



REGION 10
SEATTLE, WA 98101

April 3, 2024

Ron Toulou
Colville Confederated Tribes
P.O. Box 150
Nespelem, WA 99155

Failure to Complete Tier 2 Public Notification Requirements, Keller, PWS ID 105300006

Dear Mr. Toulou:

Keller failed to meet the requirements of Tier 2 Public Notification (PN), which constitutes a violation of the National Primary Drinking Water Regulations [40 CFR 141.203](#). On 1/18/2024, Keller received a Notice of Violation letter for Failure to Correct Significant Deficiencies. In this letter, PN requirements were outlined, and instructions, a template and a certification were provided.

Tier 2 PN must be delivered as soon as practical but no later than 30 days after the system learns of the situation [[40 CFR 141.203\(b\)\(1\)](#)]. Keller failed to meet this requirement. Notifying customers in a timely manner of the situation is important so that customers can take proper precautions.

A copy of the PN that was delivered, along with a certification that the Public Water System complied with all PN requirements must be submitted to the Environmental Protection Agency (EPA) within 10 days after providing PN to customers [[40 CFR 141.31\(d\)](#)]. Keller failed to meet this requirement.

To return to compliance Keller must:

1. If the PN was already delivered to customers, submit a copy along with the certification to R10TribalDW@epa.gov as soon as possible.

-OR-

2. Deliver a PN to customers and submit a copy along with the certification 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](#).

A list of all violations and their status can be viewed at any time by visiting Drinking Water Watch: <https://sdwisdww.epa.gov/DWWR10/>. Please contact R10TribalDW@epa.gov with questions.

Sincerely,

 RYAN GROSS
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Ryan J. Gross
Acting Manager
Groundwater and Drinking Water Section

cc: Stanford Spencer, Colville Confederated Tribes
Adam Pachosa, Colville Confederated Tribes
Laddie Folster, IHS Spokane District Office