

NPDES Inspection Report – Wastewater Treatment Facility

National Database Information	
Inspection Date: May 16, 2023	Inspection Type: CEI – Wastewater Treatment Facility
Entry/Exit Time: 9:00 am / 12:10 pm	NPDES ID Number: NDG589205
NAICS Code: 221320	Inspection ID: 202305 NDG589205
Lead inspector and affiliation: Stephanie Meyers / EPA Region 8	
Inspector and affiliation: Brit Rustad / EPA Region 8	

Facility Location Information (Name/Location/ Mailing Address)	
Site/Facility Name & Location: Tokio Wastewater Treatment Facility NE1/4 NW1/4 S11 T151N R64W Tokio, ND 58379	Email Report to: Alfred Thompson Jr. (b) (6) Robert Thompson sltwr-dir@spiritlakenation.com

Contact Information	
	Name(s)/Title
Facility Contacts: <i>(indicate primary lead and present during inspection)</i>	Alfred Thompson Jr. / Facility Manager / Sioux Utilities / primary during the inspections
	Robert Thompson / Director of Water Resources / Sioux Utilities / present during opening and closing conferences
	Lynnia Bustos / Environmental Technician / Spirit Lake EPA / present during inspections
	Tyler Timmons / Tribal Utility Consultant / IHS / present during the inspections
Person/Company meeting definition of “Operator”	Spirit Lake Sioux Tribe
Authorized Official(s) (Per NOI?)	Alfred Thompson Jr. / Facility Manager / Sioux Utilities / primary during the inspections

Permit Information		
Is the permit on site and available? Yes	Lagoon Category: Discharge	Monitoring Frequency: Semi Annual with quarterly influent monitoring and receiving stream monitoring
Effective Date: 4/1/2022	Expiration Date: 3/31/2027	Is the Facility under a compliance schedule? No
Is correct contact information indicated on ICIS? No, Darcy Longie is listed as the authorized official for the permit.		Indicate correct contact information: Alfred Thompson Jr. should be listed as the permit contact.
Receiving Water(s): Devils Lake		
Regulatory Inspector’s source of information: Notice of Intent for the permit, ICIS, ECHO, and facility representatives		

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
BRIT RUSTAD Digitally signed by BRIT RUSTAD Date: 2023.07.06 12:12:02 -06'00' Brit Rustad	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202 303-312-6885	7/3/2023
Reviewer Name	Address/Phone Number	Date
Stephanie Meyers	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202 303-312-6938	7/5/2023
Supervisor Signature/Name	Address/Phone Number	Date
COLLEEN RATHBONE Digitally signed by COLLEEN RATHBONE Date: 2023.07.06 11:58:09 -06'00' Colleen Rathbone	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202 303-312-6133	7/6/2023

Inspection Narrative and Site Description

The inspection was conducted at the Tokio wastewater treatment facility (facility) located in Tokio, North Dakota to evaluate compliance with their National Pollutant Discharge Elimination System (NPDES) permit. The EPA is responsible for implementing the NPDES program in Indian Country within the State of North Dakota. The inspection was announced approximately one month prior to the inspection to coordinate logistics for the inspection. On May 16, 2023, U.S Environmental Protection Agency (EPA) inspectors Brit Rustad and Stephanie Meyers met with operator Alfred Thompson Jr. with Sioux Utilities, Robert Thompson with Sioux Utilities, and Lynnina Bustos with Spirit Lake EPA. The EPA inspectors presented their credentials and had an opening conference to explain the purpose of the inspection. The inspectors proceeded to review records on site, inspect the facility, and asked questions to the facility representatives to help the inspectors evaluate compliance with the facilities' 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 facility serves the community of roughly 360 people in the Spirit Lake Tribe Reservation. The facility is permitted as a discharge facility, under the Lagoon General Permit (Permit) for the Spirit Lake Reservation. The lagoon system was originally built in 1975 and a secondary lagoon was added in 1978. The average design flow to the facility is 0.014 million gallons per day (MGD) and the peak design flow is 0.0175 MGD. The average design organic treatment capacity is 23.35 lbs BOD₅ per day and the peak design organic treatment capacity is 29.19 lbs BOD₅ per day. 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 it.

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. Facility representatives stated they were unsure of whether the three cells were connected, and if wastewater flowed in sequence through the cells. Further discussions with IHS representatives could not confirm the flow of wastewater and cell connections either. Though IHS representatives did state the facility currently only serves the community just north of the cells, but that there is a project involving upgrades that is being developed. Under this project, the entire sewer system in the housing area would be replaced, and gravity lines would be installed in the town in order to service other structures such as a store and post office. A community lift station would also be installed to pump wastewater from the housing area to the cells. The cells will also be rehabilitated and will either be used as part of the lagoon system or will serve as holding ponds for a Bioclere treatment system, which would provide biological treatment and solids settling. IHS representatives also informed inspectors that a closed-circuit television video (CCTV) device was used to survey the sewer lines within the housing community, and that a geotechnical study of the community was complete and sent to the Tribe.

Cell ID	Area (acres)	Operating Volume (MG)
Cell 1	0.82	1.34
Cell 2	0.54	0.9
Cell 3	0.55	0.9
Total	1.91	3.14

During the inspection of the facility, facility representatives opened the final manhole (photo 290) before the wastewater enters cell 1 (photo 291). Facility representatives indicated that wastewater would then be discharged through the outlet at the south end of cell 1 (photo 292) to the outfall when necessary. Inspectors, nor facility representatives, could verify visually, or via records if cells 2 and 3 (photos 288 and 289) were connected to cell 1.

The inspectors and facility representatives walked around the lagoon to evaluate berm integrity and the facility's discharge status. Vegetation had reached a height greater than six inches in and on the berms. Cattails as well as some trees were also noted growing inside the cells and along the berms. The facility did not appear to be discharging at the time of the inspection.

At the end of the day on May 16, 2023, the inspectors returned to the main office and held a closing conference with Alfred Thompson Jr., Robert Thompson, Lynnina Bustos, and Tyler Timmons where preliminary findings were discussed. On May 30, 2023, the EPA sent an email to Alfred Thompson Jr. and Robert Thompson with the preliminary findings from the inspection.

Findings, Corrective Actions and Recommendations

Finding #1: Weekly lagoon inspections were not being conducted.

Weekly lagoon inspections were not being conducted. The inspectors provided the facility representatives with a lagoon inspection report template form that the facility representatives could use to document the weekly lagoon inspections.

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 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 and IHS with a description of the corrective actions taken to address this finding.

Finding #2: There was vegetation growing inside and around the cells.

Vegetation had reached greater than six inches in height on the inside berms of the berms that needed to be cut (photos 288, 289 and 291). There were also small trees growing on the inside of the berms that needed to be cut.

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. For Permittees not previously covered under the Region 8 General Permit for Wastewater Lagoon Systems in Indian Country, the Permittee shall, as soon as reasonable and practicable, but no later than six (6) months after the effective date of this Permit, do the following as part of the operation and maintenance program for the wastewater treatment facility:

6.6.1.1. Have a current O & M Manual(s) that describes the proper operational procedures and maintenance requirements of the wastewater treatment facility;

6.6.1.2. Have the O & M Manual(s) readily available to the operator of the wastewater treatment facility and require that the operator become familiar with the manual(s) and any updates;

6.6.1.3. Have a schedule(s) for routine operation and maintenance activities at the wastewater treatment facility; and,

6.6.1.4. Require the operator to perform the routine operation and maintenance requirements in accordance with the schedule(s).

For Permittees renewing coverage under this Permit, the Permittee is expected to have the above listed items (Sections 6.6.1.1. thru 6.6.1.4., which were part of the requirements under the previous Region 8 General Permit for Wastewater Lagoon Systems in Indian Country) completed prior to the coverage date under this Permit. These Permittees shall ensure that each of the items listed above are updated and maintained as part of the operation and maintenance program for the wastewater treatment facility.

In addition to the operation and maintenance items in the manual for the lagoon system, ALL

Permittees shall do the following maintenance, at a minimum:

The Permittee shall maintain a log in either paper (e.g. bound notebook) or electronic format containing a summary record of any daily operation and maintenance activities at the wastewater treatment lagoon facility and collection system, that is to be updated on each day operation and maintenance activities are performed. At a minimum, the log shall include the following information:

6.6.1.5. Date and time;

6.6.1.6. Name and title of person(s) making the log entry;

6.6.1.7. Name of the persons(s) performing the activity;

6.6.1.8. A brief description of any operations and maintenance activity performed on the wastewater treatment lagoon system;

6.6.1.9. The Permittee shall ensure that necessary action to promptly correct the problem of leakage through the dikes is taken and documented in the maintenance log;

- 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.
- 6.6.1.14. Other information, as appropriate."

Corrective Action:

Remove the overgrown vegetation and trees growing on the inside berms of all cells. Submit to the EPA and IHS a description of corrective actions taken as well as photos of the cells after the vegetation and trees have been removed.

Finding #3: Facility representatives were unsure of the direction of wastewater flow.

While conducting the field inspection, site representatives were unsure of the direction of wastewater flow and if cells 2 and 3 were in service and connected to cell 1.

Permit requirement:

Appendix F of the Permit states, "The NOI to request coverage authorization to discharge under the provisions of this Permit shall be submitted to EPA and must include the following information...

- A map and/or diagram showing the location of the lagoon system, existing or potential discharge points, and the receiving waterway. Label discharge points by outfall number. All maps and diagrams should be submitted on 8.5" by 11" paper. It is acceptable to use a photocopy of the appropriate part of a 7.5 minute USGS quadrangle map with the necessary information added as appropriate, or satellite or aerial internet images.
- ...
- A line drawing (flow diagram) of the current treatment system. Show all treatment units and existing or potential discharge points. Label the discharge points with outfall numbers..."

Corrective Action:

Ensure that maps, NOI and O&M documents reflect the direction of wastewater flow through the cells as well as the outfall location. Determine if cells 2 and 3 are operational and if they are connected to cell 1. Provide the EPA and IHS with a description of corrective actions taken.

Finding #4: The required influent sampling is not being conducted.

The site representative was unaware of the need to sample for influent as required by the new lagoon general permit.

Permit requirement:

Part 3.1.4.3 of the Permit states, "Influent monitoring sampling will consist of a single grab sample at a location representative of the influent flow entering the wastewater lagoon treatment system prior to treatment (e.g. an influent structure, upstream manhole that contains flow from the entire service area,

or any other representative location), unless otherwise indicated in the facility's permit coverage letter. Influent sample monitoring shall be required quarterly to allow characterization of influent flow with regard to BOD5, TSS, and flow, and calculation of BOD5 and TSS percent removal values."

Corrective action:

Ensure that all required monitoring is conducted as required by the permit. Provide the EPA and IHS with a description of the corrective actions taken to address this finding.

Finding #5: Receiving stream monitoring was not being conducted.

The required receiving stream monitoring was not being conducted per the permit.

Permit requirement:

Part 3.1.3 of the Permit states, "...

Table 6. Supplemental Ammonia **Receiving Stream** Monitoring

Receiving Stream Characteristic	Frequency	Sample Type a/
pH, standard units, c/	b/	Grab
Temperature, °C, c/	b/	Grab
Total Ammonia Nitrogen (as N), mg/L, c/	b/	Grab

- a/ See Definitions, Section 1.1. of this Permit, for definition of terms.
- b/ Frequency will be determined in alignment with the sub-category monitoring requirements outlined in Section 3 of this Permit. A Permittee's sub-category and monitoring schedule will be clearly identified in the authorization of coverage letter.
- c/ Temperature and pH samples shall be collected at the same time as sampling for the total ammonia. Temperature and pH measurements must be analyzed within fifteen (15) minutes of sampling. Where TAS and tribal CWA-approved WQS have not been approved by EPA, EPA R8 will require ammonia and concurrent pH and temperature monitoring of receiving waters in all discharge permits to continue to establish baseline data for determining reasonable potential in future permitting actions."

Part 3.1.4.3 of the Permit states, "Receiving stream monitoring, if required, will occur at the time of the discharge and will consist of a single grab sample taken at a location immediately upstream of where the discharge is anticipated to meet the receiving stream, unless otherwise indicated in the facility's permit coverage letter."

Corrective Action:

Ensure that the Facility is monitoring the receiving stream for appropriate characteristics, frequency, and sample type specified in the Permit. Provide the EPA and HIS with a response indicating how the Facility will implement receiving stream monitoring as required by the Permit.

Finding #6: Monitoring related records were not available at the time of inspection.

Site representatives could not provide records of monitoring information as a result of the previous operator leaving on short notice.

Permit requirement:

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:

Retain records of monitoring information, including analytical reports, chain-of-custody sheets and calibration records, for each monitoring period in accordance with requirements of the Permit. Ensure that any calculations required for the completion of the Facility’s DMRs are also maintained within the monitoring files and retained for at least 3 years. Include in your response to the EPA and IHS a photocopy of your calibration log, laboratory analytical report and chain-of-custody sheet for the most recent monitoring period.

Finding #7: Several DMRs were either submitted late or have not been submitted at all.

The DMRs for effluent monitoring for periods ending on June 30, 2020; December 31, 2020, and June 30, 2021 were submitted late. The DMR for receiving water monitoring for the period ending on December 31, 2020 was submitted late. The DMR for effluent sampling for the period ending on December 31, 2021 has not been submitted. The DMR for receiving water monitoring for the period ending on December 31, 2021 has not been submitted.

Permit requirement:

Part 5.4.1 of the Permit states, “For discharge facilities, the effluent monitoring results obtained during the previous month, calendar quarter, or semi-annual period, shall be summarized and reported via the NetDMR reporting system by the DMR by no later than the 28th day of the month following the completed reporting period, or on a Discharge Monitoring Report (DMR) Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period (see example schedules in table below). If no discharge occurs during the reporting period, it shall be reported as “no discharge” in the NetDMR reporting system. If there is no discharge, no flow or access was impeded by snow, ice, flooding, other unsafe conditions, etc.; the information shall be reported on the DMR using the applicable NetDMR no data indicator code (i.e., NODI code), to identify the circumstances of the situation. If the DMR Form (EPA No. 3320-1) is used, “no discharge” shall be indicated on the form if no discharge occurs. See example reporting schedules in Table 9, below.

Table 9. Reporting Requirements

Sub-Category	Frequency of Discharge	Reporting Period	DMR Due Date
A	Continuous discharge or frequency of at least once a month	Monthly (e.g. January)	28 th day of the following month (February 28 th)
B	Less frequently than monthly but at least once a quarter	Quarterly (e.g. April – June)	28 th day following the end of the quarter (July 28 th)
C	Less than quarterly	Semi-annually (e.g. July – December)	28 th day following the end of 6 th month period (January 28 th)

Corrective Action:

Submit DMRs that are past due for the following reporting periods:

- Effluent for July 1, 2021 to December 31, 2021, which was due on January 28, 2022.
- Receiving Water for July 1, 2021 to December 31, 2021, which was due on January 28, 2022

Ensure that all DMRs are submitted in a timely manner in accordance with Part 5.4.1 of the Permit.

Provide the EPA and IHS with a description of the corrective actions taken to address this finding and an explanation of how DMRs will be submitted in the future in accordance with the Permit.

Finding #8: NODI code E and code 9 were used for several reporting parameters

NODI code E (failure to sample) was utilized for effluent sampling for E. coli for monitoring period ending on June 30, 2020 and June 30, 2021, and for total nitrogen and total phosphorous for monitoring period ending on June 30, 2022. NODI code 9 (conditional monitoring not required) was utilized for oil and grease for effluent monitoring for monitoring period ending on June 30, 2022.

Permit requirement:

Part 5.1 of the Permit states, “All samples taken in compliance with the monitoring requirements established under Section 3 of the Permit shall be representative and all monitoring shall be conducted in accordance with Section 5.2 (below) of the Permit. Effluent samples shall be collected from the effluent stream prior to discharge into the receiving waters. Any influent samples shall be taken at a location representative of the influent flow prior to treatment (e.g. an influent structure, upstream manhole that contains flow from the entire service area, or any other representative location). Any receiving water samples shall be collected in a representative location of the receiving stream, directly upstream of the confluence where the wastewater treatment lagoon system’s effluent discharge enters the receiving stream. Samples and measurements shall be representative of the volume and nature of the monitored effluent discharge, influent, receiving stream, or other monitored location.”

Part 5.4.1 of the Permit states, “For discharge facilities, the effluent monitoring results obtained during the previous month, calendar quarter, or semi-annual period, shall be summarized and reported via the NetDMR reporting system by the DMR by no later than the 28th day of the month following the completed reporting period, or on a Discharge Monitoring Report (DMR) Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period (see example schedules in table below). If no discharge occurs during the reporting period, it shall be reported as “no discharge” in the NetDMR reporting system. If there is no discharge, no flow or access was impeded by snow, ice, flooding, other unsafe conditions, etc.; the information shall be reported on

the DMR using the applicable NetDMR no data indicator code (i.e., NODI code), to identify the circumstances of the situation.”

Corrective Action:

Ensure that all parameters are being sampled for as required by the permit and submitted correctly on DMRs. Submit to the EPA and IHS a description of how this corrective action will be addressed.

Finding #9: There was a TSS exceedance for one monitoring period

There was a TSS exceedance for monitoring period ending on June 30, 2022 for effluent sampling.

Permit requirement:

Part 5.10.2 of the Permit states, “The following occurrences of noncompliance shall also be included as information which must be reported within 24 hours under this section and shall be reported by telephone to EPA, Region 8 Enforcement and Compliance Assurance Division at (800) 227-8917 (8:00 a.m. - 4:30 p.m. Mountain Time) and the applicable Tribe(s)(see Appendix A for list of Tribes and telephone numbers) (8:00 a.m. - 4:30 p.m. local time).

5.10.2.1. Any unanticipated bypass which exceeds any effluent limitation in this Permit in accordance with 40 CFR §122.41(g). (See Section 6.8, Bypass of Treatment Facilities of this Permit.);

5.10.2.2. Any upset which exceeds any effluent limitation in the permit (See Section 6.9, Upset Conditions of this Permit.); or,

5.10.2.3. Violation of a maximum daily discharge limitation for any of the pollutants listed in the Permit to be reported within 24 hours in accordance with 40 CFR §122.44(g).”

Corrective Action:

Ensure that all exceedances are reported to the EPA within 24 hours of becoming aware of the violation. Also, ensure that follow-up reports are submitted to the EPA within 5 days of becoming aware of the violation. Submit to the EPA and IHS an explanation of how permit exceedance notifications and follow-up reports will be submitted to the EPA in the future in accordance with the Permit.