



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
[www.epa.gov/region08](http://www.epa.gov/region08)

Ref: 8 Montana

**SENT VIA EMAIL**  
**DIGITAL READ RECEIPT REQUESTED**

Kasey Hastheegle  
Director of Prairie Mountain Utilities  
[Kasey.hastheegle@ftbelknap.org](mailto:Kasey.hastheegle@ftbelknap.org)

Re: Inspection Report for Fort Belknap Old Hays Wastewater Lagoons, MTU000032

Dear Kasey Hastheegle:

On July 19, 2023, representatives of the U.S. Environmental Protection Agency conducted a compliance evaluation of the Fort Belknap Old Hays wastewater lagoon in Old Hays, Montana, to evaluate compliance with the Clean Water Act and EPA regulations. 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 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:

Lisa-kay Prideaux  
U.S. EPA Region 8  
[Prideaux.Lisakay@epa.gov](mailto:Prideaux.Lisakay@epa.gov)

Ina Nez Perce, Environmental Director  
Fort Belknap Indian Community of the Fort Belknap Indian Reservation  
[Inperce@ftbelknap.org](mailto:Inperce@ftbelknap.org)

Please contact me at 406-457-5022 or [Prideaux.Lisakay@epa.gov](mailto:Prideaux.Lisakay@epa.gov) if you have any questions regarding this letter or the enclosed report.

Sincerely,

**Prideaux, LisaKay**

Digitally signed by Prideaux,  
LisaKay  
Date: 2023.08.24 13:01:52 -06'00'

Lisa-kay Prideaux  
NPDES and Wetlands Enforcement Section  
Enforcement and Compliance Assurance Division

Enclosures:

- 1) NPDES Wastewater Lagoon Inspection Report
- 2) Photo Log

cc: Jeffrey Stiffarm, President, Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation (email)  
Ina Nez Perce, Environmental Director, Fort Belknap (email)  
Gene Talks Different, Water Plant Manager (email)  
Rob Adams, Indian Health Services (email)

## NPDES Wastewater Lagoon Inspection Report

| National Database Information                                                              |                                 |
|--------------------------------------------------------------------------------------------|---------------------------------|
| Inspection Date: July 19, 2023                                                             | Inspection Type: CEI            |
| Entry/Exit Time: 10:20/11:00                                                               | NPDES ID Number: MTU000032      |
| NAICS Code: 221300 Sewage Treatment Facility                                               | Inspection ID: 202307_MTU000032 |
| Lead inspector and affiliation: Lisa-kay Prideaux / EPA Region 8 Montana Operations Office |                                 |

| Facility Location Information                                                                      |                                                                                                                  |
|----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| Site/Facility Name & Location:<br><b>Fort Belknap Old Hays Lagoons</b><br>48.04595°N; -108.70713°W | Email Report to:<br>Kasey Hastheegle<br>Director of Prairie Mountain Utilities<br>Kasey.hastheegle@ftbelknap.org |

| Contact Information                             |                                                                     |
|-------------------------------------------------|---------------------------------------------------------------------|
|                                                 | Name(s)/Title                                                       |
| Facility Contacts:                              | Kasey Hastheegle – Director of Prairie Mountain Utilities (present) |
|                                                 | Gene Talks Different – Water Plant Manager (present)                |
|                                                 | Tyus Hammett – Water/Wastewater Operator in Training (present)      |
| Person/Company meeting definition of “Operator” | Jeffrey Stiffarm – President (not present)                          |
| Authorized Official(s)                          | Kasey Hastheegle – Director of Prairie Mountain Utilities (present) |
| Tribe Representative(s)                         |                                                                     |
| Indian Health Service Representative(s)         | Rob Adams – Indian Health Services, Engineer (present)              |

| Permit Information                                                                                                                                                                                                                                                            |                                                                             |                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------|
| Is the permit on site and available? N/A                                                                                                                                                                                                                                      | 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? No                                                                                                                                                                                                                          | Indicate correct contact information: Authorized Official: Kasey Hastheegle |                                                 |
| Receiving Water(s): No Discharge                                                                                                                                                                                                                                              |                                                                             |                                                 |
| Discharge point location (longitude, latitude): No Discharge                                                                                                                                                                                                                  |                                                                             |                                                 |
| Regulatory Inspector’s source of information: Clean Water Act regulation, Integrated Compliance Information System (ICIS), Enforcement & Compliance History Online (ECHO), previous inspection report and correspondence, facility representatives and facility observations. |                                                                             |                                                 |

| Areas Evaluated During Inspection |                                  |                                     |
|-----------------------------------|----------------------------------|-------------------------------------|
| <u>Permit</u>                     | <u>Effluent/Receiving Waters</u> | <u>Compliance Schedule</u>          |
| <u>Records/Reports</u>            | <u>Flow Measurement</u>          | <u>Discharge Monitoring Reports</u> |

|                                 |                                 |                                                           |
|---------------------------------|---------------------------------|-----------------------------------------------------------|
| <u>Facility Site Review</u>     | <u>Monitoring Program</u>       | <u>Lift Station Operation and Maintenance</u>             |
| <u>Collection System Review</u> | <u>Lagoon Self- Inspections</u> | <u>Preventive and Emergency Operation and Maintenance</u> |

| Report Review and Signature                                                                                                                                        |            |                                                                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Drafter Signature/Name: Lisa-kay Prideaux                                                                                                                          | Date       | Address/Phone Number                                                                                                                    |
|  Digitally signed by<br>Prideaux, LisaKay<br>Date: 2023.08.24<br>13:03:30 -06'00' | 08.16.2023 | U.S. EPA Region 8, Montana<br>Operations Office<br>10 West 15 <sup>th</sup> Street, Suite 3200<br>Helena, Montana 59626<br>406-457-5022 |
| Management Signature/Name                                                                                                                                          | Date       | Address/Phone Number                                                                                                                    |
|  Digitally signed by<br>EMILIO LLAMOZAS<br>Date: 2023.08.24<br>15:22:48 -06'00'   | 08/23/2023 | U.S. EPA Region 8<br>1595 Wynkoop Street<br>8ENF-W-NW<br>Denver, Colorado 80202<br>303-312-6407                                         |
| Emilio Llamozas, NPDES and Wetlands Enforcement Section Supervisor                                                                                                 |            |                                                                                                                                         |

## Inspection Narrative and Site Description

On Wednesday July 18, 2023, at approximately 14:30, U.S. Environmental Protection Agency (EPA) inspector Lisa-kay Prideaux arrived at the Fort Belknap Water Treatment Plant located at 164 Agency Main Street in Harlem, Montana. After arriving, I presented my inspector credentials to the following representatives from Prairie Mountain Utilities: Kasey Hastheeagle, Director, Gene Talks Different, Water Treatment Plant Manager, and Tyus Hamnett, Operator in Training, James Labbull, Wastewater Operator, and Zeke Kackson, summer intern. During this time, we had a conversation regarding the overall state of the Tribal offices, Tribal utilities, complaints, problem areas within the Reservation facilities, future growth and upgrades, capacity of current systems, equipment needs and funding.

On July 19, 2023, I conducted an announced onsite inspection of the Old Hays Wastewater Lagoons (facility), owned by the Gros Ventre and Assiniboiné Tribes of the Fort Belknap Reservation, and operated by Prairie Mountain Utilities. The inspection was conducted to evaluate the facility's discharge status and compliance with the Clean Water Act and EPA regulations. The EPA directly implements the Clean Water Act and NPDES program in Indian Country within the State of Montana. The inspection was announced several weeks prior to the inspection to coordinate logistics and ensure a facility representative would be on site. I presented credentials to Rob Adams of the Indian Health Services, who joined the inspection. I held an opening conference to explain the purpose of the inspection. I then proceeded to ask questions of to help me evaluate the facility's discharge status, and to obtain facility information for NPDES permit coverage evaluation. Throughout the inspection, I noted my observations in a field notebook. Photographs taken during the inspection are included in the attached photo log.

Old Hays Lagoons wastewater treatment facility was originally constructed in 1994 as a 2-cell lagoon system. The facility serves a population of approximately 25 homes and processes domestic waste only. The facility consists of a collection system and two bentonite floor-lined cells. The cells operate in series by gravity with no pumps for aeration or flow. The facility has the option of discharging to either lagoon cell as the primary cell, and periodically rotates the lead cell. Lagoon cell 1 is the south cell and is approximately 0.65-acres in size. Lagoon cell 2 is the north cell and is approximately 0.65-acres in size. Wastewater from collection system enters a manhole located west of lagoon cells and directs flow to either cell using a valve. When cell 1 is the primary cell, wastewater enters the cell in the northwest corner and into the center of the cell. When cell 2 is the primary cell, wastewater enters the cell in the southwest corner and into the center of the cell. Wastewater would then flow to the other cell in the center of the adjoining dike walls. There is not a constructed discharge pipe. Sludge removal has not occurred in this lagoon system.



The site visit included walking around lagoon cell 1 (photos 752, 755 and 756), and cell 2 (photos 753 and 754). At the time of the inspection, cell 1 was being operated as the primary cell. I observed cattail and vegetated shrub growth within cell 1. I observed grasses in excess of 6-inches tall surrounding the cells and within each cell. North (approximately 100-feet) and east (approximately 153-feet) of the lagoon system Little Peoples Creek; however, no discharge pipe was observed.

## Findings, Corrective Actions and Recommendations

### **Finding #1: Unmaintained vegetation within lagoon cells.**

Specifically, the facility's lagoon dike walls were covered in unmaintained vegetation. Excessive vegetation/grasses were noted around and within cell 1 (photos 752, 755 and 756), and cell 2 (photos 753 and 754). Cattail and vegetated shrub growth were observed within cell 1. When vegetation is unmaintained, it is difficult to assess the health of the lagoon dike walls for erosion, leaks, slumps, and burrowing animal damage.

#### **Permit requirements:**

40 CFR § 122.41(e) requires, at all times, the proper operation and maintenance of all facilities and systems of treatment and control (and related appurtenances) which are installed or used.

EPA has developed guidance manuals on the proper operation and maintenance of lagoons. One of the guidance materials is titled 'Principles of Design and Operations of Wastewater Treatment Pond Systems for Plant Operators, Engineers, and Managers' (August 2011, EOA/600/R-11/088).

Part 9.4.2.3 of this guidance manual indicates the following:

- To maintain wave action, a pond should be free of weeds in the water or tall weeds on the banks.
- Dikes should be well seeded with grasses above the water line. Grass should be mowed regularly to prevent soil erosion and insect problems.

#### **Recommended Corrective Action:**

EPA recommends the vegetation in and around the lagoon cells be reduced and maintained below 6-inches in height such that the berms can be inspected for leakage, animal burrows, and erosion. Proper vegetation height also allows for the wind to naturally generate wave action to mix and aerate the lagoon contents for effective treatment of the wastewater. Increased wind action on the lagoon surface also increases evaporation as well as reduces the likelihood of mosquito breeding. Absence of good wave action may create anaerobic conditions.