

NPDES Inspection Report – Wastewater Treatment Facility

National Database Information	
Inspection Date: September 10, 2024	Inspection Type: CEI – Wastewater Treatment Facility
Entry/Exit Time: Opening Conference: 8:00 a.m. - 9:00 a.m. Site Review: 2:00 p.m. – 2:20 p.m.	NPDES ID Number: SDU000212
NAICS Code: 221320	Inspection ID: 202409_SDU000212
Lead inspector and affiliation: Stephanie Passarelli / EPA Region 8	
Inspector and affiliation: Stephanie Meyers / EPA Region 8	

Facility Location Information	
Site/Facility Name & Location: Barker Hill Lake Traverse Reservation, South Dakota Lat/Long: 45° 34' 55.69" N, 97° 3' 14.80" W	Email Report to: John Cloud, III, Program Manager Lake Traverse Utility Commission johnc@sws-nsn.gov

Contact Information	
	Name(s)/Title
Facility Contacts:	John Cloud, III / Program Manager / Lake Traverse Utility Commission (LTUC) / present during the opening conference
	Enrique Pagan / Operator / LTUC / present during the opening conference
	Jerwyn “JJ” Marks / Operator / LTUC / present during the inspections and closing conference
	Ross Hanson / Environmental Engineer Consultant / Indian Health Service (IHS) / present during the opening conference, inspections and closing conference
	Jon Ireland / Tribal Utility Consultant / Indian Health Service (IHS) / present during inspections and closing conference
Person/Company meeting definition of “Operator”	Sisseton-Wahpeton Oyate Tribe, LTUC
Authorized Official(s)	John Cloud, III / Program Manager / LTUC

Permit Information		
Is the permit on site and available? Unpermitted	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? Yes	Indicate correct contact information: N/A	
Receiving Water(s): No-discharge		
Regulatory Inspector’s source of information: Notice of Intent for the permit, ICIS, ECHO and facility representatives		

Areas Evaluated During Inspection		
<u>Permit</u>	<u>Self-Monitoring Program</u>	Pretreatment
<u>Records</u>	Compliance Schedule	Pollution Prevention
<u>Facility Site Review</u>	Laboratory	Stormwater
<u>Effluent/Receiving Waters</u>	<u>Operations and Maintenance</u>	Combined Sewer Overflow
Flow Measurement	Sludge Handling/Disposal	Sanitary Sewer Overflow

Report Review and Signature		
Drafter Name	Draft Date	Contact Information
Stephanie Passarelli STEPHANIE PASSARELLI  Digitally signed by STEPHANIE PASSARELLI Date: 2024.12.05 17:45:25 -07'00'	11/14/2024	U.S. EPA Region 8 Denver, Colorado passarelli.stephanie@epa.gov (303) 312-6803
Reviewer Name	Draft Date	Contact Information
Stephanie Meyers	11/25/2024	U.S. EPA Region 8 Denver, Colorado meyers.stephanie@epa.gov (303) 312-6938
Management Reviewer Name/Signature/Date		Contact Information
EMILIO LLAMOZAS  Digitally signed by EMILIO LLAMOZAS Date: 2024.12.05 09:35:52 -07'00'		U.S. EPA Region 8 Denver, Colorado llamozas.emilio@epa.gov (303) 312-6407
Emilio Llamozas, NPDES and Wetlands Enforcement Section Supervisor		

Inspection Narrative and Site Description

1.0 Introduction

On Tuesday, September 10, 2024, Environmental Protection Agency (EPA) inspectors Stephanie Passarelli and Stephanie Meyers (inspectors, we), conducted a compliance evaluation inspection of the Barker Hill wastewater treatment facility (facility; WWTF) located within the exterior boundaries of the Lake Traverse Reservation in South Dakota. The facility was operated by Sisseton-Wahpeton Oyate Tribe, Lake Traverse Utility Commission (LTUC).

The purpose of the inspection was to evaluate compliance with the Clean Water Act (CWA) and assess the facility's need for a National Pollutant Discharge Elimination System (NPDES) permit. The EPA is responsible for implementing the NPDES program in Indian Country within the State of South Dakota. The inspection was coordinated with the EPA several weeks in advance. A letter notifying the Tribe of the EPA's inspection presence on the Reservation was sent on August 29, 2024.

The opening conference was held at the LTUC office with John Cloud, III, LTUC Program Manager, Enrique Pagan, LTUC Operator, and Ross Hanson, IHS Environmental Engineer Consultant. We presented our credentials, explained the purpose of the inspection and discussed NPDES compliance and current operations of the multiple WWTFs operated by LTUC, including the subject facility. LTUC and IHS representatives discussed planned and future upgrades of several of the LTUC facilities, and status on the IHS Sanitary Deficiencies System list. Additionally, LTUC representatives shared that there were six staff responsible for wastewater operations and that staffing levels are not currently sufficient.

After the opening conference, inspectors proceeded to conduct site reviews of the WWTFs operated by LTUC, including the subject facility, for the remainder of the day on September 10, 2024. During the field portion of the inspections, inspectors were joined by Ross Hanson, Jon Ireland, and JJ Marks. Throughout the inspection, inspectors noted observations in a checklist. Photographs taken during the inspection are included in the attached photo log.

2.0 Inspection Narrative

The inspection commenced at approximately 2:00 p.m. when the group convened at the facility. Inspectors had presented their credentials and conducted an opening conference earlier in the day. The facility comprised of an operating two-cell lagoon, wetland area, collection system and lift station. LTUC representatives indicated this lagoon primarily serves the Barker Hill housing community located directly west of the facility.

Inspectors first viewed the lift station located at the entrance of the facility. An overview of the lift station wet well is shown in Photograph 1. Mr. Marks indicated in 2021, the pumps were upgraded to install two grinder pumps which helped to address clogs and almost daily maintenance needed. At

the time of the inspection, the lift station was fully operational. Mr. Marks indicted the pumps leading to the lagoon typically clog on a weekly basis due to grease and debris from the housing community. Alarms notify LTUC staff who conduct maintenance and repairs as needed to prevent overflow.

Inspectors proceeded to walk the lagoon perimeter to observe operations and facility conditions. An overview of Cell 1 is shown in Photograph 2, showing dense vegetation and shrubs that had reached heights greater than six inches on the berms surrounding Cell 1 and growing inside the cell walls. The inspectors and facility representatives continued to walk along the north perimeter of Cell 1 to view Cell 2 (Photograph 3) where vegetation growing inside the cell and the surrounding berms was visible. Mr. Marks indicated the wastewater flows from the lift station to Cell 1, Cell 2, and then discharges into the S-curves of the constructed wetland area located to the north of both cells. Due to dense vegetation along the east and south side of Cell 2, the group was unable to review the lagoon perimeter in its entirety; however, facility representatives indicated the facility was not discharging.

The inspection concluded at approximately 2:20 p.m. Following inspection of the facility, inspectors held a brief closing conference with JJ Marks, Ross Hansen, and Jon Ireland where preliminary findings were discussed.

Findings, requested corrective actions, and recommendations identified pursuant to the inspection are identified in the section below.

Findings, Corrective Actions and Recommendations

Finding 1:

LTUC should confirm no potential for discharge from the facility and submit a Notice of Intent (NOI) to obtain coverage as a "No-Discharge" facility under EPA Region 8's General Permit for Wastewater Lagoon Systems in Indian Country, Permit No. SDG589### (the permit), and comply with all relevant permit requirements. A similar recommendation, for the facility to evaluate and submit a NOI, was listed in the 2017 inspection report provided to LTUC on January 11, 2018, however no documentation was submitted to EPA.

Permit Requirements:

Section 1.2 of the permit ("Introduction") states: "This Region 8 General Permit for Wastewater Lagoon Systems in Indian Country (Permit) is intended for the permitting of wastewater lagoon systems that treat primarily domestic sewage (an average total influent flow consisting of ~80% or greater domestic sewage) and are located within the boundaries of the specified Region 8 Indian Reservations or otherwise in Indian country as defined in Section 1.1 Definitions of this permit."

Section 1.5 of the permit (Categories and Subcategories of Coverage) indicates authorization for coverage under this permit will be limited to one of the following two categories of

wastewater lagoon systems:

DISCHARGE (DIS) - Authorization to Discharge. No prior notification is required before starting to discharge;

NO DISCHARGE (NODIS) - No Authorization to Discharge. The lagoon system is required to have no discharge.

The basic requirements for each of the categories are specified in Section 1.5, of the permit. If additional water quality-based effluent limitations are necessary to comply with applicable water quality standards, those requirements will be specified in the written notice of authorization of coverage or subsequent letter from the EPA.

Section 2.1 of the permit ("Obtaining Authorization for Coverage Under this Permit" states:

2.1.1 To obtain authorization under this permit, a facility must:

Submit a complete and accurate NOI using an EPA notice of intent form for coverage under this Permit. The "NPDES 2020 Lagoon General Permit Notice of Intent Form" is located electronically at: <https://www.epa.gov/npdes-permits/region-8-npdes-lagoon-general-permit>

Facilities may also contact EPA's Region 8 Office (EPA contact information is available at the website provided in the following paragraph) and request a hardcopy NOI be mailed to them. Once completed, the form can be submitted to EPA as indicated in Section 2.4 of this Permit.

The NPDES Lagoon General Permit Notice of Intent Form can also be requested from EPA's Region 8 Office. Contacts for Region 8 are listed at the following website:
<https://www.epa.gov/npdes-permits/forms/contact-us-about-npdes-permits-around-nation>

Once completed, the form can be printed out, signed, and submitted to the EPA at the address given in Section 2.4 of the permit:

Unless otherwise authorized by EPA, the signed Notice of Intent form (hardcopy) must be sent to the address listed below:

U.S. Environmental Protection Agency, Region 8
Wastewater Section (8WD-CWW)
1595 Wynkoop Street Denver, CO 80202-1129

In addition to submitting the signed hardcopy, a copy may be submitted electronically as provided in the submission instructions at: [https://www.epa.gov/npdes-permits/region-8-
npdes-lagoon-general-permit](https://www.epa.gov/npdes-permits/region-8-npdes-lagoon-general-permit)

A relevant EPA contact to address questions regarding submittal of the NOI is Kenley Stone, reachable at stone.kenley@epa.gov or (406) 457-5035, or Alysia Tein at tien.alysia@epa.gov or (303) 312-7021.

Corrective Actions:

Submit required NOI documentation to obtain coverage under the Region 8 General Permit for Wastewater Lagoon Systems in Indian Country. In your response to the EPA, provide a timeline to address the corrective action and projected date of completion.