NPDES Inspection Report – Wastewater Treatment Facility

National Database Information	
Inspection Date: May 17, 2023	Inspection Type: CEI – Wastewater Treatment Facility
Entry/Exit Time: 8:00 am / 10:20 am	NPDES ID Number: NDG589206
NAICS Code: 221320	Inspection ID: 202305_NDG589206
Lead inspector and affiliation: Brit Rustad / EPA Region 8	
Inspector and affiliation: Stephanie Meyers / EPA Region 8	

Facility Location Information (*Name/Location/ Mailing Address*)	
Site/Facility Name & Location: Tate Topa Tribal School P.O. Box 199, Hwy 57 West Fort Totten, ND 58335	Email Report to: Shane Moxness shane.moxness@bie.edu

Contact Information	
	Name(s)/Title
Facility Contacts: *(indicate primary lead and present during inspection)*	Shane Moxness / Facility Manager / Tate Topa Tribal School / Primary during the inspections
Person/Company meeting definition of "Operator"	Shane Moxness
Authorized Official(s) (Per NOI?)	Shane Moxness / Facility Manager / Tate Topa Tribal School / Primary during the inspections

Permit Information		
Is the permit on site and available? Yes	Lagoon Category: Discharge	Monitoring Frequency: Semi-annually with quarterly for influent
Effective Date: 4/1/2022	Expiration Date: 3/31/2027	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): Slough, to unnamed wetland, to tributary of Devils Lake		
Regulatory Inspector's source of information: ICIS database, 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
BRIT **Brit Rustad** RUSTAD Digitally signed by BRIT RUSTAD Date: 2023.07.06 09:03:42 -06'00'	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ENF-W-NW** **Denver, Colorado 80202** **303-312-6885**	**6/5/2023**
Reviewer Name	Address/Phone Number	Date
Stephanie Meyers	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ENF-W-NW** **Denver, Colorado 80202** **303-312-6938**	**7/3/2023**
Supervisor Signature/Name	Address/Phone Number	Date
COLLEEN RATHBONE Digitally signed by COLLEEN RATHBONE Date: 2023.07.06 08:55:46 -06'00'	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ENF-W-NW** **Denver, Colorado 80202**	7/6/2023
Colleen Rathbone	**303-312-6133**	

Inspection Narrative and Site Description

The inspection was conducted at the Tate Topa Tribal School wastewater treatment facility (WWTF) located in Fort Totten, 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 May 17, 2023, at approximately 8:00 am, U.S Environmental Protection Agency (EPA) inspectors Brit Rustad and Stephanie Meyers met with facility manager Shane Moxness with the Tate Topa Tribal School. 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 representative 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.

The Tate Topa Tribal School WWTF serves the school as well as approximately 30 homes for a total of 750 people. The facility is permitted as a Sub-category C semi-annual discharging facility under the Lagoon General Permit (Permit). The lagoon system was originally built in 1983 according to the NOI. The average design flow to the facility is 0.045 million gallons per day (MGD) and the peak design flow is 0.056 MGD. The average design organic treatment capacity is 65 lbs BOD_5 per day and the peak design organic treatment capacity is 81 lbs BOD_5 per day. The facility does not accept hauled septic waste.

The WWTF receives primarily domestic wastewater but about 10% of wastewater comes from the school cafeteria. The facility does not have any associated lift stations. The facility is a two-cell system. The operating volumes for both cells can be seen below. Wastewater enters the system via a splitter box (photo 333) just before the cells and can be diverted into either cell. At the time of the inspection wastewater was being sent to cell one (photo 334) where it could then be sent to cell two (photo 331) via a valve.

Cell ID	Area (acres)	Operating Volume (MG)
Cell 1	2.1	3.45
Cell 2	1.63	2.65
Total	3.73	6.1

The inspectors and facility representatives walked around the lagoons to evaluate berm integrity and the facility's discharge status. Animal burrows were noted along the edges and between the cells (photos 332, 335, and 340). In a few instances these burrow locations had caused the cells to overflow when levels got high enough, typically prior to having to discharge. The facility representative pointed out an abandoned manhole structure on the north end of cell 2 (photo 330) that created a low point in the berm. When levels within the cell got high enough, this location would overflow down the berm. The inspectors also observed the manhole closest to the lagoons, which the facility representative indicated overflows about once per year just before the facility discharges (photo 333). Lastly, the inspectors observed the outlet pipe from cell 2 (photo 337), as well as the outfall from cell 2 (photo 338). At the time of the inspection, the facility was not discharging.

At the end of the inspection on May 17, 2023, the inspectors held a closing conference with Shane Moxness where preliminary findings were discussed. On May 30, 2023, the EPA sent an email to Shane Moxness with the preliminary findings from the inspection.

Findings, Corrective Actions and Recommendations

Finding #1: Records have not been maintained for the required minimum of three years.
Records for inspections, maintenance activities, sampling data, chain-of-custodies, and DMRs prior to January of 2023 could not be provided at the time of the inspection. The facility representative indicated that the previous WWTF operator had shredded all previous documentation prior to him starting in this position in January 2023.

Permit requirement:
Part 5.9 of the Permit states, "The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for the Permit, for a period of at least three years from the date of the sample, measurement, report or application. Records of monitoring required by the Permit related to sludge use and disposal activities must be kept at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the EPA at any time. Data collected on site, data used to prepare the DMR, copies of DMRs, and a copy of this NPDES Permit must be maintained on site."

Corrective Action:
Ensure that all records are kept in accordance with the recordkeeping requirements of the permit. Provide the EPA with a description of the corrective actions taken to address this finding.

Finding #2: Not all parameters are being sampled for as required by the permit.
The facility representative was unaware of the updated lagoon general permit guidelines for sampling and was not sampling for all required parameters.

Permit requirement:
Part 3.1.2 of the Permit states, "Self-monitoring requirements shall be effective immediately as of effective date of the coverage letter and lasting through the effective term of this Permit. Sampling and test procedures for pollutants listed in this section shall be in accordance with 40 CFR Part 136, as required in 40 CFR § 122.41(j), unless another method is required under 40 CFR subchapters N or O. At a minimum, the following constituents shall be monitored at the frequency and with the type of measurement indicated; samples or measurements shall be representative of the volume and nature of the monitored discharge. See Representative Sampling, Section 5.1 of this Permit, for more details. If no discharge occurs during the entire monitoring period, it shall be stated on the Discharge Monitoring Report (DMR) that no discharge or overflow occurred. See Reporting of Monitoring Results, Section 5.4. of this Permit, for more details.

Table 3. Baseline Effluent Monitoring Requirements

Effluent Characteristic	Sub-category A	Sub-category B Frequency b/	Sub-category C Frequency b/	Sample Type a/

	Frequency b/			
Total Flow, million gallons per day (MGD)	Weekly	Minimum of 3 measurements collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Minimum of 3 measurements collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Instantaneous, d/
Discharge start date and time	N/A	Each discharge	Each discharge	Documentation maintained in facility records by Permittee.
Discharge end date and time	N/A	Each discharge	Each discharge	Documentation maintained in facility records by Permittee.
BOD5, mg/L	Monthly	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Grab
BOD5, percent removal	N/A	N/A	N/A	Calculated e/
TSS, mg/L	Monthly	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Grab
TSS, percent removal	N/A	N/A	N/A	Calculated e/
pH, standard units	Weekly	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Grab, f/
Oil and grease, visual	Weekly	Minimum of 3 observations (beginning, middle and end) during any discharge plus weekly starting second week. c/	Minimum of 3 observations (beginning, middle and end) during any discharge plus weekly starting second week. c/	Visual
Oil and grease, mg/L	Immediately upon a visible sheen or floating oil	Immediately upon a visible sheen or floating oil being detected in the discharge	Immediately upon a visible sheen or floating oil being detected in the discharge	Grab, g/

	being detected in the discharge			
TKN, mg/L	Monthly	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Grab
Nitrate-Nitrite, mg/L	Monthly	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Grab
TN, mg/L	N/A	N/A	N/A	Calculated, h/
TP, mg/L	Monthly	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Minimum of 3 samples collected (beginning, middle and end) during any discharge plus weekly starting second week. c/	Grab

a/ See Definitions, Section 1.1. of this Permit, for definition of terms.

b/ See Section VI. Monitoring Requirements of the Fact Sheet and Section 3.1.4. of this Permit, for additional information on the discharging sub-categories. A Permittee's sub-category will be clearly identified in the authorization of coverage letter.

c/ A minimum of three (3) effluent samples shall be taken during any discharge of wastewater. It is required that a sample be taken at the beginning, middle, and end of the discharge if the discharge is less than one week in duration. If a single, continuous discharge is greater than one week in duration, three (3) samples shall be taken during the first week and one (1) during each following week. All of the effluent samples collected during the 7-day or 30-day period are to be used in determining the averages for reporting.

d/ Flow measurements of effluent volume shall be made with a flow measuring device (i.e. Parshall flume, weirs, or any additional documented and verifiable flow measurement procedure) in such a manner that the Permittee can affirmatively demonstrate that representative values are being obtained.

e/ *Percent removal is defined in 40 CFR § 133.101(j)* as a percentage expression of the removal efficiency across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of the raw wastewater influent pollutant concentrations to the facility and the 30-day average values of the effluent pollutant concentrations for a given time period. Based on this definition, BOD and TSS percent removal calculations by facility sub-category are provided based on anticipated discharge frequency:

• Sub-category A: On a monthly DMR reporting basis, the BOD and TSS percent removal shall be calculated using the 30-day average values for influent and the 30-day average values for effluent BOD5 and TSS reported during that calendar month.

• Sub-category B: Since monitoring requirements under this category are less frequent than Sub-category A due to less frequent discharge, calculations will be based on a longer sampling period. On a quarterly DMR reporting basis, the average of all 30-day average **effluent** BOD values reported over the previous 6 months and the average of all 30-day average **influent** BOD values reported over the previous 6 months shall be used to calculate the BOD percent removal that will be reported for that quarterly DMR reporting period, **if a discharge occurs within that quarterly monitoring period.** This will result in a rolling 6-month window of data used for quarterly calculations.

Similarly, on a quarterly reporting basis, the average of all 30-day average **effluent** TSS values reported over the previous 6 months and the average of all 30-day average **influent** TSS values reported over the previous 6 months shall be used to calculate the TSS percent removal that will be reported for that quarterly DMR reporting period, **if a discharge occurs within that quarterly monitoring period**. This will result in a rolling 6-month window of data used for quarterly calculations.

Months where no sampling occurred should not be included in the calculation. If no discharge occurred within a quarterly reporting period, no percent removal calculation is necessary for that reporting period."

Corrective Action:
Ensure that the Facility is monitoring for the appropriate effluent characteristics, frequency, and sample type specified in the table in Part 3.1.2 of the Permit. Indicate in your response to the EPA how the Facility will implement monitoring procedures as required by the Permit.

Finding #3: The required influent sampling was not being conducted.
The site representative was unaware of the need to sample for influent as required by the new lagoon general permit.

Permit requirement:
Part 3.1.1 of the Permit states, "Baseline Effluent Limitations and Influent Requirements:
As of the effective date of the coverage letter and lasting through the life of this Permit, the quality of effluent discharged by Discharge (DIS) facilities will have effluent limitations for BOD5, BOD5 percent removal, TSS, TSS percent removal, pH, and oil and grease. The baseline numeric effluent limitations, at a minimum, shall meet the limitations and requirements as set forth in Table 1 and Table 2 below:

Table 2. Baseline **Influent** Requirements for DISCHARGE (DIS) Facilities

Influent Characteristic	30-Day Average a/	7-Day Average a/	Daily Maximum a/
BOD_5, mg/L b/	Report only - Results to be used for BOD_5 percent removal calculations for compliance with limits specified in Table 1 (above).	N/A	N/A

TSS, mg/L b/	Report only – Results to be used for TSS percent removal calculations for compliance with limits specified in Table 1 (above).	N/A	N/A

a/ See Definitions, (Section 1.1. of this Permit), for definition of terms.

b/ The influent samples shall be collected at the frequencies designated in Table 4 of this Permit and will be used to calculate the BOD and TSS percent removals for each Sub-category type as indicated in footnote e/ of Table 3 of this Permit."

Part 3.1.4.3 of the Permit states, "Influent monitoring sampling will consist of a single grab sample at a location representative of the influent flow entering the wastewater lagoon treatment system prior to treatment (e.g. an influent structure, upstream manhole that contains flow from the entire service area, or any other representative location), unless otherwise indicated in the facility's permit coverage letter. Influent sample monitoring shall be required quarterly to allow characterization of influent flow with regard to BOD5, TSS, and flow, and calculation of BOD5 and TSS percent removal values."

Corrective Action:
Ensure that the Facility is monitoring for the appropriate influent characteristics, frequency, and sample type specified in table 2 in Part 3.1.1 of the Permit. Provide the EPA with a response indicating how the Facility will implement influent monitoring as required by the Permit.

Finding #4: Receiving stream monitoring was not being conducted.
The facility representative was unaware of the need to sample the receiving stream and was not sampling for the required parameters.

Permit requirement:
Part 3.1.3 of the Permit states, "…

Table 6. Supplemental Ammonia **Receiving Stream** Monitoring

Receiving Stream Characteristic	Frequency	Sample Type a/
pH, standard units, c/	b/	Grab
Temperature, °C, c/	b/	Grab
Total Ammonia Nitrogen (as N), mg/L, c/	b/	Grab

a/ See Definitions, Section 1.1. of this Permit, for definition of terms.

b/ Frequency will be determined in alignment with the sub-category monitoring requirements outlined in Section 3 of this Permit. A Permittee's sub-category and monitoring schedule will be clearly identified in the authorization of coverage letter.

c/ Temperature and pH samples shall be collected at the same time as sampling for the total ammonia. Temperature and pH measurements must be analyzed within fifteen (15) minutes of sampling. Where TAS and tribal CWA-approved WQS have not been approved by EPA, EPA R8 will require ammonia and concurrent pH and temperature monitoring of receiving waters in all

discharge permits to continue to establish baseline data for determining reasonable potential in future permitting actions."

Part 3.1.4.3 of the Permit states, "Receiving stream monitoring, if required, will occur at the time of the discharge and will consist of a single grab sample taken at a location immediately upstream of where the discharge is anticipated to meet the receiving stream, unless otherwise indicated in the facility's permit coverage letter."

Corrective Action:
Ensure that the Facility is monitoring the receiving stream for appropriate characteristics, frequency, and sample type specified in the Permit. Provide the EPA with a response indicating how the Facility will implement receiving stream monitoring as required by the Permit.

Finding #5: Proper pH calibration was not being conducted nor documented.
The facility representative was not calibrating the pH meter thus documentation of pH meter calibration was not being conducted.

Permit requirement:
Part 5.2 of the Permit states: "Monitoring must be conducted according to test procedures approved under 40 CFR Part 136..."

Part 5.9 of the Permit states, "The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for the Permit, for a period of at least three years from the date of the sample, measurement, report or application."

Part 6.6. of the Permit states: "…Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures.…"

Corrective action:
Ensure that a two-point calibration of the pH meter using two different pH buffers is being conducted, and properly document pH meter calibration, sample collection, and analysis. Provide the EPA with a description of the corrective actions taken to address this finding.

Finding #6: There was an abandoned manhole structure that has created a low spot in the berm.
A facility representative indicated wastewater from the lagoon flows through the abandoned manhole structure at cell 2 when levels get high enough and flows down the berm of the cell. This is not a permitted outfall.

Permit requirement:
Part 6.6 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 this Permit.
In addition to the operation and maintenance items in the manual for the lagoon system, ALL Permittees shall do the following maintenance, at a minimum:
The Permittee shall maintain a log in either paper (e.g. bound notebook) or electronic format containing a summary record of any daily operation and maintenance activities at the wastewater treatment lagoon facility and collection system, that is to be updated on each day operation and maintenance activities are performed. At a minimum, the log shall include the following information:
6.6.1.5. Date and time;
6.6.1.6. Name and title of person(s) making the log entry;
6.6.1.7. Name of the persons(s) performing the activity;
6.6.1.8. A brief description of any operations and maintenance activity performed on the wastewater treatment lagoon system;
6.6.1.9. The Permittee shall ensure that necessary action to promptly correct the problem of leakage through the dikes is taken and documented in the maintenance log;
6.6.1.10. The Permittee shall ensure that necessary action to promptly remove burrowing animals from the dikes is taken and documented in the maintenance log;
6.6.1.11. The Permittee shall ensure prompt repair of damage to dikes caused by burrowing animals and/or erosion and documentation of all actions in the maintenance log;
6.6.1.12. The Permittee shall ensure removal of rooted plants, including weeds and trees, from the water on a regular basis or as needed and documentation of all actions in the maintenance log; and
6.6.1.13. The Permittee shall ensure that the dikes are kept mowed on a regular basis during the growing season or as needed (i.e., vegetation not greater than 6" tall or any height that may interfere with monitoring, operation and maintenance of the system) and that documentation of all actions taken are recorded in the maintenance log.
6.6.1.14. Other information, as appropriate."

Corrective Action:
Remove the abandoned manhole structure and repair the berm to prevent any unauthorized discharges. Provide the EPA with photos and a description of the corrective actions taken to address this finding.

Finding #7: There were animal burrows along the berms of both cells.
A facility representative indicated there were several locations where wastewater overflows through the animal burrows, outside of the cells when water levels get high prior to discharging.

Permit requirement:
Part 6.6 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 this Permit.
The Permittee shall do the following as part of the operation and maintenance program for the wastewater treatment facility:

6.6.1. For Permittees not previously covered under the Region 8 General Permit for Wastewater Lagoon Systems in Indian Country, the Permittee shall, as soon as reasonable and practicable, but no later than six (6) months after the effective date of this Permit, do the following as part of the operation and maintenance program for the wastewater treatment facility:
6.6.1.1. Have a current O & M Manual(s) that describes the proper operational procedures and maintenance requirements of the wastewater treatment facility;
6.6.1.2. Have the O & M Manual(s) readily available to the operator of the wastewater treatment facility and require that the operator become familiar with the manual(s) and any updates;
6.6.1.3. Have a schedule(s) for routine operation and maintenance activities at the wastewater treatment facility; and,
6.6.1.4. Require the operator to perform the routine operation and maintenance requirements in accordance with the schedule(s).
For Permittees renewing coverage under this Permit, the Permittee is expected to have the above listed items (Sections 6.6.1.1. thru 6.6.1.4., which were part of the requirements under the previous Region 8 General Permit for Wastewater Lagoon Systems in Indian Country) completed prior to the coverage date under this Permit. These Permittees shall ensure that each of the items listed above are updated and maintained as part of the operation and maintenance program for the wastewater treatment facility.
In addition to the operation and maintenance items in the manual for the lagoon system, ALL Permittees shall do the following maintenance, at a minimum:
The Permittee shall maintain a log in either paper (e.g. bound notebook) or electronic format containing a summary record of any daily operation and maintenance activities at the wastewater treatment lagoon facility and collection system, that is to be updated on each day operation and maintenance activities are performed. At a minimum, the log shall include the following information:
6.6.1.5. Date and time;
6.6.1.6. Name and title of person(s) making the log entry;
6.6.1.7. Name of the persons(s) performing the activity;
6.6.1.8. A brief description of any operations and maintenance activity performed on the wastewater treatment lagoon system;
6.6.1.9. The Permittee shall ensure that necessary action to promptly correct the problem of leakage through the dikes is taken and documented in the maintenance log;
6.6.1.10. The Permittee shall ensure that necessary action to promptly remove burrowing animals from the dikes is taken and documented in the maintenance log;
6.6.1.11. The Permittee shall ensure prompt repair of damage to dikes caused by burrowing animals and/or erosion and documentation of all actions in the maintenance log;
6.6.1.12. The Permittee shall ensure removal of rooted plants, including weeds and trees, from the water on a regular basis or as needed and documentation of all actions in the maintenance log; and
6.6.1.13. The Permittee shall ensure that the dikes are kept mowed on a regular basis during the growing season or as needed (i.e., vegetation not greater than 6” tall or any height that may interfere with monitoring, operation and maintenance of the system) and that documentation of all actions taken are recorded in the maintenance log.
6.6.1.14. Other information, as appropriate.”

Corrective Action:
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. Remove animals creating burrows, and properly repair the burrows to prevent any

unauthorized discharges. Provide the EPA with photos and a description of the corrective actions taken to address this finding.

Finding #8: The manhole located at the north end in between cells 1 and 2 had dried sludge around the outside.
A facility representative said this manhole overflows approximately once a year due to buildup of grease and other materials.

Permit requirement:
Part 6.6 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 this Permit.
The Permittee shall do the following as part of the operation and maintenance program for the wastewater treatment facility:
6.6.1. For Permittees not previously covered under the Region 8 General Permit for Wastewater Lagoon Systems in Indian Country, the Permittee shall, as soon as reasonable and practicable, but no later than six (6) months after the effective date of this Permit, do the following as part of the operation and maintenance program for the wastewater treatment facility:
6.6.1.1. Have a current O & M Manual(s) that describes the proper operational procedures and maintenance requirements of the wastewater treatment facility;
6.6.1.2. Have the O & M Manual(s) readily available to the operator of the wastewater treatment facility and require that the operator become familiar with the manual(s) and any updates;
6.6.1.3. Have a schedule(s) for routine operation and maintenance activities at the wastewater treatment facility; and,
6.6.1.4. Require the operator to perform the routine operation and maintenance requirements in accordance with the schedule(s).
For Permittees renewing coverage under this Permit, the Permittee is expected to have the above listed items (Sections 6.6.1.1. thru 6.6.1.4., which were part of the requirements under the previous Region 8 General Permit for Wastewater Lagoon Systems in Indian Country) completed prior to the coverage date under this Permit. These Permittees shall ensure that each of the items listed above are updated and maintained as part of the operation and maintenance program for the wastewater treatment facility.
In addition to the operation and maintenance items in the manual for the lagoon system, ALL Permittees shall do the following maintenance, at a minimum:
The Permittee shall maintain a log in either paper (e.g. bound notebook) or electronic format containing a summary record of any daily operation and maintenance activities at the wastewater treatment lagoon facility and collection system, that is to be updated on each day operation and maintenance activities are performed. At a minimum, the log shall include the following information:
6.6.1.5. Date and time;
6.6.1.6. Name and title of person(s) making the log entry;
6.6.1.7. Name of the persons(s) performing the activity;
6.6.1.8. A brief description of any operations and maintenance activity performed on the wastewater treatment lagoon system;

6.6.1.9. The Permittee shall ensure that necessary action to promptly correct the problem of leakage through the dikes is taken and documented in the maintenance log;
6.6.1.10. The Permittee shall ensure that necessary action to promptly remove burrowing animals from the dikes is taken and documented in the maintenance log;
6.6.1.11. The Permittee shall ensure prompt repair of damage to dikes caused by burrowing animals and/or erosion and documentation of all actions in the maintenance log;
6.6.1.12. The Permittee shall ensure removal of rooted plants, including weeds and trees, from the water on a regular basis or as needed and documentation of all actions in the maintenance log; and
6.6.1.13. The Permittee shall ensure that the dikes are kept mowed on a regular basis during the growing season or as needed (i.e., vegetation not greater than 6" tall or any height that may interfere with monitoring, operation and maintenance of the system) and that documentation of all actions taken are recorded in the maintenance log.
6.6.1.14. Other information, as appropriate."

EPA Guidance:
EPA has developed guidance manuals on the proper operation and maintenance of sanitary collection systems. One of the guidance materials is called "Collection Systems O&M Fact Sheet Sewer Cleaning and Inspection" (September 1999, EPA 832-F-99-031). https://www3.epa.gov/npdes/pubs/sewcl.pdf

This guidance manual indicates on page 2 that:

"To maintain its proper function, a sewer system needs a cleaning schedule. There are several traditional cleaning techniques used to clear blockages and to act as preventative maintenance tools."

Additionally, EPA has developed guidance manuals on the proper operation and maintenance of lagoons. One of the guidance materials is called "Principles of Design and Operations of Wastewater Treatment Pond Systems for Plant Operators, Engineers, and Managers" (August 2011, EPA/600/R-11/088).
https://www.epa.gov/sites/production/files/2014-09/documents/lagoon-pond-treatment-2011.pdf

This guidance manual indicates on page 9-12 that:

"9.4.2.3 Maintenance General maintenance guidelines:

- Inlet and outlet structures should be cleaned regularly to remove any floating debris, caked scum, or other trash that might produce odors or be unsightly."

EPA has also developed fact sheets on sanitary sewer overflows (SSOs) including asset management of collection systems and why SSOs need to be controlled, which are available online at https://www.epa.gov/npdes/npdes-sso-fact-sheets.

Corrective Action:
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. Additionally, EPA recommends that a sanitary sewer cleaning schedule be developed and implemented to prevent future blockages of the sewer lines that could result in sanitary sewer overflows. Provide the EPA with a description of the corrective actions taken to address this finding.

Finding #9: The Discharge Monitoring Reports for several monitoring periods were submitted late.
The DMR due on July 28, 2018 was submitted on March 28, 2019. The DMR due on January 28, 2019 was submitted on June 11, 2019. The DMR due on July 28, 2019 was submitted on February 5, 2020. The DMR due on July 28, 2020 was submitted on February 2, 2021.

Permit requirement:
Part 5.4.1 of the Permit states, "For discharge facilities, the effluent monitoring results obtained during the previous month, calendar quarter, or semi-annual period, shall be summarized and reported via the NetDMR reporting system by the DMR by no later than the 28th day of the month following the completed reporting period, or on a Discharge Monitoring Report (DMR) Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period (see example schedules in table below). If no discharge occurs during the reporting period, it shall be reported as "no discharge" in the NetDMR reporting system. If there is no discharge, no flow or access was impeded by snow, ice, flooding, other unsafe conditions, etc.; the information shall be reported on the DMR using the applicable NetDMR no data indicator code (i.e., NODI code), to identify the circumstances of the situation. If the DMR Form (EPA No. 3320-1) is used, "no discharge" shall be indicated on the form if no discharge occurs."

Corrective Action:
Submit timely DMRs in accordance with Part 5.4 of the Permit. Provide the EPA with a description of the corrective actions taken to address this finding.

Finding #10: A No Discharge (NODI) code was used for several parameters during a monitoring period that also had sample results for other parameters.
NODI code 4 (discharge to lagoon/groundwater) was utilized for oil and grease, total nitrogen, total ammonia, total phosphorous, and flow for monitoring period ending on June 30, 2019 while temperature, BOD, pH, and TSS had values submitted in the Discharge Monitoring Report.

Permit requirement:
Part 5.4.1 of the permit states, "For discharge facilities, the effluent monitoring results obtained during the previous month, calendar quarter, or semi-annual period, shall be summarized and reported via the NetDMR reporting system by the DMR by no later than the 28th day of the month following the completed reporting period, or on a Discharge Monitoring Report (DMR) Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period (see example schedules in table below). If no discharge occurs during the reporting period, it shall be reported as "no discharge" in the NetDMR reporting system. If there is no discharge, no flow or access was impeded by snow, ice, flooding, other unsafe conditions, etc.; the information shall be reported on the DMR using the applicable NetDMR no data indicator code (i.e., NODI code), to identify the circumstances of the situation. If the DMR Form (EPA No. 3320-1) is used, "no discharge" shall be indicated on the form if no discharge occurs."

Corrective Action:
Update the DMR submitted on February 5, 2020, with the appropriate information or NODI code.

Provide the EPA with a description of the corrective actions taken to address this finding.

Finding #11: The Facility failure to submit Discharge Monitoring Reports (DMRs).
The Discharge Monitoring Reports for monitoring period ending on June 30, 2021; December 31, 2021; June 30, 2022; and December 31, 2022 have not been submitted.

Permit requirement:
Part 5.4.1 of the Permit states, "For discharge facilities, the effluent monitoring results obtained during the previous month, calendar quarter, or semi-annual period, shall be summarized and reported via the NetDMR reporting system by the DMR by no later than the 28th day of the month following the completed reporting period, or on a Discharge Monitoring Report (DMR) Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period (see example schedules in table below). If no discharge occurs during the reporting period, it shall be reported as "no discharge" in the NetDMR reporting system. If there is no discharge, no flow or access was impeded by snow, ice, flooding, other unsafe conditions, etc.; the information shall be reported on the DMR using the applicable NetDMR no data indicator code (i.e., NODI code), to identify the circumstances of the situation. If the DMR Form (EPA No. 3320-1) is used, "no discharge" shall be indicated on the form if no discharge occurs."

Corrective Action:
Submit the DMRs that are past due for the following reporting periods:

- January 1, 2021 to June 30, 2021, which was due on July 28, 2021.
- July 1, 2021 to December 31, 2021, which was due on January 28, 2022.
- January 1, 2022 to June 30, 2022, which was due on July 28, 2022.
- July 1, 2022 to December 31, 2022, which was due on January 28, 2023.

Submit to the EPA an explanation of how DMRs will be submitted in the future in accordance with the Permit.