



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

WATER
DIVISION

October 26, 2023

Mr. Joseph Bob
Nooksack Indian Tribe
P.O. Box 157
Deming, WA 98244

**Re: Violation for Failure to Monitor and Report Nitrate
Sulwhanon, PWS ID 105300141**

Dear Mr. Bob:

The EPA did not receive sample results for Nitrate for 7/1/2023 - 9/30/2023 as required under the National Primary Drinking Water Regulations (NPDWR), according to 40 CFR §141.23. As a result, Sulwhanon is in violation of the NPDWRs.

Sulwhanon is currently scheduled to take 1 sample every quarter at Sulwhanon Pump House. Results must be reported to the EPA by the 10th of the month following the sampling period.

To return to compliance you must either submit sample results if a sample was collected during the monitoring period **OR** collect samples according to your current monitoring schedule and submit the results to EPA.

Additionally, in accordance with the Public Notification of Drinking Water Violation Rule 40 CFR §141.204(b) Sulwhanon must distribute Tier 3 Public Notification (PN) within 1 year of receiving this letter. For community water systems, the annual Consumer Confidence Report (CCR) may be used as a vehicle for the initial Tier 3 public notice, instead of individual Tier 3 public notices, under 40 CFR §141.204(b)(2).

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 the Groundwater and Drinking Water Section at (206) 553-6253 or R10TribalDW@epa.gov to determine next steps or if you have questions.

Sincerely,

Karen Burgess, Manager
Groundwater and Drinking Water Section

cc: Sandy Redsteer, Indian Health Service