Message

From: Ivan FMCV [isfmcv@hopitelecom.net]
Sent: 11/9/2016 5:05:57 PM
To: Lee, Bessie [Lee.Bessie@epa.gov]
CC: Alfred Lomahquahu [ALomahquahu@hopi.nsn.us]; lpuhuyesva@hopi.nsn.us; Herman G. Honanie [HeHonanie@hopi.nsn.us]; Alfonso Sakeva [asakevajr@yahoo.com]; FIRST MESA VLGS [sgfmcv@hopitelecom.net]; Rapicavoli, Emmanuelle [Rapicavoli.Emmanuelle@epa.gov]
Subject: Re: Emailing - 2016 11 01-Enforcement-090400106-Violations letter.pdf - Polacca Water System

I forwarded all your attachments to Sharon and Alfonso to review and make corrections.

From: "Lee, Bessie" <Lee.Bessie@epa.gov>
To: "FIRST MESA VLGS" <isfmcv@hopitelecom.net>, "Alfred Lomahquahu" <ALomahquahu@hopi.nsn.us>
Cc: "Lionel Puhuyesva (LPuhuyesva@hopi.nsn.us)" <lpuhuyesva@hopi.nsn.us>, "Herman G. Honanie" <HeHonanie@hopi.nsn.us>, "Alfonso Sakeva" <asakevajr@yahoo.com>, "FIRST MESA VLGS" <sgfmcv@hopitelecom.net>, "Rapicavoli, Emmanuelle" <Rapicavoli.Emmanuelle@epa.gov>, "FIRST MESA VLGS" <sgfmcv@hopitelecom.net>
Sent: Wednesday, November 9, 2016 8:32:27 AM
Subject: RE: Emailing - 2016 11 01-Enforcement-090400106-Violations letter.pdf - Polacca Water System

Ivan,

The quarterly monitoring for Arsenic for the Polacca water system has been in place since 2006, when the implementation of the Arsenic Rule that lowered the Arsenic drinking water standard to 0.010 mg/L. I have attached example copies of past monitoring schedules that have been provided to the Polacca water system so you can see that the decision to change to quarterly monitoring for Arsenic did not happen overnight. The most recent schedule that I had sent you prior to today (November 9, 2016) was dated May 23, 2016. It is one of the schedules that is attached. I am also forwarding to you the most recent (as of November 9, 2016) monitoring schedule. You will see that both of these schedules indicate that Arsenic is to be sampled quarterly.

With the November 9, 2016 version of the monitoring schedule, you will see that the following remains to be sampled before the end of calendar year 2016:

- **Coliforms** – monthly
- **Asbestos** from DS001 (Lower Polacca Distribution System)
- **Nitrate** from EP001 (Entry Point from the West Wells) and EP002 (Entry Point from the East Well)
- **Arsenic** from EP001 (Entry Point from the West Wells) and EP002 (Entry Point from the East Well) – **quarterly**
- **Sodium** from EP001 (Entry Point from the West Wells) and EP002 (Entry Point from the East Well(

The Stage 2 DBPs were to be sampled in August 2016 at the Rose Namoki Residence and at the Walpi Elderly Center. Since the sampling period (of August) has passed, It is not possible to make up for not sampling in August by sampling before December 31, 2016.

Hope this information helps.

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Bessie Lee
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From: Ivan FMCV [mailto:isfmcv@hopitelecom.net]
Sent: Tuesday, November 08, 2016 4:21 PM
To: Alfred Lomahquahu <ALomahquahu@hopi.nsn.us>
Cc: Lee, Bessie <Lee.Bessie@epa.gov>; lpuhuyesva@hopi.nsn.us; Herman G. Honanie <HeHonanie@hopi.nsn.us>; Alfonso Sakeva <asakevajr@yahoo.com>; FIRST MESA VLGS <sgfmcv@hopitelecom.net>; Rapicavoli, Emmanuelle <Rapicavoli.Emmanuelle@epa.gov>
Subject: Re: Emailing - 2016 11 01-Enforcement-090400106-Violations letter.pdf - Polacca Water System

Our position is this. We are going by the schedule you provided us which was not quarterly. Sharon send you a copy of what you provided us and note the highlight. When did this change to quarterly and can you provide me the notification of the change. I keep my staff accountable and I intend to not allow these violations. But you must understand we were following the schedule provided us by EPA. You may have over looked this unintentionally but what is important, we now know.

From: "Alfred Lomahquahu" <ALomahquahu@hopi.nsn.us>
To: "Lee, Bessie" <Lee.Bessie@epa.gov>, "FIRST MESA VLGS" <isfmcv@hopitelecom.net>
Cc: "Lionel Puhuyesva (LPuhuyesva@hopi.nsn.us)" <LPuhuyesva@hopi.nsn.us>, "Herman G. Honanie" <HeHonanie@hopi.nsn.us>, "Alfonso Sakeva" <asakevajr@yahoo.com>, "FIRST MESA VLGS" <sgfmcv@hopitelecom.net>, "Rapicavoli, Emmanuelle" <Rapicavoli.Emmanuelle@epa.gov>, "FIRST MESA VLGS" <sgfmcv@hopitelecom.net>
Sent: Tuesday, November 8, 2016 3:40:29 PM
Subject: RE: Emailing - 2016 11 01-Enforcement-090400106-Violations letter.pdf - Polacca Water System

Good afternoon Bessie, Thank you for your clarification.

From: Lee, Bessie [mailto:Lee.Bessie@epa.gov]
Sent: Tuesday, November 08, 2016 3:10 PM
To: Ivan FMCV
Cc: Lionel Puhuyesva; Herman G. Honanie; Alfred Lomahquahu; Alfonso Sakeva; FIRST MESA VLGS; Rapicavoli, Emmanuelle; Sharon Grover
Subject: RE: Emailing - 2016 11 01-Enforcement-090400106-Violations letter.pdf - Polacca Water System

Ivan,

Just to clarify what Sharon Grover and I discussed this morning. The Polacca water system received two violations in the November 1, 2016 Notice of Violation (NOV) letter that you received. The violations are listed on Page 3 of the NOV letter. The NOV letter covered the period ending June 2016.

The first violation listed in the NOV letter was for not distributing a Public Notice for the Arsenic exceedance for the January through March 2016 period. The second violation was for exceeding the drinking water standard for Arsenic for the April through June 2016 period.

The Polacca water system is required to sample for Arsenic every quarter. The quarters cover the periods:

January through March
April through June
July through September
October through December

Because of the naturally-occurring Arsenic in the Polacca water system, every time Arsenic is sampled, the water system will exceed the Arsenic drinking water standard. So, the Polacca water system will continue to receive a NOV letter from USEPA for the Arsenic exceedance every quarter that Arsenic is sampled. The NOV letters for exceeding the Arsenic drinking water standard should stop when the Arsenic issue is addressed, through the HAMP. For Arsenic, the Polacca water system is NOT in compliance. Once the water system meets the Arsenic standard, all the past violations for the Arsenic exceedance are returned to compliance. But, the violations are still valid.

For the violation for not distributing a Public Notice (PN) for the January through March 2016 period, the PN is associated with the exceedance of the Arsenic drinking water standard. Every time the sampling results show that the Arsenic standard is exceeded, the Polacca water system is required to distribute a PN to its customers that tells them that the Arsenic standard was exceeded. A copy of the PN that was distributed, as well as a Certification of Delivery of the PN, is required to be submitted to USEPA. For the Polacca water system, there was no PN for the January through March 2016 period. However, a copy of a PN for the April through June 2016 period was submitted to USEPA. Because there was a subsequent PN, the PN violation for the January through March 2016 period was returned to compliance. Even though the PN violation was returned to compliance, there was still a valid violation for not submitting the PN for the January through March 2016 period. That is why the PN violation was listed in the NOV letter.

By the way, I told Sharon that the Polacca water system should expect a NOV letter in the future for not submitting a PN for the July through September 2016 period. Your staff will work on sampling for Arsenic for the October during the December 2016 period. Sharon will work on distributing/submitting a PN for the October through December 2016 period when the results come back from the lab.

Sharon had sent to me after our call this morning a copy of a PN that she indicated was for the January through March 2016 period. I looked at the documents and the PN that Sharon sent this morning was the PN that we have in our records that was submitted in June 2016 for the April through June 2016 period.

I hope this helps to clarify the understanding of the NOV letter that your received from USEPA for the Polacca water system. To minimize future NOV letters from USEPA, please keep on sampling the water system at the frequencies indicated in the monitoring schedule. Please also make sure that the required reports are distributed and submitted to the appropriate parties.

I also told Sharon this morning that Emmanuelle Rapicavoli of USEPA and I will be at Hopi the week of November 28, 2016. I will be transitioning out of all my Hopi projects during this time. Emmanuelle will be the new USEPA Project Officer for all the Hopi water systems. Because we would like to meet with you and your staff, could you please give me a good date and time to meet the week of November 28? Besides meeting you and your staff, it would be great if you and/or your staff can also provide us with a tour of the Polacca water system.

Please contact me if you have any questions. Hope to see you in a few weeks.

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Bessie Lee
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From: Ivan FMCV [mailto:isfmcv@hopitelecom.net]
Sent: Tuesday, November 08, 2016 12:53 PM

To: Gladfelder, Lawrence <Gladfelder.Lawrence@epa.gov>
Cc: Lee, Bessie <Lee.Bessie@epa.gov>; lpuhuyesva@hopi.nsn.us; Herman G. Honanie <hehonanie@hopi.nsn.us>; Alfred Lomahquahu <alomahquahu@hopi.nsn.us>; Alfonso Sakeva <asakevajr@yahoo.com>; FIRST MESA VLGS <sgfmcv@hopitelecom.net>
Subject: Re: Emailing - 2016 11 01-Enforcement-090400106-Violations letter.pdf

I immediately called my water staff inquiring about the alleged violations after receiving your letter. They reported to me our testing and public notifications were in compliance. Where or who did you get the information from to write the letter? Our files show we are in compliance on all our testing and know these public notifications is a must. It is these types of letters that our critics, villages at First Mesa receive to start a political campaign against our operations. Any further information or questioning, contact me.

From: "Lawrence Gladfelder" <Gladfelder.Lawrence@epa.gov>
To: "FIRST MESA VLGS" <isfmcv@hopitelecom.net>
Cc: "Lee, Bessie" <Lee.Bessie@epa.gov>
Sent: Monday, November 7, 2016 1:39:13 PM
Subject: Emailing - 2016 11 01-Enforcement-090400106-Violations letter.pdf

Electronic courtesy copy sent on behalf of Bessie Lee. Signed hardcopy letter has been mailed to addressee. Please direct inquiries to Bessie Lee. Thank You