



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3123

WATER
DIVISION

November 16, 2023

Mr. Roland Marshall
Shoshone Bannock Tribes
P. O. Box 306
Fort Hall, ID 83203

**RE: Failure to Monitor and/or Report Raw Source Sample at
Fort Hall, PWS ID 101612109**

Dear Mr. Marshall:

EPA has not received a raw, untreated source water total coliform sample for Fort Hall water system. A total coliform sample from site FH-38, Sho-Ban School Comput Rm Sink taken on 10/02/2023 was positive and therefore, a raw source water coliform sample was required from each well that was active at the time of the total coliform positive event. Failure to sample the well(s) constitutes a violation of the Groundwater Rule (GWR), according to CFR §141.402(a)(2).

To return to compliance you must collect and submit raw total coliform sample(s) from each well source that was active at the time of the TC+ event.

Additionally, in accordance with the Public Notification of Drinking Water Violation Rule 40 CFR §141.204(b) Fort Hall must distribute Tier 3 Public Notification (PN) within 1 year of receiving this letter. A Public Notification template, instructions, and certification are enclosed to assist you with completing the requirements. You must also submit to EPA a copy of the PN that was distributed and the completed Public Notification Certification Form within 10 days after you distribute the notice.

For community water systems, the annual Consumer Confidence Report (CCR) may be used as a vehicle for the initial Tier 3 public notice and all required repeat notices, 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 R10TribalDW@epa.gov with questions.

Sincerely,

Karen Burgess, Manager
Groundwater and Drinking Water Section

Enclosures: Public Notification Materials

cc: Laddie Folster, HIS Spokane District Office
Cody Anderson, Shoshone Bannock Tribe

Instructions for Monitoring Violations Annual – Template 3-1A

Template on Reverse

If you are required to provide Tier 3 notification, you must provide public notice to persons served within one year after you learn of the violation [\[40 CFR 141.204\(b\)\]](#). Multiple monitoring violations can be serious, and your state may have more stringent requirements. Check with your state to make sure you meet its requirements.

CWSs must use one of the following methods [\[40 CFR 141.204\(c\)\(1\)\]](#):

- Hand or direct delivery
- Mail, as a separate notice or included with the bill
- Another method approved in writing by the state

NCWSs must use one of the following methods [\[40 CFR 141.204\(c\)\(2\)\]](#):

- Posting in conspicuous locations
- Hand delivery
- Mail
- Another method approved in writing by the state

In addition, both CWSs and NCWSs must use another method reasonably calculated to reach others if they would not be reached by the first method [\[40 CFR 141.203\(c\)\]](#). Such methods could include newspapers, e-mail, or delivery to community organizations. If you post the notice, it must remain posted until the violation is resolved. If the violation has already been resolved, you must post the notice for at least seven days [\[40 CFR 141.204\(b\)\]](#). If you mail, post, or hand deliver, print your notice on your system's letterhead, if available.

The notice on the reverse is appropriate for insertion in an annual notice or the Consumer Confidence Report (CCR) (CWSs only), as long as public notification timing and delivery requirements are met [\[40 CFR 141.204\(d\)\]](#). You may need to modify the template for a notice for individual monitoring violations. This example presents violations in a table; however, you may write out an explanation for each violation if you wish. For any monitoring violation for volatile organic compounds (VOCs) or other groups, you may list the group name in the table, but you must provide the name of every chemical in the group on the notice, e.g., in a footnote.

You may need to modify the notice if you had any monitoring violations for which monitoring later showed a maximum contaminant level (MCL) or other violation. In such cases, you should refer to the public notice you issued at that time. If you do modify the notice, you must still include all required public notice elements from [40 CFR 141.205\(a\)](#) and leave the mandatory language unchanged (see below).

Mandatory Language

Mandatory language on health effects (from [Appendix B to 40 CFR 141 Subpart Q](#)) must be included as written and is presented in this notice in italics with an asterisk on either end. You will need to update the information presented in brackets with the appropriate information.

You must also include standard language to encourage the distribution of the public notice to all persons served, where applicable [\[40 CFR 141.205\(d\)\]](#). This language is also presented in this notice in italics with an asterisk on either end.

Corrective Action

In your notice, describe corrective actions you took, or are taking. Listed below are some steps commonly taken by water systems with monitoring violations. You can use the following language, if appropriate, or develop your own:

- We have since taken the required samples, as described in the last column of the table above. The samples showed we are meeting drinking water standards.
- We have since taken the required samples, as described in the last column of the table above. The sample for [contaminant] exceeded the limit. [Describe corrective action; use information from public notice prepared for violating the limit.]
- We plan to take the required samples soon, as described in the last column of the table above.

After Issuing the Notice

Make sure to send a copy of each type of notice and a certification that you have met all the public notification requirements to your state within 10 days after the original or any repeat notice(s) [\[40 CFR 141.31\(d\)\]](#).

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Monitoring Requirements Not Met

Public Water System: Fort Hall Date distributed: _____

Our water system violated drinking water requirements over the past year. Even though these were not emergencies, as our customers, you have a right to know what happened and what we are doing (did) to correct these situations.

**We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the October 2023 compliance period we:*

- ☐ *did not report monitoring or testing results on time for E. coli for raw groundwater sources*
- ☐ *did not complete all required monitoring or testing for E. coli for raw groundwater sources*

*and therefore cannot be sure of the quality of your drinking water during that time.**

What should I do?

There is nothing you need to do at this time.

The table below lists when we did not properly test for chlorine residual in the distribution during the last year, how often we are supposed to sample, how many samples we are supposed to take, how many samples we took, when samples should have been taken, and the date on which follow-up samples were (or will be) taken.

Contaminant	Required sampling frequency	Number of samples taken	When samples should have been taken	When samples were taken

What is being/was done?

We submitted the required report to EPA on ____ / ____ / ____.

-OR-

We will take the required number of samples on ____ / ____ / ____.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

Contact Person: _____ **Phone:** _____

Public Notification Certification Form

The water system must complete this section. The signature below certifies that the notice contains all required elements. Complete the section which corresponds to your water system type.

Community Water Systems:

- ☐ I mailed/delivered Public Notices to the water users within 1 year of receiving EPA's Notice of Violation for failure to monitor and/or report E. coli results for groundwater sources under the Groundwater Rule.

Provide information of another method used to reach others if they would not be reached by the first method. Such methods could include posting in public places or internet, newspapers, email, delivery to community organizations, etc.

Other Method: _____

Non-Community Water Systems:

- ☐ Notice posted at _____ on ____ / ____ / ____ within 1 year of receiving EPA's Notice of Violation for failure to monitor and/or report E. coli results for groundwater sources under the Groundwater Rule.

Provide information of another method used to reach others if they would not be reached by the first method. Such methods could include posting on the internet, newspapers, email, delivery to community organizations, etc.

Other Method: _____

Water System Name: Fort Hall

PWS ID#: 101612109

Signature

Date

Email a copy of the completed notice and this certification form to: R10TribalDW@epa.gov