

October 7, 2021

2:49 PM

Progress Report

Ute Indian Tribe and Ute Tribe Public Works
SDWA-08-2018-0013: Final Order
Supplemental Environmental Project
Computational Tool for Regulatory Assistance

Received by
EPA Region VIII
Hearing Clerk

Reporting Period: July 1, 2021 to September 30, 2021

Narrative of Project during Reporting Period

As the Supplemental Environmental Project (SEP) for the Ute Indian Tribe and Ute Tribe Public Works, Uriah Heaps Spring and Whiterocks Public Water Systems, the Tribe shall develop and implement a computer program to audit and assist the Respondents' compliance with the Safe Drinking Water Act and regulations. The SEP will cost \$55,000 and be completed over a three-year period. The SEP was initiated in January 2019. The computer program will be developed over the first year (CY2019). Compliance auditing as well as program training and support will continue for two additional years (CY2020-2021). The Tribe elected to develop the program with Natural Resources Consulting Engineers, Inc. (NRCE). The program will track the nature, timing, and costs of all SDWA regulatory requirements pertaining to Tribe's Public Water Systems and provide the Tribe with an understanding of necessary budget and rates, operational procedures, and record-keeping procedures at the Systems.

Task Accomplishments and Milestones Met during Reporting Period

The Scope of Work specified the following tasks to be completed for the project. Provided for each task is a short description of what has been accomplished during the reporting period, as well as a description of what was intended to be accomplished.

Task 1: Comprehensive documentation of UTWS regulatory compliance requirements

During this reporting period the Tribe performed the following work related to Task 1:

- Provided UTWS staff with weekly updates on the status of sampling tasks.
- Communicated with UTWS staff regarding upcoming monitoring requirements deadlines.
- Modified task schedule in UteTWS app to reassign or delete tasks as necessary.
- Participated in meetings regarding the E. Coli and total coliform MCL violation that occurred in August.
- Discussed with Kirby Arrive, Executive Director, and Emmett Duncan, Asst. Executive Director, the current backlog of tasks that have not been recorded in the app and the importance of following through with this obligation.

Task 2: Development of a regulatory compliance computational tool for UTWS

- The Ute TWS phone app continues to be used for scheduling monitoring requirements and completion of tasks.
- NRCE has developed a proposed scope of work to encompass those activities into an operations management system for UTWS. This will help organize data and operations, and provide greater functionality, connectivity, and ease of use for UTWS staff compared to spreadsheets and other applications currently in use.

NRCE proposes to provide technical assistance to implement a commercial data management system with UTWS which will meet the above needs.

- This proposed scope of work encompasses three previous technical support activities and the logical next steps in the operation and management of UTWS. These are:
 - water quality monitoring, sampling, and reporting to maintain compliance with the EPA Safe Drinking Water Act (SDWA);
 - asset management planning to facilitate long-term budget planning to ensure funds are available to perform system improvements and proactive maintenance; and,
 - chemical management to meet requirements of an EPA administrative order for non-compliance in the storage and disposal of hazardous waste under the Resource Conservation and Recovery Act (RCRA).

Task 3: Long-term documentation, training, and on-demand technical support

- NRCE has continued to provide technical support for the tribe related to task creation and assignment as well as generating reports from database queries.

Potential setbacks

The Tribe does not anticipate any potential setbacks regarding the SEP at this time. The Ute Indian Tribe is currently on schedule as anticipated in the contract.

Expenditures made in implementation of the SEP

The Tribe's consultant, Natural Resources Consulting Engineers, Inc. (NRCE) has billed \$5,364.45 in consulting fees and expenses between July 1, 2021 and September 30, 2021. Total fees plus expenses billed as of September 30, 2021 are \$71,409.95. The project budget was set at \$55,000. Thus, this specific project budget has been consumed. One and three-quarters years of operational support has been provided to UTWS.

Continuing Technical Support

Under UIT Business Committee Resolution 19-189 executed June 5, 2019, NRCE continues to provide technical support to UTWS with operation and management of the UteTWS App to meet water quality monitoring requirements and maintain SDWA compliance under a new scope of work—"Implementation of the SDWA Action Plan to Remediate Recent Notices of Violation and Build a Comprehensive Process Workflow to Maintain EPA Compliance". Under this action plan, NRCE is assisting UTWS in a phased approach to maintain SDWA compliance:

- Phase 1: Eliminate the backlog of outstanding actions required of UTWS by the EPA
- Phase 2: Continue to ensure future UTWS's compliance with the EPA