



REGION 10

SEATTLE, WA 98101

February 12, 2024

Nate Williams
Upper Skagit Indian Tribe
25944 Community Plaza Way
Sedro-Woolley, WA 98284

Failure to Submit Lead Consumer Notice and Certification, Upper Skagit, PWS ID 105300048

Dear Mr. Williams:

The Environmental Protection Agency (EPA) has not received documentation that Upper Skagit provided consumer notices of individual lead tap results to its customers for the 6/1/2023 – 9/30/2023 compliance period, which constitutes a violation of the National Primary Drinking Water Regulations [40 CFR 141.90(f)(3)]. All water systems that sample for lead and copper must provide a consumer notice of individual lead tap results to each location where samples were taken within 30 days of receiving results [40 CFR 141.85(d)]. One example copy of a consumer notice that was distributed, along with a certification that the consumer notices contained all required information must be submitted to EPA within 90 days following the end of the compliance period [40 CFR 141.90(f)(3)].

To return to compliance Upper Skagit must either:

1. If lead consumer notices were already delivered to customers, submit one example to R10TribalDW@epa.gov as soon as possible. A completed certification form was already received.

-OR-

2. Distribute consumer notices of individual lead tap results to customers and submit one example copy along with the certification form to R10TribalDW@epa.gov as soon as possible.

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,

For Karen Burgess
Manager
Groundwater and Drinking Water Section

cc: Mike Petersen, Water & Wastewater Services
Ryan Wynn, Water & Wastewater Services
Sandy Redsteer, Indian Health Service