



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

Ref: 8 Montana

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Kasey Hastheegle
Director of Prairie Mountain Utilities
Kasey.hastheegle@ftbelknap.org

Re: Inspection Report for Fort Belknap Agency Wastewater Lagoons, MTU000027

Dear Kasey Hastheegle:

On July 19, 2023, representatives of the U.S. Environmental Protection Agency conducted a compliance evaluation of the Fort Belknap Agency wastewater lagoon in Harlem, 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 (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 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 or content of the report. This summary should be sent to:

Lisa-kay Prideaux
U.S. EPA Region 8
Prideaux.Lisakay@epa.gov

Ina Nez Perce, Environmental Director
Fort Belknap Indian Community of the Fort Belknap Indian Reservation
Inperce@ftbelknap.org

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

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

 Digitally signed by Prideaux,
LisaKay
Date: 2023.08.24 12:49:42 -06'00'

Enclosures:

- 1) NPDES Wastewater Lagoon Inspection Report
- 2) Photo Log

cc: Jeffrey Stiffarm, President, Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation (email)
Ina Nez Perce, Environmental Director, Fort Belknap (email)
Gene Talks Different, Water Plant Manager (email)
Rob Adams, Indian Health Services (email)

NPDES Wastewater Lagoon Inspection Report

National Database Information	
Inspection Date: July 19, 2023	Inspection Type: CEI
Entry/Exit Time: 08:30/10:00	NPDES ID Number: MTU000027
NAICS Code: 221300 Sewage Treatment Facility	Inspection ID: 202307_MTU000027
Lead inspector and affiliation: Lisa-kay Prideaux / EPA Region 8 Montana Operations Office	

Facility Location Information	
Site/Facility Name & Location: Fort Belknap Agency Lagoons 48.482209°N; -108.746072°W	Email Report to: Kasey Hastheeagle Director of Prairie Mountain Utilities Kasey.hastheeagle@ftbelknap.org

Contact Information	
	Name(s)/Title
Facility Contacts:	Kasey Hastheeagle – Director of Prairie Mountain Utilities (present)
	Gene Talks Different – Water Plant Manager (present)
	Tyus Hammett – Water/Wastewater Operator in Training (present)
Person/Company meeting definition of “Operator”	Jeffrey Stiffarm – President (not present)
Authorized Official(s)	Kasey Hastheeagle – Director of Prairie Mountain Utilities (present)
Tribe Representative(s)	
Indian Health Service Representative(s)	Rob Adams – Indian Health Services, Engineer (present)

Permit Information		
Is the permit on site and available? N/A	Lagoon Category: N/A	Monitoring Frequency: N/A
Effective Date: Unpermitted	Expiration Date: Unpermitted	Is the Facility under a compliance schedule? No
Is correct contact information indicated on ICIS? No	Indicate correct contact information: Authorized Official: Kasey Hastheeagle	
Receiving Water(s): No Discharge		
Discharge point location (longitude, latitude): No Discharge		
Regulatory Inspector’s source of information: Clean Water Act regulation, Integrated Compliance Information System (ICIS), Enforcement & Compliance History Online (ECHO), previous inspection report and correspondence, facility representatives and facility observations.		

Areas Evaluated During Inspection		
<u>Permit</u>	<u>Effluent/Receiving Waters</u>	<u>Compliance Schedule</u>
<u>Records/Reports</u>	<u>Flow Measurement</u>	<u>Discharge Monitoring Reports</u>
<u>Facility Site Review</u>	<u>Monitoring Program</u>	<u>Lift Station Operation and Maintenance</u>
<u>Collection System Review</u>	<u>Lagoon Self- Inspections</u>	<u>Preventive and Emergency Operation and Maintenance</u>

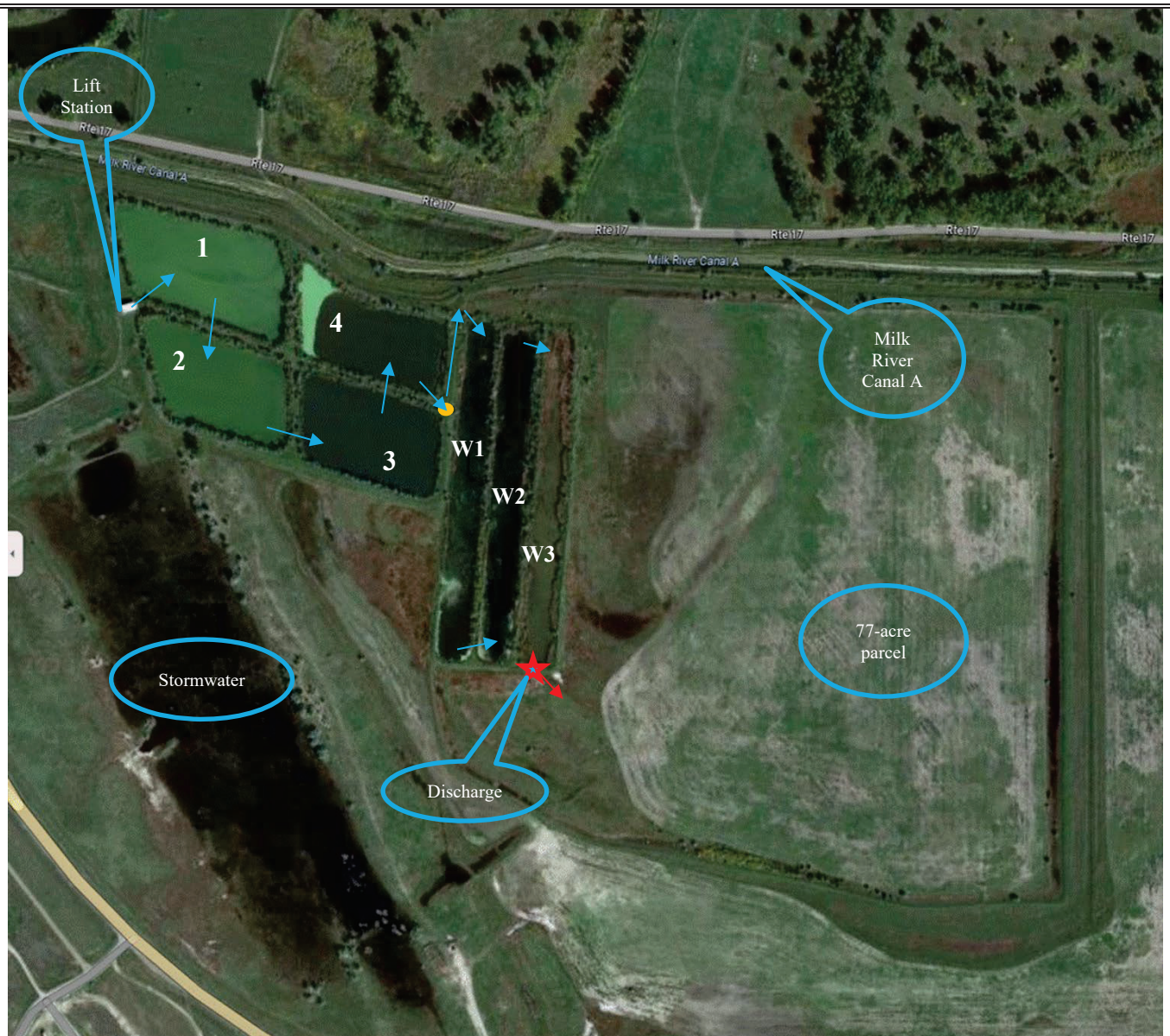
Report Review and Signature		
Drafter Signature/Name: Lisa-kay Prideaux	Date	Address/Phone Number
Prideaux, LisaKay Digitally signed by Prideaux, LisaKay Date: 2023.08.24 12:51:38 -06'00'	08.08.2023	U.S. EPA Region 8, Montana Operations Office 10 West 15 th Street, Suite 3200 Helena, Montana 59626 406-457-5022
Management Signature/Name	Date	Address/Phone Number
EMILIO LLAMOZAS Digitally signed by EMILIO LLAMOZAS Date: 2023.08.24 15:17:12 -06'00'	8/23/2023	U.S. EPA Region 8 1595 Wynkoop Street 8ENF-W-NW Denver, Colorado 80202 303-312-6407
Emilio Llamozas, NPDES and Wetlands Enforcement Section Supervisor		

Inspection Narrative and Site Description

On Wednesday July 18, 2023, at approximately 14:30, U.S. Environmental Protection Agency (EPA) inspector Lisa-kay Prideaux arrived at the Fort Belknap Water Treatment Plant located at 164 Agency Main Street in Harlem, Montana. After arriving, I presented my inspector credentials to the following representatives from Prairie Mountain Utilities: Kasey Hastheeagle, Director, Gene Talks Different, Water Treatment Plant Manager, and Tyus Hamnett, Operator in Training, James Labbull, Wastewater Operator, and Zeke Kackson, summer intern. During this time, we had a conversation regarding the overall state of the Tribal offices, Tribal utilities, complaints, problem areas within the Reservation facilities, future growth and upgrades, capacity of current systems, equipment needs and funding.

On July 19, 2023, I conducted an announced onsite inspection of the Fort Belknap Agency Wastewater Lagoons (facility), owned by the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation, and operated by Prairie Mountain Utilities. The inspection was conducted to evaluate the facility's discharge status and compliance with the Clean Water Act and EPA regulations. The EPA directly implements the Clean Water Act and NPDES program in Indian Country within the State of Montana. The inspection was announced several weeks prior to the inspection to coordinate logistics and ensure a facility representative would be on site. I presented credentials to Rob Adams of the Indian Health Services, who joined the inspection. I held an opening conference to explain the purpose of the inspection. I then proceeded to ask questions of to help me evaluate the facility's discharge status, and to obtain facility information for NPDES permit coverage evaluation. Throughout the inspection, I noted my observations in a field notebook. Photographs taken during the inspection are included in the attached photo log.

Agency Lagoons (also known as the Fort Belknap Wastewater Treatment Facility) was originally constructed in 1971 as a 3-cell lagoon system; in 2011 The original 3-cells were abandoned, and the current system constructed. The facility serves a population of approximately 345 homes, a hospital, and Aaniiih Nakoda College. The facility processes primarily domestic waste but includes industrial wastes from the hospital. The facility consists of a collection system with one lift station, four bentonite floor-lined cells and three constructed wetland cells. The cells typically operate in series by gravity with no pumps for aeration or flow. The four lagoon cells combined encompass approximately 13.4-acres, and the wetland cells encompass approximately 8.5-acres in total. The lift station is located inside the fenced area of the lagoon system and consists of a well area, three screw-augers to lift wastewater, and an overflow pipe. Wastewater from the lift station enters cell one in the southwest corner, flows to cell 2 in the center of the adjoining dike walls, to cell 3 in the southern quarter of the adjoining dike walls, and to cell 4 in the center of the adjoining dike walls. Wastewater then enters the wetland system from the southeast corner of cell 4 into a manhole which directs water to the northern end of wetland cell 1, which flows south and through a pipe at the end to wetland cell 2, flowing north and over to wetland cell 3 via pipe. Wastewater then flows south through the wetland cell and discharges from wetland cell 3 via overflow pipe into a 77-acre parcel of land which is leased and harvested for hay. On the north end of the 77-acre field is the Milk River irrigation canal A, which connects to the Milk River. Sludge removal has not occurred in this lagoon system.



The site visit included walking through the lift station. At the time of the inspection, the power to the lift station was out and appeared to have been out for some time. The power outage did not notify any personnel. The well area was caked with a layer of sludge (photo 738), and the wastewater was leaving the lift station through the overflow pipe (photo 739). During the inspection, facility personnel reset the breaker, and the lift station began operation again. We then proceeded to walk around lagoon cell 1 (photos 740-742 and 751), cell 2 (photos 742-744), cell 3 (photo 747), cell 4 (photo 750), and wetland cell 1 (photos 748-749). We could not walk between cells 3 and 4, on the north side of cell 4 or around the wetland cells due to dense vegetation and shrub/tree growth. I observed excessive cattail and vegetation growth along the edges and growing within the cells, in all cells (photos 740-745 and 747-751). I also observed rodent holes throughout the dike walls surrounding all cells (photo 746) as well as paths, and shrub damage from the rodents. Due to this excessive growth, the discharge pipe, from wetland cell 3, was not able to be observed to see if the system was currently discharging, the field in which it discharges to, or the Milk River irrigation canal A.

Findings, Corrective Actions and Recommendations

Finding #1: Failure to have emergency alarms and back-up power source.

Specifically, the electrical supply had faltered to the lift station (photo 738) and facility personnel were not notified though an emergency alarm or call-out system, and a backup generator or power source was unavailable.

Regulatory Requirements:

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... This provision requires the operation of a back-up or auxiliary facilities or similar systems...

Recommended Corrective Actions:

EPA recommends the facility install a system to notify personnel of a lift station shut down due to power outages or other reasons for the lift station to be off-line. Treatment units and headworks should be equipped with alarms to notify operations staff of unit failure or loss of power. Facilities should have a backup power source to run treatment units under load in case of power failure. Power supply can be in the form of a separate electrical substation feed line, emergency generator hard-wired into treatment units, or portable generator hook-ups. In the response to this report, provide EPA with a description of the corrective actions taken to address this finding or a schedule with timeframes to complete the required maintenance.

Finding #2: Failure to maintain equipment.

Specifically, chains, cables and winches within the lift station have corroded to the point of minimal or inoperable condition.

Regulatory Requirements:

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 Actions:

EPA recommends the facility repair/replace lift station equipment to operational status. In the response to this report, provide EPA with a description of the corrective actions taken to address this finding or a schedule with timeframes to complete the required maintenance.

Finding #3: Unmaintained vegetation within lagoon cells.

Specifically, the facility's lagoon dike walls were covered in unmaintained vegetation. Excessive vegetation/grasses as well as thicker vegetation/shrubs/trees growth was observed along the edges within lagoon cell walls of all four treatment lagoon cells and surrounding wetland cells (photos 740-745 and 747-751). When vegetation is unmaintained, it is difficult to assess the health of the lagoon dike walls for erosion, leaks, slumps, and burrowing animal damage.

Permit requirements:

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 also 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 breeding. Absence of good wave action may create anaerobic conditions.

Finding #4: Rodent damage within lagoon cells.

Specifically, damage from rodents was observed around all four lagoon cells as holes as well as vegetation cuttings created by rodent grazing (photo746). 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 #3) as a food source will also deter the inhabitant tendency.

Regulation Requirements

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 #5: 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 wetland cell 3 was described (observation not made due to density of vegetation) with an outlet into a field which has an irrigation ditch running through connecting to the Milk River, approximately one 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, the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation are required to submit an application for coverage under the National Pollutant Elimination Discharge System (NPDES) permit program. 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>.