remove burrowing animals from the dikes;

6.5.3. Promptly repair damage to dikes caused by burrowing animals and/or erosion;

6.5.4. Remove rooted plants, including weeds, from the water on a regular basis or as needed; and

6.5.5. Keep the dikes mowed on a regular basis during the growing season or as needed (e.g., keep growth below 6" in height)."

Corrective Action:

Remove the overgrown vegetation and trees growing around cells 1, 2, 3 and 4. Submit to the EPA, the Ute Mountain Ute Tribe Environmental Department (Tribe), and Indian Health Service (IHS) photos of the cells after the vegetation and trees have been removed.

Finding #2: There was trash in the southeast corner of cell 3 and tumbleweeds in cell 5.

There was trash in the southeast corner of cell 3 (photo 58). Cell 5 was dry and had tumble weeds in the corners of the cells that need to be removed (photos 55 and 56). It is recommended that wastewater be placed in cell 5 to prevent the liner from cracking and prevent dispersal of dried sewage sludge by the wind.

Permit Requirement:

Part 6.5 of the General Permit (Permit) states, "Proper Operation and Maintenance. 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 the permit. However, the permittee shall operate, at a minimum, one complete set of each main line unit treatment process whether or not this process is needed to achieve permit effluent compliance."

Part 6.6 of the permit states, "Collected screenings, grit, solids, sludge (including sewage sludge), or other pollutants removed in the course of treatment shall be buried or disposed in a manner consistent with all applicable federal and tribal regulations (e.g., 40 C.F.R. Part 257, 40 C.F.R. Part 258, 40 C.F.R. Part 503). Sludge/digester supernatant and filter backwash shall not be directly blended with or enter either the final plant discharge and/or waters of the United States."

Corrective Action:

Ensure that trash and debris are removed from the cells on a routine basis. Properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) including lagoon cells, which are installed or used by the permittee to achieve compliance with the conditions of the permit. Ensure that any sludge collected from the lagoon be disposed of in a manner consistent with all applicable federal and tribal regulations. Provide the EPA, the Tribe and IHS photos and a description of the corrective actions taken to address this finding.

Finding #3: There were some erosion rills on the outer berms of the newly constructed cell 5.

There were some small erosion rills on the outer berms of the newly constructed cell 5 that need to be repaired (photo 57).

Permit requirements:

Part 6.5 of the General Permit (Permit) states, "Proper Operation and Maintenance. 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 the permit. However, the permittee shall operate, at a minimum, one complete set of each main line unit treatment process whether or not this process is needed to achieve permit effluent compliance. In addition to the operation and maintenance items in the manual for the lagoon system, the permittee shall do the following maintenance:

- 6.5.1. Take necessary action to promptly correct the problem of leakage through the dikes;
- 6.5.2. Take necessary action to promptly remove burrowing animals from the dikes;
- 6.5.3. Promptly repair damage to dikes caused by burrowing animals and/or erosion;
- 6.5.4. Remove rooted plants, including weeds, from the water on a regular basis or as needed; and
- 6.5.5. Keep the dikes mowed on a regular basis during the growing season or as needed (e.g., keep growth below 6" in height)."

Corrective Action:

Fix the erosion rills on the berms of cell 5. Properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) including cell berms, which are installed or used by the permittee to achieve compliance with the conditions of this permit. Provide the EPA, the Tribe and IHS with photos and a description of the corrective actions taken to address this finding.

Finding #4: The facility did not have a copy of the Lagoon general permit on site.

A copy of the Lagoon general permit was not kept on site.

Permit requirements:

Part 5.7 of the permit states, "Data collected on site, data used to prepare the DMR, copies of DMRs, a copy of this NPDES permit, and the notice of intent for permit coverage, must be maintained on site."

Corrective Action:

Ensure that a copy of the Lagoon General permit is maintained on site. Provide the EPA, the Tribe and IHS with a description of the corrective actions taken to address this finding.

Finding #5: Inspection reports of the lagoon cells were not provided during the inspection and were not being conducted on a weekly basis.

A facility representative indicated that inspections of the lagoons were only being conducted on a quarterly basis instead of the required weekly inspection schedule. EPA requested the inspection reports records for the past 5 years, but has not received the records to this date.

Permit requirement:

Part 4.3.1 of the permit states, "On at least a weekly basis, unless otherwise modified by written approval from the EPA, the permittee shall inspect its wastewater treatment facility. The permittee shall maintain a notebook recording all information obtained during the inspection. At a minimum, the notebook shall include the following:

- 4.3.1.1. Name of facility and permit number;
- 4.3.1.2. Date and time of the inspection;
- 4.3.1.3. Name of the inspector(s);
- 4.3.1.4. The facility's discharge status;
- 4.3.1.5. The flow rate of the discharge if occurring;
- 4.3.1.6. 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 Parts 3.2 and 5.4 of this permit if not already done.);
- 4.3.1.7. Is there is any leakage through the dikes;
- 4.3.1.8. Are there are any animal burrows in the dike;
- 4.3.1.9. Is there any erosion of the dikes (e.g., rills, cracks or other structural indications of erosion);
- 4.3.1.10. Are there are any rooted plants, including weeds growing in the water;
- 4.3.1.11. Does the vegetation growth on the dikes needs mowing (e.g. greater than 6" tall);
- 4.3.1.12. List the date scheduled for operation and maintenance procedures to be undertaken at the wastewater treatment facility.
- 4.3.1.13. Identification of operational problems and/or maintenance problems;
- 4.3.1.14. Recommendations, as appropriate, to remedy identified problems;
- 4.3.1.15. A brief description of any actions taken with regard to problems identified; and,
- 4.3.1.16. Other information, as appropriate.

The permittee shall maintain the notebook 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 (see Part 5.10 of this permit)."

Part 5.7 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 this permit, inspection records, notifications to the EPA per this permit, and DMRs,

for a period of at least five years from the date of the sample, measurement, report, application or submittal. Records of monitoring required by this permit related to sludge use and disposal activities must be kept at least five years (or longer as required by 40 C.F.R. Part 503). This period may be extended by request of the Director at any time. Data collected on site, data used to prepare the DMR, copies of DMRs, a copy of this NPDES permit, and the notice of intent for permit coverage, must be maintained on site.”

Corrective Action:

Ensure that inspections are conducted on a weekly basis and documented in accordance with the permit. Ensure that inspection reports are kept in accordance with the recordkeeping requirements of the permit. Provide the EPA, the Tribe and IHS with a description of the corrective actions taken to address this finding.