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

Ref: 8ENF-W-NW

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Wayne Hosie
Maintenance Manager
Prairie Knights Casino
whosie@prairieknights.com

Re: Inspection Report for Prairie Knights Casino Wastewater Treatment Facility, NPDES Permit No. ND0031135

Dear Mr. Hosie:

On July 12, 2022, representatives of the U.S. Environmental Protection Agency inspected the Prairie Knights Casino Wastewater Treatment Facility located in Fort Yates, North Dakota to evaluate compliance with the facility's National Pollutant Discharge Elimination System permit for wastewater. 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 and Standing Rock Sioux Tribe Environmental Program 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:

Stephanie Meyers
meyers.stephanie@epa.gov

Jake Luger
jluger@standingrock.org

Please contact me at 303-312-6938 or meyers.stephanie@epa.gov if you have any questions regarding this letter or the enclosed report.

Sincerely,

STEPHANIE MEYERS Digitally signed by STEPHANIE MEYERS
Date: 2022.08.19 09:07:55 -06'00'

Stephanie Meyers
NPDES and Wetlands Enforcement Section
Enforcement and Compliance Assurance Division

Enclosures:

1) Prairie Knights Casino WWTF NPDES Inspection Report – Wastewater Treatment Facility
2) Prairie Knights Casino WWTF Photo Log

cc: The Honorable Janet Alkire, Chairwoman, Standing Rock Sioux Tribe (via email)
Jake Luger, Acting Environmental Director, Standing Rock Sioux Tribe (via email)

NPDES Inspection Report – Wastewater Treatment Facility

National Database Information	
Inspection Date: July 12, 2022	Inspection Type: CEI - Wastewater Treatment Facility
Entry/Exit Time: 2:20 pm / 5:00 pm	NPDES ID Number: ND0031135
NAICS Code: 721120	Inspection ID: 202207_ND0031135
Lead inspector and affiliation: Stephanie Meyers / EPA Region 8	
Inspector and affiliation: Emilio Llamozas / EPA Region 8	

Facility Location Information (*Name/Location/ Mailing Address*)	
Site/Facility Name & Location: Prairie Knights Casino Wastewater Treatment Facility 7932 Highway 24 Fort Yates, North Dakota 58538	Email Report to: Mr. Wayne Hosie Maintenance Manager Prairie Knights Casino whosie@prairieknights.com

Contact Information	
	Name(s)/Title
Facility Contacts: *(indicate primary lead and present during inspection)*	Wayne Hosie / Maintenance Manager / Prairie Knights Casino / primary lead during the inspection
	Jeff Schick / Sub-contractor / Schick Enterprises / present during inspection
	Tyler Timmons / Tribal Utility Consultant / Indian Health Service (IHS) / present during inspection
Person/Company meeting definition of "Operator"	Prairie Knights Casino
Authorized Official(s) (Per NOI?)	Wayne Hosie / Maintenance Manager / Prairie Knights Casino

Permit Information		
Is the permit on site and available? Yes	Lagoon Category: Individual Permit	Monitoring Frequency: Quarterly
Effective Date: January 1, 2019	Expiration Date: December 31, 2023	Is the Facility under a compliance schedule? No
Is correct contact information indicated on ICIS? No	Indicate correct contact information: Permittee – Wayne Hosie	
Receiving Water(s): Unnamed tributary of Fool Bear Creek, a tributary of the Missouri River Outfall 002 from the Ecolo-Chief Plant located near Latitude 46.272717˚, Longitude -100.635361˚		
Regulatory Inspector's source of information: Statement of basis for the permit, permit, facility representatives and facility observations.		

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 Name	Address/Phone Number	Date
Stephanie Meyers	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ENF-W-NW** **Denver, Colorado 80202** **303-312-6938**	**08/08/2022**
Reviewer Name	Address/Phone Number	Date
Emilio Llamozas	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ENF-W-NW** **Denver, Colorado 80202** **303-312-6407**	**08/08/2022**
Supervisor Signature/Name	Address/Phone Number	Date
Boeglin, Michael Digitally signed by Boeglin, Michael Date: 2022.08.19 09:04:18 -06'00' **Michael Boeglin**	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ENF-W-NW** **Denver, Colorado 80202** **303-312-6250**	**08/19/2022**

Inspection Narrative and Site Description

The inspection was conducted at the Prairie Knights Casino Wastewater Treatment Facility (WWTF or facility) located in Fort Yates, 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 July 12, 2022, U.S Environmental Protection Agency (EPA) inspectors Stephanie Meyers and Emilio Llamozas met with operator Wayne Hosie with Prairie Knights Casino and subcontractor Jeff Schick with Schick Enterprises. 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.

Prairie Knights Casino is owned and operated by the Standing Rock Sioux Tribe and is located in Fort Yates, North Dakota. Prairie Knights Casino, a 96-room hotel, and wastewater lagoon system were constructed in 1993. Wastewater discharges were originally permitted under the Lagoon General Permit when wastewater was collected and treated in the lagoon system. In 2004, 104 hotel rooms and an events center were added, and the lagoons were rehabilitated. In 2011, an Ecolo-Chief activated sludge WWTF was installed and treats all wastewater from the facility. The facility has been operating under an individual permit since 2019.

The WWTF receives wastewater from the casino, hotel, two restaurants, a recreational vehicle dump station, and a gas station. The average flow is approximately 30,000 gallons per day. The facility has one lift station located near the gas station. A grease interceptor (photo 89) is installed prior to the WWTF headworks to reduce loading from the restaurants. All wastewater is received by the Ecolo-Chief WWTF and is either discharged to Outfall 002 (photo 72) or is sent to cell 1 (photo 85) of the lagoon system and is not discharged.

Inspectors first conducted a records review of sampling and laboratory records from monitoring periods ending October 31, 2020; August 31, 2021; and September 30, 2021 to evaluate the facility's compliance with effluent limits and use of EPA approved sampling and analysis methods.

After the records review, inspectors went to inspect Outfall 002 (photo 72) and the Ecolo-Chief WWTF. Wastewater first flows into holding tanks 1 (photo 73) and 2 (photo 75) where aeration occurs. There was a significant amount of grease observed in holding tank 1, and drums and storage containers were used to collect grease that is skimmed off the surface (photo 74). After holding tank 2, wastewater flows through the digester (photo 76) where solids accumulate on top of liquids to digest. Three aeration tanks (photo 77) then receive wastewater from the digester as well as return activated sludge from the clarifier. Wastewater then flows from the aeration tanks to the clarifier (photo 78). Clarifier effluent then flows through an ultra-violet (UV) light system to treat the wastewater (photo 82) if being discharged to Outfall 002. Next to the clarifier is a wasted sludge holding tank (photo 80), which receives the wasted activated sludge from the clarifiers. At the time of the inspection, a hose (photo 82) was transporting wastewater to cell 1 of the lagoon. A Greyline effluent flow meter (photo 83) is

installed to monitor the flow after the UV system, but no wastewater was flowing to the outfall at the time of the inspection.

Inspectors then inspected the lagoon system that occasionally receives wastewater from the Ecolo-Chief WWTF. Prior to arriving at cell 1, inspectors observed a trail of solids along the dirt road (photo 84) that facility representatives indicated had leaked out of the vac truck (photo 81). During certain times of the year, cell 1 of the lagoon system (photo 85) receives wastewater from the WWTF and solids from the vac truck. There are a total of three cells that are part of the lagoon system, but cells 2 (photo 87) and 3 (photo 88) are no longer in service and do not receive wastewater. Facility representatives indicated the valve (photo 86) that allows wastewater to flow from cell 1 to cell 2 was sealed with concrete in 2019.

After inspecting the lagoon system, inspectors then inspected the grease interceptor (photo 89), which facility representatives indicated had not been cleaned out in approximately a year.

The inspectors then went to inspect the lift station (photo 90), which receives wastewater from the gas station and pumps wastewater to the Ecolo-Chief WWTF.

At the end of the inspection, the inspectors held a closing conference with Mr. Hosie and Mr. Schick where they discussed preliminary findings. On July 21, 2022, the EPA sent an email to Mr. Hosie with the preliminary findings from the inspection.

Findings, Corrective Actions and Recommendations
Finding #1: Inspections of the wastewater treatment facility were not being conducted on a daily basis. Inspections of the wastewater treatment facility were not being conducted on a daily basis. Checklists are filled out a few times a month, which indicate whether equipment is functioning properly or not. The discharge flow rate, if applicable, and visual presence/absence of grease is not documented. **Permit requirement**: Part 4.5.2 of the permit states, "The permittee shall maintain a daily log containing a summary record of all operation and maintenance activities at the wastewater treatment facility. At a minimum, the notebook shall include the following information: 4.5.2.1 Date and time; 4.5.2.2 Name and title of person(s) making the log entry; 4.5.2.3 Name of the persons(s) performing the activity; 4.5.2.4 A brief description of the activity; and, 4.5.2.5 Other information, as appropriate. The Permittee shall maintain the log in accordance with proper record-keeping procedures and shall make the log available for inspection, upon request, by authorized representatives of the U.S. Environmental Protection Agency or Standing Rock Sioux Tribe." Part 11 of the Statement of Basis states, "On a daily basis the permittee shall inspect the wastewater treatment facility. The permittee shall maintain inspection logs documenting all information obtained during the inspection. At a minimum the permittee must document the discharge flow rate and visual presence/absence of grease." **Recommendation:** Ensure that inspections are conducted on a daily basis and documented in accordance with the permit and Statement of Basis. Provide the EPA and the Standing Rock Sioux Tribe Environmental Program (Tribe) with a description of the corrective actions taken to address this finding.
Finding #2: Calibration records for pH meter calibration and pH sample collection and analysis were not properly documented. The individual performing pH meter calibration as well as pH sample collection and analysis was not being documented in records. **Permit requirement:** Part 3.2 of the permit states, "Monitoring must be conducted according to test procedures approved under 40 CFR Part 136." Part 3.6 of the permit states, "Records of monitoring information shall include:

3.6.1 The date, exact place, and time of sampling or measurements;

3.6.2 The initials or name(s) of the individual(s) who performed the sampling or measurements;

3.6.3 The date(s) analyses were performed;

3.6.4 The time(s) analyses were initiated;

3.6.5 The initials or name(s) of individual(s) who performed the analyses;

3.6.6 References and written procedures, when available, for the analytical techniques or methods used; and,

3.6.7 The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results."

Corrective Action:
Ensure that the individual performing pH meter calibration as well as pH sample collection and analysis is being documented. Provide the EPA and Tribe with a description of the corrective actions taken to address this finding.

Finding #3: Proper pH calibration procedures were not being conducted.
The pH meter was being calibrated with a pH 7 buffer. A two-point calibration of the pH meter was not being conducted to ensure the pH meter is calibrated properly and accurately. The two-point calibration should bracket the anticipated pH result.

Permit Requirement:
Part 3.2 of the permit states, "Monitoring must be conducted according to test procedures approved under 40 CFR Part 136."

Approved pH methods identified in 40 CFR Part 136 require that pH meters be calibrated with at least two-point calibration and that the buffers used for calibrations bracket the expected pH results.

Corrective Action:
Ensure that a two-point calibration of the pH meter is being conducted. Provide the EPA and Tribe with a description of the corrective actions taken to address this finding.

Finding #4: The lift station waste basket was not functioning properly at the time of the inspection.
The lift station waste basket was not in line with the pipe from which wastewater flows into the lift station (photo 90). Therefore, it was not collecting the trash and debris coming into the lift station.

Permit Requirement:
Part 4.5 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 the Permit. However, the Permittee shall operate, at a minimum, one complete set of each main line unit treatment process whether or not this process is needed to achieve permit effluent compliance."

Corrective Action:
Ensure the lift station waste basket is in line with the influent pipe so trash and debris are being collected. Properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) including lift stations, which are installed or used by the permittee to achieve compliance with the conditions of the permit. Provide the EPA and Tribe with photos and a description of the corrective actions taken to address this finding.

Finding #5: Sewage sludge was observed along the dirt road leading to cell 1 of the lagoon system.
Facility representatives indicated that sewage sludge from the vac truck had spilled outside of cell 1 onto the dirt road (photo 84).

Permit Requirement:
Part 4.6 of the permit states, "Collected screenings, grit, solids, sludge (including sewage sludge), or other pollutants removed in the course of treatment shall be buried or disposed in a manner consistent with all applicable federal and tribal regulations (e.g., 40 CFR Part 257, 40 CFR Part 258, 40 CFR Part 503)."

Corrective Action:
Clean up the sewage sludge that was spilled on the road and properly dispose of it. Ensure that sewage sludge is not spilled on the road in the future. Provide the EPA and Tribe with photos and a description of the corrective actions taken to address this finding.

Finding #6: There was a significant amount of grease observed in the grease interceptor and the holding tanks at the time of the inspection.
Facility representatives indicated that the grease interceptor (photo 89) had not been pumped out for about a year. A significant amount of grease was also observed in the holding tanks at the wastewater treatment facility (photo 74).

Permit requirement:
Part 4.5 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 the Permit. However, the Permittee shall operate, at a minimum, one complete set of each main line unit treatment process whether or not this process is needed to achieve permit effluent compliance."

Corrective Action:
Ensure the grease interceptor is pumped out on a regular basis to prevent significant amounts of grease

from flowing into the WWTF. Properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) including grease interceptors, which are installed or used by the permittee to achieve compliance with the conditions of the permit. Provide the EPA and Tribe with photos and a description of the corrective actions taken to address this finding.

Finding #7: The Discharge Monitoring Reports for monitoring periods ending on August 31, 2021, and September 31, 2021, had included sample results for several parameters when the facility was not discharging.

The Discharge Monitoring Reports (DMR) for monitoring periods ending on August 31, 2021, and September 31, 2021, had incorrect no data indicators for the discharge situation occurring at that time. During the summer months when the package plant sends its effluent to cell 1 of the lagoon system, the facility had reported no data indicator (NODI) code C "No discharge" for flow but had provided the sample results for the other parameters in the DMR. If the facility is not discharging wastewater to Outfall 002, and instead sending wastewater to cell 1 where it will not be discharged, the entire DMR should be reported as NODI code C. The facility is still allowed to sample effluent that is not discharged and can include the results of the sampling as an attachment in the DMR but should not include results for entry into NetDMR. The facility should indicate in the DMR comments that the effluent was sent to cell 1 and report the dates that it occurred.

Permit Requirement:

Part 3.4 of the permit states, "The permittee is required to electronically report DMRs using NetDMR."

Below are the NODI codes and a description of each:

Code	Description
1	Wrong Flow
2	Operation Shutdown
3	Special Report Attached
4	Discharge to Lagoon/Groundwater
5	Frozen Conditions
6	State-Specific No Data Indicator - Valid
7	No Influent
8	Other (See Comments)
9	Conditional Monitoring - Not Required This Period

A	General Permit Exemption
B	Below Detection Limit/No Detection
C	No Discharge
D	Lost Sample/Data Not Available
E	Analysis Not Conducted/No Sample
F	Insufficient Flow for Sampling
G	Sampling Equipment Failure
H	Invalid Test
I	Land Applied
J	Recycled - Water-Closed System

K	Natural Disaster
L	DMR Received but not Entered
M	Laboratory Error
N	Not Constructed
P	Laboratory Error or Invalid Test
Q	Not Quantifiable
R	Administratively Resolved
S	Fire Conditions

T	Environmental Conditions - Monitoring Not Possible
V	Weather Related
W	Dry Lysimeter/Well
Q	Not Quantifiable
X	Parameter/Value Not Reported
Y	State-Specific No Data Indicator - Valid
Z	COVID19 valid Mar-Aug 2020 monitoring

Corrective Action:
Ensure that the correct NODI code is entered for the applicable circumstance when DMRs are submitted. Provide the EPA and Tribe with a description of the corrective actions taken to address this finding.

Finding #8: The facility exceeded effluent limitations for Total Suspended Solids (TSS) and E. coli in October of 2020.
The sample collected in October of 2020 had a TSS concentration of 39 mg/L and an E. coli concentration of 204.6 cfu/100 mL. Facility representatives indicated an operator error occurred and pool water was sent through the Ecolo-Chief WWTF instead of directly to the lagoon. The chlorine content of the pool water killed some of the microbes in the Ecolo-Chief WWTF which resulted in the TSS 30-day average and E. coli 30-day average exceedances.

Permit requirement:
Table 2 of the permit establishes effluent limitations for Outfall 002:

	30-Day Average a/	7-Day Average a/	Daily Minimum a/	Daily Maximum a/
BOD5, mg/L	30	45	N/A	N/A
Total Suspended Solids, mg/L	30	45	N/A	N/A
E. coli, number/100 mL	126	N/A	N/A	410
Oil and Grease, mg/L	NA	NA	N/A	10
pH, Standard Units	N/A	N/A	6.5	9.0

a/ See Definitions, Part 1.1, for definitions.

Corrective Action:
Ensure chlorinated pool water is not discharged to the Ecolo-Chief WWTF. Provide the EPA and Tribe with a description of the corrective actions taken to address this finding.