



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101

WATER  
DIVISION

February 9, 2023

Mr. Nick Rich  
Klamath Tribes  
34333 Hiway 97 N.  
Chiloquin, OR 97624

**Re: Violations for Failure to Submit Lead Consumer Notice Certification  
Kla-Mo-Ya Casino, PWS ID 104100002**

Dear Mr. Rich:

The EPA did not receive certification of consumer notification of results for lead within 90 days of the end of the compliance monitoring period, before 9/30/2023, as required under the National Primary Drinking Water Regulations (NPDWR), according to 40 CFR §141.85. As a result, Kla-Mo-Ya Casino is in violation of the NPDWRs.

Kla-Mo-Ya Casino is currently required to take lead and copper samples at approved tap sampling sites. Within 30 days of receiving lead sampling results, notification must be provided by the public water system to consumers at each location where monitoring was conducted. Certification of the distribution of the lead consumer notices must be provided to EPA within 90 days of the end of the compliance monitoring period.

To return to compliance you must:

- Submit certification of distribution of lead consumer notices for lead monitoring results at each location where a sample was collected. This must be done for every result in each monitoring period.

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 the Groundwater and Drinking Water Section at (206) 553-6253 or [R10TribalDW@epa.gov](mailto:R10TribalDW@epa.gov) to determine next steps or if you have questions.

Sincerely,

Karen Burgess, Manager  
Groundwater and Drinking Water Section

cc: Beth Read, RCAC/EFC Region10