UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Tuesday, June 28, 2016

Ivan Sydney, Business Manager
First Mesa Consolidated Villages
P.O. Box 260
Polacca, AZ 86042

REPORT OF VIOLATIONS OF THE SAFE DRINKING WATER ACT

Dear Mr. Sydney:

This letter is to notify you of violations of the Safe Drinking Water Act (SDWA) and what must be done to correct the violations for the public water system (PWS) shown below:

Polacca, PWS ID#0400106

The violations reported by EPA Region 9 to EPA HQ for the period ending on 3/31/2016 can be found on the attached table.

Public Notification Requirements

The public must be notified any time there is a violation of the SDWA. Depending on the severity of the violation, the type of Public Notice required will fall into one of three "tiers." The final column of the table labeled "Public Notice Tier" 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 EPA or can be found at:

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

http://water.epa.gov/lawsregs/rulesregs/sdwa/publicnotification/compliancehelp.cfm

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

Return to Compliance

EPA determines that the drinking water system has returned to compliance when the system reports the required 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 EPA website, see: http://www.epa-echo.gov/echo/compliance_report_sdwa.html

Violations of the SDWA that are not corrected lead to a PWS being designated as an 'Enforcement Priority', as identified on EPA's national Enforcement Targeting Tool list. Drinking water systems that acquire this designation are targeted priorities for possible enforcement action by EPA. Furthermore, Enforcement Priority status precludes eligibility for funding under our 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 Bessie Lee of my staff at (415) 972-3776.

Sincerely,

David Albright, Manager
Drinking Water Protection Section

cc: Herman Honanie, Chairman
Alfonso Sakeva, Water Operator
Lionel Puhuyesva, Director, WRP
Sharon Grover, Administrative Assistant

Polacca, PWS ID#0400106

Table of Violations reported by EPA Region 9 to EPA Headquarters for period ending 3/31/2016

Return to Compliance Status: In Compliance

The following violation(s) has/have been returned to compliance. Once Public Notice requirements have been completed, no further action is required.

Violation Type: Failure to post/submit offical Public Notification as required by SDWA.

How to return to compliance for violations of this type: Posting and submission of required Public Notice.

Contaminant	Violation Period*	Sample Date	Result	Violation Comment +	Public Notice Tier
Public Notice Rule	1/1/2015			Failure to post or submit Tier 2 Public Notice for Violation type: MCL, Average - EP002: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.: Arsenic: 1/1/2015	3
Public Notice Rule	4/1/2015			Failure to post or submit Tier 2 Public Notice for Violation type: MCL, Average - EP002: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.: Arsenic: 4/1/2015	3
Public Notice Rule	7/1/2015			Failure to post or submit Tier 2 Public Notice for Violation type: MCL, Average - EP001: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.: Arsenic: 7/1/2015	3

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

How to return to compliance for violations of this type: Reporting monitoring results as required.

Contaminant	Violation Period*	Sample Date	Result	Violation Comment +	Public Notice Tier
Arsenic	4/1/2015 6/30/2015	N/A	N/A	Failed to monitor and/or report required monitoring results due quarterly.	3
Arsenic	10/1/2015 12/31/2015	N/A	N/A	Failed to monitor and/or report required monitoring results due quarterly.	3
Nitrate [reported as Nitrogen]	1/1/2015 12/31/2015	N/A	N/A	Failed to monitor and/or report required monitoring results due annually.	3

Return to Compliance Status: Unaddressed

The following violation(s) has/have NOT been returned to compliance. See below the required actions to return to compliance and take steps to complete them along with Public Notice requirements.

Violation Type: Failure to post/submit offical Public Notification as required by SDWA.

How to return to compliance for violations of this type: Posting and submission of required Public Notice.

Contaminant	Violation Period*	Sample Date	Result	Violation Comment +	Public Notice Tier
Public Notice Rule	10/1/2015			Failure to post or submit Tier 2 Public Notice for Violation type: MCL, Average - EP001: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.: Arsenic: 10/1/2015	3

Violation Type: Failure to submit DBPR results for Stage 1 or 2 Disinfection By-Products Rule

How to return to compliance for violations of this type: Submisison of subsequent monitoring results.

Contaminant	Violation Period*	Sample Date	Result	Violation Comment +	Public Notice Tier
Five Haloacetic Acids (HAA5)	1/1/2015 12/31/2015	N/A	N/A	Failed to monitor and/or report required Stage 2 DBPR monitoring results due annually.	3
Total Trihalomethanes (TTHMs)	1/1/2015 12/31/2015	N/A	N/A	Failed to monitor and/or report required Stage 2 DBPR monitoring results due annually.	3

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

How to return to compliance for violations of this type: Reporting monitoring results as required.

Contaminant	Violation Period*	Sample Date	Result	Violation Comment +	Public Notice Tier
Arsenic	1/1/2016 3/31/2016	N/A	N/A	Failed to monitor and/or report required monitoring results due quarterly.	3

Violation Type: Maximum Contaminant Level violation for chemical contaminant (running average, 4 qtrs.)

How to return to compliance for violations of this type: Reporting quarterly monitoring for contaminant in violation, until running annual average is below MCL for 6 months.

Contaminant	Violation Period*	Sample Date	Result	Violation Comment +	Public Notice Tier
Arsenic	4/1/2015 6/30/2015	N/A	.017	EP002: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.	2
Arsenic	7/1/2015 9/30/2015	N/A	.017	EP001: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.	2

Arsenic	10/1/2015 12/31/2015	N/A	.017	EP001: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.	2
Arsenic	1/1/2016 3/31/2016	N/A	.017	EP001: Running annual average violation calculated from the last sample submitted and the group of results from the previous 4 quarters.	2

* 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.