



Caroleen Damon-Frank, Acting Principal
 BIA Red Rock Day School
 PO Box 966
 Shiprock, NM 87420

Received

Wednesday, March 31, 2021

APR - 7 2021

Branch of Environment
 Management

REPORT OF VIOLATIONS OF THE SAFE DRINKING WATER ACT

Dear Ms. Damon-Frank:

The Red Rock (Red Valley) Day School BIA public water system, PWSID# NN0432007, is in NON-COMPLIANCE with the Navajo Nation Safe Drinking Water Act (NNSDWA). I am issuing this Notice of Violation (NOV) regarding the non-compliance with sampling requirements, exceedance of maximum contaminant levels (MCL), and/or other NNSDWA requirements. At the end of this NOV is the list of contaminants and/or regulations that this public water system is in non-compliance with.

Public Notification Requirements

The public must be notified any time there is a violation of the NNSDWA. Depending on the severity of the violation, the type of Public Notice required will fall into one of three "tiers." Beginning on page 3 will be the Tables of Violations. The final column of the table, labeled "Public Notice Tier," will indicated the type of Public Notice required for the associated violation. If this PWS is required to distribute an annual Consumer Confidence Report, the Tier 3 notifications can be included in that report. Public Notice templates and handbook can be obtained by request from the Navajo Nation Environmental Protection Agency (NNEPA) or can be found at:

<https://www.epa.gov/dwreginfo/public-notification-rule>

Tier 1 violations require notification within 24 hours.
 Tier 2 violations allow 30 days for notification.
 Tier 3 violations require annual notification.

Failure to comply with the public notice requirements will result in further violations.

Return to Compliance

The NNEPA determines that the public water system has returned to compliance when, e.g., the system provides the delinquent sample results, or corrects the violation appropriately. An official Return To Compliance (RTC) will be entered into our records at that point. All violations and RTCs are reported to the US EPA, see website:

<http://echo.epa.gov/facilities/facility-search?mediaSelected=sdw>

Violations of the NNSDWA that are not corrected will result in the public water system being classified as an 'Enforcement Priority', as identified on US EPA's national Enforcement Targeting Tool (ETT) list. Public water systems that acquire this designation are targeted priorities for possible enforcement action by NNEPA. Furthermore, Enforcement Priority status prevent public water systems from being eligible for funding under US EPA's infrastructure program, unless the proposed project will bring the system into compliance.

If your system has returned to compliance including the requirement to provide public notice, no further action is necessary. If you have questions regarding this matter, please contact Delfred Gene of my staff at (928) 871-6789.

Sincerely,



Yolanda Barney, Environmental Program Manager
Public Water Systems Supervision Program

cc: Sandra Ahasteen, Facility Supervisor
Genevieve Henry, Environmental Protection Specialist
File PWSID,

The violations reported by Navajo Nation Environmental Protection Agency to EPA HQ for the period ending on 12/30/2020 can be found on the attached table.

Table of Violations reported by Navajo Nation Environmental Protection Agency to EPA Headquarters for period ending 12/30/2020

Violation Type: Failure to conduct routine monitoring to determine LRAA compliance or failure to submit IDSE.

| <u>Contaminant / Facility</u> | <u>Violation Period*</u> | <u>Sample Date</u> | <u>Result</u> | <u>Violation Comment +</u> | <u>Public Notice Tier</u> |
|-------------------------------|--------------------------|--------------------|---------------|--|---------------------------|
| Five Haloacetic Acids (HAA5) | 1/1/2020 | N/A | N/A | Failed to monitor and/or report required Stage 2 DBPR monitoring results due annually from School Kitchen Tap. | 3 |
| | 12/31/2020 | | | | |
| Total Trihalomethanes (TTHMs) | 1/1/2020 | N/A | N/A | Failed to monitor and/or report required Stage 2 DBPR monitoring results due annually from School Kitchen Tap. | 3 |
| | 12/31/2020 | | | | |

* Depending on the contaminant and your public water system's monitoring schedule, violations are reported in the quarter following the due date.

+ The comment field indicates the reason for the violation and may indicate whether the system has corrected the violation, issued public notice, or remains out of compliance.

The Water System must do the following: Subsequent reporting of required sampling results or IDSE.

Table of Violations reported by Navajo Nation Environmental Protection Agency to EPA Headquarters for period ending 12/30/2020

Violation Type: Major monitoring/reporting violation for routine chemical monitoring.

| <u>Contaminant / Facility</u> | <u>Violation Period*</u> | <u>Sample Date</u> | <u>Result</u> | <u>Violation Comment +</u> | <u>Public Notice Tier</u> |
|---|--------------------------|--------------------|---------------|---|---------------------------|
| Nitrate [reported as Nitrogen] EP001 | 1/1/2020 | N/A | N/A | Failed to monitor and/or report required monitoring results due annually. | 3 |
| | 12/31/2020 | | | | |
| Nitrite [reported as Nitrogen] EP001 | 1/1/2020 | N/A | N/A | Failed to monitor and/or report required monitoring results due annually. | 3 |
| | 12/31/2020 | | | | |

* Depending on the contaminant and your public water system's monitoring schedule, violations are reported in the quarter following the due date.

+ The comment field indicates the reason for the violation and may indicate whether the system has corrected the violation, issued public notice, or remains out of compliance.

The Water System must do the following: Reporting monitoring results as required.