FINAL COMPLIANCE PLAN
Bad River Wastewater Treatment Facilities
(Bad River WWTP, Diaperville Stabilization Lagoon, Birch Hill Stabilization Lagoon)

Information:

Facility Names:	Bad River WWTP, Diaperville Stabilization Lagoon, Birch Hill Stabilization Lagoon
Location:	Bad River Indian Reservation
Owner/Operator:	Bad River Band of the Lake Superior Tribe of Chippewa Indians
Facility Contact:	Pat Hunt, Operations Manager
Permit #:	WI-0036587, WI-0036544, WI-0036579

Introduction:

The objective of the Compliance Plan (CP) is to return the Bad River wastewater treatment facilities to compliance with current and future National Pollutant Discharge Elimination System (NPDES) permits and to assure that the conditions of the NPDES permits are met.

This CP describes violations at the facilities and the actions required to return to compliance. These actions are outlined in the "Actions to be Taken" section. Continuing to operate in non-compliance may result in the filing of a formal enforcement action, including the issuance of an Administrative Order, with appropriate additional enforcement consequences if violations continue.

Violations:

Violations include failure to meet permit reporting requirements at the Bad River WWTP, Diaperville Stabilization Lagoon, and Birch Hill Stabilization Lagoon; and failure to comply with the permit effluent limits for the following parameters:

- Phosphorus, total [Bad River WWTP]
- E. coli [Bad River WWTP; Birch Hill]
- Solids, total suspended [Bad River WWTP; Birch Hill]
- BOD, 5-day, 20 deg. C [Bad River WWTP]
- BOD, 5-day, 20 deg. C percent removal [Bad River WWTP]
- Solids, total suspended percent removal [Bad River WWTP]

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Actions to be Taken:

The following actions outline the steps necessary to bring the Bad River WWTP (WI-0036587), Diaperville Stabilization Lagoon (WI-0036544), and the Birch Hill Stabilization Lagoon (WI-0036579) into compliance:

Date	Milestone	Documentation or Report Required
August 15, 2013	Tribe to submit a schedule identifying necessary equipment installation, mechanical repairs, and program upgrades required to return the Bad River WWTP and the Stabilization Lagoons to compliance, with anticipated dates for completing each action (Schedule of Repairs and Upgrades).	Schedule of Repairs and Upgrades due August 15, 2013.
September 23, 2013	Tribe to hire a Certified Operator or contract to obtain Certified Operator support. The Operator must have the knowledge, skills and experience required to operate the Bad River WWTP and the Stabilization Lagoons. If the certification requirements are satisfied by entering into a contractual agreement with a properly certified operator, a copy of the contract shall be submitted to EPA.	Provide status update(s) as needed in CP Progress Reports. Progress Reports are due August 30, 2013, and November 29, 2013.
December 31, 2013	Tribe to submit final plan and schedule to address inflow and infiltration issues (Inflow/Infiltration Repair Schedule) at the Bad River WWTP.	Inflow/Infiltration Repair Schedule due December 31, 2013.
January 31, 2014	Tribe to complete equipment installation, mechanical repairs, and program upgrades required to return the Bad River WWTP and the Stabilization Lagoons to compliance with NPDES permit effluent limits.	Include updates in CP Progress Reports due August 30, 2013, and November 29, 2013.
January 31, 2014	Tribe to be in compliance with NPDES permit effluent limits and reporting requirements for the Bad River WWTP, Diaperville Stabilization Lagoon, and the Birch Hill Stabilization Lagoon.	Include compliance status in CP Progress Reports due August 30, 2013, and November 29, 2013. Submit Final Compliance Status Report, due February 28, 2014.

Compliance Plan Implementation:

EPA intends to work with the Tribe to implement this Compliance Plan. EPA will review each Progress Report, and may schedule conference calls or visits to discuss ongoing progress. Continuing non-compliance may subject the Tribe to a formal enforcement action.

Submittals:

Documentation, updates, reports, and plans required under this CP shall be sent to EPA by both registered mail and electronic mail to the following addresses:

Chief, Water Enforcement and Compliance Assurance Branch
Water Division
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Blvd. (WC-15J)
Chicago, IL 60604
ATTN: Dean Maraldo
Email: maraldo.dean@epa.gov

Office of the Regional Counsel
U.S. Environmental Protection Agency, Region 5
Mail Code C-14J
77 W. Jackson Blvd.
Chicago, IL 60604
ATTN: Barbara L. Wester, Associate Regional Counsel
Email: wester.barbara@epa.gov

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