UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

Ref: Region 8, Montana Office

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Paul Augare, Facility Manager
Blackfeet Boarding Dormitories
Paul.augare@bia.gov

Re: Inspection Report for Blackfeet Boarding Dormitories Wastewater Treatment Facility, NPDES Permit #MTU000695

Dear Mr. Augare:

On June 14, 2023, representatives of the U.S. Environmental Protection Agency (EPA) inspected the Blackfeet Boarding Dormitories Wastewater Treatment Lagoons (Facility) in Browning, 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. Enclosed is a report of the inspection.

Inspection findings are summarized within the enclosed inspection report in a table titled "Findings, Corrective Actions and Recommendations." Within **thirty (30) days** of receipt of this report, please provide the EPA and the Blackfeet Environmental Office with a summary of corrective actions taken to address each of the findings identified in the report and any information that may change the findings. This summary should be sent to:

Lisa-kay Prideaux
U.S. EPA Region 8, Montana Operations Office
Prideaux.Lisakay@epa.gov

Gerald Wagner
Blackfeet Environmental Office
Beo.director@gmail.com

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: 2023.08.17 09:05:48 -06'00'

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

Enclosures:
1) NPDES Wastewater Lagoon Inspection Report
2) Photo Log

cc (email):

Illif 'Scott' Kipp Sr., Tribal Chairperson
Gerald Wagner, Tribal Environmental Director
John Spotted Eagle, Wastewater Operator

NPDES Wastewater Lagoon Inspection Report – No Discharge

National Database Information	
Inspection Date: June 14, 2023	Inspection Type: Wastewater Lagoon
Entry/Exit Time: 10:00 – 10:54	NPDES ID Number: MTU000695
NAICS Code: 221320	Inspection ID: 202306_MTU000695
Lead inspector and affiliation: Lisa-kay Prideaux, US EPA Region 8	

Facility Location Information	
Site/Facility Name & Location: Blackfeet Boarding Dormitory Wastewater Lagoons 1 Dormitory Road Browning, Montana 48.630117°N; -112.968678°W	Email Report to: Bureau of Indian Affairs Paul Augare, Facility Manager Paul.augare@bia.gov

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Contact Information	
	Name(s)/Title
Facility Contacts:	**Paul Augare, Facility Manager (not present)**
	John Spotted Eagle, Wastewater Operator (present)
Person/Company meeting definition of "Operator"	**Blackfeet Boarding Dormitories**
Authorized Official(s)	**Paul Augare, Facility Manager**
Tribe Representative(s)	**None present during inspection**
Indian Health Service Representative(s)	**None present during inspection**

Permit / Facility Information		
Is the permit on site and available? N/A, unpermitted site	Lagoon Category: N/A	Monitoring Frequency: N/A
Effective Date: N/A	Expiration Date: N/A	Is the Facility under a compliance schedule? No
Is correct contact information indicated on ICIS? No	Indicate correct contact information: Cognizant official is Paul Augare, BIA	
Receiving Water(s): No Discharge		
Facility location (longitude, latitude): 48.630117°N; -112.968678°W		
Regulatory Inspector's source of information: Previous NPDES inspections, EPA records, facility records, facility representatives, field observations, Integrated Compliance Information System (ICIS), and Enforcement and Compliance History Online (ECHO).		

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 Signature/Name	Address/Phone Number	Date
Prideaux, LisaKay Digitally signed by Prideaux, LisaKay Date: 2023.08.17 09:06:24 -06'00'	**U.S. EPA Region 8, Montana Operations Office** **10 West 15th Street, Suite 3200** **Helena, Montana 59626** **Prideaux.lisakay@epa.gov**	07.31.2023
Lisa-kay Prideaux	**406-457-5022**	
Management Signature/Name	Address/Phone Number	Date
EMILIO LLAMOZAS Digitally signed by EMILIO LLAMOZAS Date: 2023.08.17 12:25:12 -06'00'	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ENF-W-NW** **Denver, Colorado 80202**	8/17/2023
Emilio Llamozas	**303-312-6407**	

Inspection Narrative and Site Description

The U.S. Environmental Protection Agency (EPA) conducted an unannounced inspection at the Blackfeet Boarding Dormitories wastewater treatment lagoons to evaluate the facility's compliance with the Clean Water Act and EPA regulations.

The Blackfeet Boarding Dormitory (facility) was originally constructed and opened in 1905 as Cut Bank Boarding School. Today, it is still operated as a boarding dormitory; however, students living in the dormitories are bussed to the Browning Public School. The facility currently serves approximately 100 students and staff. The facility is owned and operated by the Bureau of Indian Affairs. Blackfeet Boarding Dormitories is located on the Blackfeet Reservation, in Browning, Montana. The EPA directly implements the Clean Water Act and is responsible for implementing the NPDES program in Indian Country within the State of Montana.

On Wednesday, June 14, 2023, I, EPA inspector Lisa-kay Prideaux, conducted an unannounced inspection at the facility. The inspection commenced at approximately 10:00, when I arrived at the Boarding Dormitory in Browning, I inquired about meeting a representative responsible for the operations and maintenance of the lagoon system. After arriving at the facility, I presented my inspector credentials to John Spotted Eagle, wastewater operator, and had an opening conference to explain the purpose of the inspection. I asked a series of questions of the facility representative to help evaluate the facility operations and compliance. Throughout the inspection, observations and photograph descriptions were documented in a field logbook. All photographs taken during the inspection are included in the attached photo log.

The Blackfeet Boarding Dormitories' wastewater treatment lagoons (facility) is a three-celled, facultative lagoon system. The facility has an intact locked fence with proper legible signage. All influent flows through a splitter box to control wastewater entering either cell 1 or cell 2. The facility is typically run in series. The splitter box was deteriorated and had moss and vegetative growth inside which is starting to inhibit proper flow (photo 681). At the time of the inspection wastewater was flowing to both cell 1 and 2. Wastewater enters cell 1 directly north of the splitter box through a pipe and into the center of cell 1 (see diagram below). The valve at the splitter box for cell 2 leads to a pipe and flows southeast to the corner of cell 2 and enters cell 2 in the northwest corner of the cell, discharging into the center of cell 2 (see diagram below). I observed cell 1 to have vegetative growth on the dike walls as well as entering the lagoon cells to include cattails and sedges (photo 676). Cell 2 was partially full with vegetative growth within the cell as well as on the dike walls (photo 677). Wastewater from cell 1 flows to cell 2 through a valved pipe located in the northern portion of the southeast dike wall (see diagram below). There is also a valved pipe from cell 1 to cell 3 located in the center of the northeastern dike wall (see diagram below). Cell 2 also has a valved pipe leading to cell 3 located in the center of the northeastern dike wall (see diagram below and photo 678). Cell 3 is a long linear cell covering the width of both cells 1 and 2 and located northeast of the cells. Cell 3 was observed to have vegetative growth as grasses and a few shrub trees (photos 682-684). Cell 3 does not have a discharge pipe; however, there is a valved pipe in the northeastern corner of cell 2 (photo 678) which leads to an outfall pipe southeast of the facility (photo 679) to a swale (photo 680) which would flow southwest approximately 300 feet to an intermittent stream which connects to Cut Bank Creek approximately 0.35 miles downstream. Mr. Spotted Eagle stated pipe was most likely an emergency discharge pipe, but that the valve is closed, and he has not known it to ever discharge. As we walked around the lagoon cells, it was noted there was small rodent damage by means of holes within the dike walls.

A closing conference was held on-site with Mr. Spotted Eagle, during which I discussed preliminary findings and recommendations, as well as the process for the inspection report. The inspection concluded at approximately 11:00.

Findings, Corrective Actions and Recommendations

Finding #1: Deteriorated Splitter Box.
Specifically, the splitter box is concrete and is starting to crumble. The splitter box is also showing signs of excessive moss and vegetative growth which is beginning to impede influent flow to lagoon cells (photo 681). Should the vegetation growth impede influent flow, a sewer overflow out of the splitter box is possible.

Regulatory Requirement:
40 CFR § 122.41(e) requires, at all times, the proper operation and maintenance of all facilities and systems of treatment and control (and related appurtenances) which are installed or used…

Recommended Corrective Action:
EPA recommends the facility repair or replace the splitter box and valves to ensure proper influent flow direction and volume.

Finding #2: Unmaintained Vegetation.
Specifically, the facility's lagoon dike walls were covered in unmaintained vegetation as well as vegetation growing within the water line of cell 1 and 2. Excessive vegetation growth was observed along the edges and growing within all three cells (photos 676-677 and 682-684), and thicker vegetation/shrubs/trees were growing in lagoon cell 3 (photo 683). When vegetation is unmaintained, it is difficult to assess the health of the lagoon dike walls for erosion, leaks, slumps, and burrowing animal damage.

Regulatory Requirement:
40 CFR § 122.41(e) requires, at all times, the proper operation and maintenance of all facilities and systems of treatment and control (and related appurtenances) which are installed or used.

EPA has developed guidance manuals on the proper operation and maintenance of lagoons. One of the guidance materials is titled 'Principles of Design and Operations of Wastewater Treatment Pond Systems for Plant Operators, Engineers, and Managers" (August 2011, EOA/600/R-11/088).

Part 9.4.2.3 of this guidance manual indicates the following:

- To maintain wave action, a pond should be free of weeds in the water or tall weeds on the banks.
- Dikes should be well seeded with grasses above the water line. Grass should be mowed regularly to prevent soil erosion and insect problems.

Recommended Corrective Action:
EPA recommends the vegetation in and around the lagoon cells be reduced and maintained below 6-inches in height such that the berms can be inspected for leakage, animal burrows, and erosion. Proper vegetation height allows for the wind to naturally generate wave action to mix and aerate the lagoon contents for effective treatment of the wastewater. Increased wind action on the lagoon surface also increases evaporation as well as reduces the likelihood of mosquito breading. Absence of good wave action may create anaerobic conditions.

Finding #3: Rodent damage within lagoon cell dike walls.
Specifically, damage from rodents was observed as holes in dike walls between each cell. It is important to protect lagoon dike walls from destruction by waves, weather, and burrowing animals. Rodents will dig partially submerged tunnels and can cause damage to dikes which could destabilize and promote erosion, low water levels indicating leaking, or wall breaches. Removing woody materials (finding #2) and cattails as a food source will also deter the inhabitant tendency.

Regulatory Requirement:
40 CFR § 122.41(e) requires, at all times, the proper operation and maintenance of all facilities and systems of treatment and control (and related appurtenances) which are installed or used.

Recommended Corrective Action:
EPA recommends removing all heavy thick woody vegetation and cattails growing within the lagoon cells, as this can be a food source for rodents. Remove rodents and repair all damages to the dike walls.

Finding #4: The facility has the potential to discharge through established outfall pipe.
Specifically, the facility has an established point source which has the potential to discharges pollutants into navigable waters. An outfall pipe from cell 2 was observed (photo 679) with an outlet into a swale (photo 680) which leads to an intermittent stream and into Cut Bank Creek, located less than a mile from the facility.

Regulatory Requirement:

- The Clean Water Act states it is unlawful to discharge any pollutant from a point source into navigable waters, unless a permit is obtained.
- Section 502 of the Clean Water Act defines the term "point source" as any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete

fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.

- Section 502 of the Clean Water Act defines the term "discharge of a pollutant" as any addition of any pollutant to navigable waters from any point source.
- Section 502 of the Clean Water Act defines the term "pollutant" as dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

Corrective Action:

Within 30 days of receipt of this report, Blackfeet Boarding Dormitories is required to submit an application for coverage under the National Pollutant Elimination Discharge System (NPDES) permit program, since the facility has the potential to discharge from the outfall pipe located in cell 2. The following website has information for how to submit a notice of intent to be covered under the Region 8 Lagoon General Permit (LGP). https://www.epa.gov/npdes-permits/region-8-npdes-lagoon-general-permit