

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2008-0566

MANDATORY PENALTY
IN THE MATTER OF

THE CITY OF WILLOWS AND ECO RESOURCES, INC.,
WILLOWS WASTEWATER TREATMENT PLANT
GLENN COUNTY

This Complaint is issued to the City of Willows and ECO Resources, Inc., (hereafter referred to as Dischargers) pursuant to California Water Code (CWC) section 13385, which authorizes the imposition of Administrative Civil Liability (ACL), CWC section 13323, which authorizes the Executive Officer to issue this complaint, and CWC section 7, which authorizes the delegation of the Executive Officer's authority to a deputy, in this case the Assistant Executive Officer. This Complaint is based on findings that the Dischargers violated provisions of Waste Discharge Requirements (WDRs) Order No. 5-01-066 and R5-2006-0009 (NPDES No. CA0078034).

The Assistant Executive Officer of the California Regional Water Quality Control Board, Central Valley Region (Regional Water Board) finds the following:

1. The City of Willows owns, and ECO Resources, Inc. operates, the Willows Wastewater Treatment Plant, which provides sewerage service to the City of Willows and Northeast Willows Community Service District in Glenn County. Treated domestic, commercial and industrial wastewater is discharged to the Glenn-Colusa Irrigation District (GCID) Lateral 26-2 (tributary to Colusa Basin Drain) and Agricultural Drain C, (tributary to Logan Creek, then to the Colusa Basin Drain). The Colusa Basin Drain is a water of the United States.
2. On 16 March 2001, the Regional Water Quality Control Board, Central Valley Region (Regional Water Board) adopted Waste Discharge Requirements (WDRs) Order No. 5-01-066 (NPDES No. CA0078034) for the City of Willows to regulate discharges of waste from the wastewater treatment plant (WWTP). On 26 January 2006, the Regional Water Board adopted WDRs Order No. R5-2006-0009 (NPDES No. CA0078034), for the City of Willows and ECO Resources, Inc., to regulate discharges of waste from its wastewater treatment facility, which contained new requirements and rescinded Order No. 5-01-066. The facility has undergone plant improvements to upgrade the plant processes to meet the new requirements in the 26 January 2006 WDRs.
3. CWC Section 13385(h) and (i) require assessment of mandatory penalties and state, in part, the following:

CWC section 13385(h)(1): Notwithstanding any other provision of this division, and except as provided in subdivisions (j), (k), and (l), a mandatory minimum penalty of three thousand dollars (\$3,000) shall be assessed for each serious violation.

CWC section 13385 (h)(2): *For the purposes of this section, a "serious violation" means any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 40 percent or more.*

CWC section 13385(i)(1): *Notwithstanding any other provision of this division, and except as provided in subdivisions (j), (k), and (l), a mandatory minimum penalty of three thousand dollars (\$3,000) shall be assessed for each violation whenever the person does any of the following four or more times in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations:*

- (A) Violates a waste discharge requirement effluent limitation.*
- (B) Fails to file a report pursuant to Section 13260.*
- (C) Files an incomplete report pursuant to Section 13260.*
- (D) Violates a toxicity effluent limitation contained in the applicable waste discharge requirements where the waste discharge requirements do not contain pollutant specific effluent limitations for toxic pollutants.*

4. *CWC Section 13323 states, in part:*

Any executive officer of a regional board may issue a complaint to any person on whom administrative civil liability may be imposed pursuant to this article. The complaint shall allege the act or failure to act that constitutes a violation of law, the provision authorizing civil liability to be imposed pursuant to this article, and the proposed civil liability.

5. WDR Order No. 5-01-066 Effluent Limitations No. B.1A. includes, in part, the following effluent limitations:

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>
<i>BOD¹</i>	<i>mg/L</i>	<i>60²</i>	<i>90²</i>	<i>120²</i>
<i>Chlorine Residual</i>	<i>lbs/day³</i> <i>mg/L</i>	<i>560</i>	<i>840</i> <i>0.01</i>	<i>1,120</i> <i>0.02</i>

¹Five-day biochemical oxygen demand at 20° C

²To be ascertained by a 24-hour composite

³Based upon a design treatment capacity of 1.12 mgd

6. WDR Order No. R5-2006-0009 Effluent Limitations No. B.1. includes, in part, the following effluent limitations:

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>	<u>4-Day Average</u>
<i>BOD₅</i> ^a	mg/L	60 ^b	90 ^b	120 ^b	
	lbs/day ^c	560	840	1,120	
TSS	mg/L	110 ^b	165 ^b	220 ^b	
	lbs/day ^c	1,030	1,540	2,060	
Chlorine	mg/L			0.02 ^d	0.01
Total Coliform Bacteria	MPN/100 mL	23 (median)		500	

^a Five-day biochemical oxygen demand at 20° C

^b To be ascertained by a 24-hour composite

^c Based upon a design treatment capacity of 1.12 mgd

^d 1-hour average

7. WDR Order No. R5-2006-0009 Effluent Limitations No. B.2. includes, in part, the following effluent *limitations (no later than 1 March 2007)*:

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>	<u>4-Day Average</u>	<u>7-Day Median</u>
Chlorine	mg/L			0.02 ^d	0.01	
Total Coliform Bacteria	MPN/100 mL			23		2.2
Ammonia ^g	mg/L	1.9		3.8		
	lbs/day ^c	19		38		

^c Based upon a design treatment capacity of 1.2 mgd

^d 1-hour average

^g For the period of November 1 through April 30

8. According to Dischargers' self-monitoring reports, the Dischargers' committed a total of forty eight (48) serious violations of effluent limitations contained in Order No. 5-01-066 and Order No. R5-2006-0009 during the period beginning 01 January 2004 and ending 30 April 2008. The mandatory minimum penalty for these serious violations is **one hundred forty four thousand dollars (\$144,000)**.
9. According to Discharger's self-monitoring reports, the Discharger committed a total of twenty four (24) non-serious violations of effluent limitations contained in Order No. 5-01-066 and Order No. R5-2006-0009 during the period beginning 01 January 2004 and ending 30 April 2008. The mandatory minimum penalty for these non-serious violations is **seventy two thousand dollars (\$72,000)**.

10. The total amount of the mandatory penalties assessed for the cited effluent violations is **two hundred sixteen thousand dollars (\$216,000)**. A detailed list of all effluent violations is included in Attachment A, a part of this Complaint.
11. CWC section 13385 (k) states:
 - (1) In lieu of assessing all or a portion of the mandatory minimum penalties pursuant to subdivisions (h) and (i) against a publicly owned treatment works serving a small community, the state board or the regional board may elect to require the publicly owned treatment works to spend an equivalent amount towards the completion of a compliance project proposed by the publicly owned treatment works, if the state board or the regional board finds all of the following:*
 - (A) The compliance project is designed to correct the violations within five years.*
 - (B) The compliance project is in accordance with the enforcement policy of the state board, excluding any provision in the policy that is inconsistent with this section.*
 - (C) The publicly owned treatment works has prepared a financing plan to complete the compliance project.*
 - (2) For the purposes of this subdivision, "a publicly owned treatment works serving a small community" means a publicly owned treatment works serving a population of 10,000 persons or fewer or a rural county, with a financial hardship as determined by the state board after considering such factors as median income of the residents, rate of unemployment, or low population density in the service area of the publicly owned treatment works.*
12. On 8 September 2008, staff at the State Water Resources Control Board transmitted an email determining that the Dischargers' WWTP is a publicly owned treatment works serving a small community within the meaning of CWC section 13385(k)(2). On 8 September 2008, the Project Management for the Division of Financial Assistance confirmed this determination.
13. The Discharger has spent **\$7.3** million for engineering design and construction of an expansion and upgrade project to the WWTP. This project addresses the effluent violations for biochemical oxygen demand (BOD), total residual chlorine, total coliform organisms, total suspended solids, and ammonia. The Discharger has expended in excess of the mandatory minimum penalties that have been assessed pursuant to CWC sections 13385(h) and (i).
14. The Regional Water Board finds that the plant upgrades qualify as a Compliance Project that meets the requirements of CWC section 13385(k)(1), and that the project is in accordance with the enforcement policy of the State Water Board.

15. Issuance of this Administrative Civil Liability Complaint to enforce CWC Division 7, Chapter 5.5 is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code section 21000 et seq.), in accordance with California Code of Regulations, title 14, section 15321(a)(2).

THE CITY OF WILLOWS AND ECO RESOURCES, INC, ARE HEREBY GIVEN NOTICE THAT:

1. The Assistant Executive Officer of the Regional Water Board proposes that the Dischargers be assessed an Administrative Civil Liability in the amount of **two hundred sixteen thousand dollars (\$216,000)**.
2. The Regional Water Board considers payment of the above penalty satisfied through the completion of the compliance project described above in accordance with CWC section 13385(k).
3. A hearing shall be held by the Regional Water Board on **4/5 December 2008** unless **both** the City of Willows and Eco Resources, Inc. agree to waive the hearing by completing the attached forms and returning them to the Regional Water Board by **10 October 2008**.
4. If a hearing on this matter is held, the Regional Water Board will consider whether to affirm, reject, or modify the proposed Administrative Civil Liability, or whether to refer the matter to the Attorney General for recovery of judicial civil liability.

Signed By

JAMES C. PEDRI, Assistant Executive Officer

10 September 2008

Date

Attachment A: Record of Violations

**WAIVER OF 90-DAY HEARING REQUIREMENT FOR
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT**

By signing this waiver, I affirm and acknowledge the following:

1. I am duly authorized to represent the City of Willows (hereinafter "Discharger") in connection with Administrative Civil Liability Complaint No. R5-2008-0566 (hereinafter the "Complaint");
2. I am informed that California Water Code section 13323, subdivision (b), states that, "a hearing before the regional board shall be conducted within 90 days after the party has been served" with the Complaint;
3. I hereby waive any right the Discharger may have to a hearing before the California Regional Water Quality Control Board, Central Valley Region (Regional Water Board) within ninety (90) days of service of the Complaint; and
4. I certify that an amount in excess of **two hundred and sixteen thousand dollars (\$216,000)** has been spent on a Compliance Project built in accordance with California Water Code section 13385(k).
5. I understand the proposed Complaint, including acceptance of the Compliance Project as a substitute for payment of the assessed civil liability, constitutes a settlement of the violations, and that any settlement will not become final until after the 30-day public notice and comment period mandated by Federal regulations (40 CFR 123.27) expires. Should the Regional Water Board receive new information or comments during this comment period, the Regional Water Board's Assistant Executive Officer may withdraw the complaint, return payment, and issue a new complaint. New information or comments include those submitted by personnel of the Regional Water Board who are not associated with the enforcement team's issuance of the Complaint.
6. I understand that the Regional Water Board's acceptance of the Compliance Project as a substitute for payment of the assessed civil liability is not a substitute for compliance with applicable laws and that continuing violations of the type alleged in the Complaint may subject the Discharger to further enforcement, including additional civil liability.
7. If a hearing on this matter is held, the Regional Water Board will consider whether to issue, reject, or modify the proposed Administrative Civil Liability Order, or whether to refer the matter to the Attorney General for recovery of judicial civil liability.

(Print Name and Title)

(Signature)

(Date)

**WAIVER OF 90-DAY HEARING REQUIREMENT FOR
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT**

By signing this waiver, I affirm and acknowledge the following:

1. I am duly authorized to represent the Eco Resources, Inc. (hereinafter "Discharger") in connection with Administrative Civil Liability Complaint No. R5-2008-0566 (hereinafter the "Complaint");
2. I am informed that California Water Code section 13323, subdivision (b), states that, "a hearing before the regional board shall be conducted within 90 days after the party has been served" with the Complaint;
3. I hereby waive any right the Discharger may have to a hearing before the California Regional Water Quality Control Board, Central Valley Region (Regional Water Board) within ninety (90) days of service of the Complaint; and
4. I certify that an amount in excess of **two hundred and sixteen thousand dollars (\$216,000)** has been spent on a Compliance Project built in accordance with California Water Code section 13385(k).
5. I understand the proposed Complaint, including acceptance of the Compliance Project as a substitute for payment of the assessed civil liability, constitutes a settlement of the violations, and that any settlement will not become final until after the 30-day public notice and comment period mandated by Federal regulations (40 CFR 123.27) expires. Should the Regional Water Board receive new information or comments during this comment period, the Regional Water Board's Assistant Executive Officer may withdraw the complaint, return payment, and issue a new complaint. New information or comments include those submitted by personnel of the Regional Water Board who are not associated with the enforcement team's issuance of the Complaint.
6. I understand that the Regional Water Board's acceptance of the Compliance Project as a substitute for payment of the assessed civil liability is not a substitute for compliance with applicable laws and that continuing violations of the type alleged in the Complaint may subject the Discharger to further enforcement, including additional civil liability.
7. If a hearing on this matter is held, the Regional Water Board will consider whether to issue, reject, or modify the proposed Administrative Civil Liability Order, or whether to refer the matter to the Attorney General for recovery of judicial civil liability.

(Print Name and Title)

(Signature)

(Date)

ATTACHMENT A
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2008-0566

THE CITY OF WILLOWS AND ECO RESOURCES, INC.,
WILLOWS WASTEWATER TREATMENT PLANT
RECORD OF VIOLATIONS (1 January 2004 – 30 April 2008) MANDATORY PENALTIES
(Data reported under Monitoring and Reporting Program No. 5-01-066 and R5-2006-0009)

No.	Date of Violation	Violation Type	Units	Permit Limit	Measured	Period Type	Remarks
Order No. 5-01-066							
1	19-Jan-04	Total Residual Chlorine	mg/L	0.02	3	Daily Max	1
2	31-Jan-04	Total Residual Chlorine	mg/L	0.01	0.75	Wkly Avg	1
3	31-May-04	Total Coliform	MPN/100 mL	23	92	Mthly Median	2
4	13-Jan-05	BOD	mg/L	120	250	Daily Max	1
5	13-Jan-05	BOD	mg/L	90	250	Wkly Avg	1
6	20-Jan-05	BOD	mg/L	120	215	Daily Max	1
7	20-Jan-05	BOD	mg/L	90	215	Wkly Avg	1
8	31-Jan-05	BOD	mg/L	60	154	Mthly Avg	1
9	11-Jan-06	Total Residual Chlorine	mg/L	0.02	0.1	Daily Max	1
10	12-Jan-06	Total Residual Chlorine	mg/L	0.02	0.2	Daily Max	1
Order No. R5-2006-0009							
11	02-Mar-06	BOD	mg/L	90	94	Wkly Avg	2
12	31-Mar-06	BOD	mg/L	60	76	Mthly Avg	3
13	27-Apr-06	BOD	mg/L	90	116	Wkly Avg	3
14	30-Apr-06	BOD	mg/L	60	78	Mthly Avg	1
15	04-May-06	BOD	mg/L	120	158	Daily Max	3
16	04-May-06	BOD	mg/L	90	158	Wkly Avg	1
17	12-May-06	Total Residual Chlorine	mg/L	0.02	0.9	Daily Max	1
18	13-May-06	Total Residual Chlorine	mg/L	0.02	0.3	Daily Max	1
19	16-May-06	Total Residual Chlorine	mg/L	0.02	0.5	Daily Max	1
20	19-May-06	Total Residual Chlorine	mg/L	0.02	0.2	Daily Max	1
21	20-May-06	Total Residual Chlorine	mg/L	0.02	0.1	Daily Max	1
22	21-May-06	Total Residual Chlorine	mg/L	0.02	0.1	Daily Max	1
23	22-May-06	Total Residual Chlorine	mg/L	0.02	0.28	Daily Max	1
24	23-May-06	Total Coliform	MPN/100 mL	500	>1,600	Daily Max	3
25	23-May-06	Total Residual Chlorine	mg/L	0.02	0.25	Daily Max	1
26	31-May-06	BOD	mg/L	60	70	Mthly Avg	3

ATTACHMENT A
WILLOWS WWTP
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2008-0566

No.	Date of Violation	Violation Type	Units	Permit Limit	Measured	Period Type	Remarks
27	24-May-06	Total Residual Chlorine	mg/L	0.02	0.09	Daily Max	1
28	25-May-06	Total Residual Chlorine	mg/L	0.02	0.2	Daily Max	1
29	26-May-06	Total Residual Chlorine	mg/L	0.02	0.09	Daily Max	1
30	30-May-06	Total Residual Chlorine	mg/L	0.02	0.05	Daily Max	1
31	31-May-06	Total Residual Chlorine	mg/L	0.02	0.03	Daily Max	1
32	06-Jun-06	Total Residual Chlorine	mg/L	0.02	0.03	Daily Max	1
33	07-Jun-06	Total Residual Chlorine	mg/L	0.02	0.05	Daily Max	1
34	08-Jun-06	Total Residual Chlorine	mg/L	0.02	0.06	Daily Max	1
35	09-Jun-06	Total Residual Chlorine	mg/L	0.02	0.03	Daily Max	1
36	13-Jun-06	Total Residual Chlorine	mg/L	0.02	0.03	Daily Max	1
37	23-Jun-06	Total Residual Chlorine	mg/L	0.02	0.04	Daily Max	1
38	19-Jul-06	Total Coliform	MPN/100 mL	500	>1,600	Daily Max	3
39	31-Jul-06	Total Coliform	MPN/100 mL	23	30	Mthly Median	3
40	18-Aug-06	Total Coliform	MPN/100 mL	500	>1,600	Daily Max	3
41	27-Sep-06	Total Coliform	MPN/100 mL	500	>1,600	Daily Max	3
42	10-Oct-06	Total Residual Chlorine	mg/L	0.02	0.03	Daily Max	1
43	11-Oct-06	TSS	mg/L	165	204	Weekly Avg	1
44	17-Oct-06	Total Coliform	MPN/100 mL	500	>1,600	Daily Max	3
45	18-Oct-06	TSS	mg/L	165	242	Weekly Avg	1
46	18-Oct-06	TSS	mg/L	220	242	Daily Max	3
47	18-Oct-06	Total Coliform	MPN/100 mL	500	>1,600	Daily Max	3
48	23-Oct-06	Total Coliform	MPN/100 mL	500	900	Daily Max	3
49	31-Oct-06	TSS	mg/L	110	173	Mthly Avg	1
50	31-Oct-06	Total Coliform	MPN/100 mL	23	240	Mthly Median	3
51	16-Oct-06	Total Residual Chlorine	mg/L	0.02	1.2	Daily Max	1
52	08-Nov-06	Total Coliform	MPN/100 mL	500	900	Daily Max	3
53	31-Dec-06	TSS	mg/L	110	114	Mthly Avg	3
54	10-Jan-07	Total Coliform	MPN/100 mL	500	>1,600	Daily Max	3
55	23-Jan-07	Total Residual Chlorine	mg/L	0.02	0.12	Daily Max	1
56	24-Jan-07	Total Residual Chlorine	mg/L	0.02	0.38	Daily Max	1
57	25-Jan-07	Total Residual Chlorine	mg/L	0.02	0.37	Daily Max	1

No.	Date of Violation	Violation Type	Units	Permit Limit	Measured	Period Type	Remarks
58	29-Jan-07	Total Coliform	MPN/100 mL	500	>1,600	Daily Max	3
59	30-Jan-07	Total Coliform	MPN/100 mL	500	>1,600	Daily Max	3
60	26-Jan-07	Total Residual Chlorine	mg/L	0.02	0.27	Daily Max	1
61	27-Jan-07	Total Residual Chlorine	mg/L	0.02	0.12	Daily Max	1
62	28-Jan-07	Total Residual Chlorine	mg/L	0.02	0.17	Daily Max	1
63	29-Jan-07	Total Residual Chlorine	mg/L	0.02	0.21	Daily Max	1
64	31-Jan-07	Total Coliform	MPN/100 mL	23	40	Mthly Median	3
65	31-Jan-07	Total Residual Chlorine	mg/L	0.02	0.08	Daily Max	1
66	12-Feb-07	Total Coliform	MPN/100 mL	23	900	Daily Max	3
67	13-Feb-07	Total Residual Chlorine	mg/L	0.02	0.025	Daily Max	3
68	17-Feb-07	Total Residual Chlorine	mg/L	0.02	0.028	Daily Max	3
69	19-Feb-07	Total Residual Chlorine	mg/L	0.02	2.5	Daily Max	1
70	24-Feb-07	Total Residual Chlorine	mg/L	0.02	0.144	Daily Max	1
71	25-Feb-07	Total Residual Chlorine	mg/L	0.02	0.168	Daily Max	1
72	28-Feb-07	Total Coliform	mg/L	23	27	Mthly Median	3
New Plant starts testing mode (penalties not assessed during startup (March, April, May))							
73	06-Mar-07	Total Residual Chlorine	mg/L	0.02	0.24	Daily Max	4
74	07-Mar-07	Total Residual Chlorine	mg/L	0.02	0.04	Daily Max	4
75	08-Mar-07	Total Residual Chlorine	mg/L	0.02	0.57	Daily Max	4
76	09-Mar-07	Total Residual Chlorine	mg/L	0.02	0.31	Daily Max	4
77	10-Mar-07	Total Residual Chlorine	mg/L	0.02	0.06	Daily Max	4
78	11-Mar-07	Total Residual Chlorine	mg/L	0.02	0.12	Daily Max	4
79	12-Mar-07	Total Residual Chlorine	mg/L	0.02	0.1	Daily Max	4
80	13-Mar-07	Total Residual Chlorine	mg/L	0.02	0.14	Daily Max	4
81	14-Mar-07	TSS	mg/L	15	18.87	Wkly Avg	4
82	14-Mar-07	Total Residual Chlorine	mg/L	0.02	3.74	Daily Max	4
83	15-Mar-07	Total Residual Chlorine	mg/L	0.02	5	Daily Max	4
84	16-Mar-07	Total Residual Chlorine	mg/L	0.02	0.2	Daily Max	4

ATTACHMENT A
WILLOWS WWTP
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2008-0566

No.	Date of Violation	Violation Type	Units	Permit Limit	Measured	Period Type	Remarks
85	17-Mar-07	Total Residual Chlorine	mg/L	0.02	0.16	Daily Max	4
86	18-Mar-07	Total Residual Chlorine	mg/L	0.02	0.33	Daily Max	4
87	19-Mar-07	Total Residual Chlorine	mg/L	0.02	5	Daily Max	4
88	20-Mar-07	Ammonia	mg/L	3.8	8.8	Daily Max	4
89	20-Mar-07	Total Residual Chlorine	mg/L	0.02	0.12	Daily Max	4
90	21-Mar-07	Total Residual Chlorine	mg/L	0.02	0.09	Daily Max	4
91	22-Mar-07	Total Residual Chlorine	mg/L	0.02	0.09	Daily Max	4
92	23-Mar-07	Total Residual Chlorine	mg/L	0.02	0.09	Daily Max	4
93	24-Mar-07	Total Residual Chlorine	mg/L	0.02	0.05	Daily Max	4
94	26-Mar-07	Total Residual Chlorine	mg/L	0.02	0.53	Daily Max	4
95	27-Mar-07	Ammonia	mg/L	3.8	7.2	Daily Max	4
96	31-Mar-07	Ammonia	mg/L	1.9	4.88	Mthly Avg	4
97	31-Mar-07	BOD	mg/L	10	11	Mthly Avg	4
98	05-Apr-07	Total Residual Chlorine	mg/L	0.02	0.034	Daily Max	4
99	06-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0557	Daily Max	4
100	10-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0388	Daily Max	4
101	11-Apr-07	Total Residual Chlorine	mg/L	0.02	0.4383	Daily Max	4
102	12-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0273	Daily Max	4
103	14-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0978	Daily Max	4
104	15-Apr-07	Total Coliform	MPN/100 mL	2.2	10	7-day Median	4
105	15-Apr-07	Total Residual Chlorine	mg/L	0.02	0.1347	Daily Max	4
106	16-Apr-07	Total Residual Chlorine	mg/L	0.02	0.1299	Daily Max	4
107	17-Apr-07	Total Residual Chlorine	mg/L	0.02	0.1547	Daily Max	4
108	18-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0852	Daily Max	4
109	19-Apr-07	Total Residual Chlorine	mg/L	0.02	0.1116	Daily Max	4
110	20-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0651	Daily Max	4
111	21-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0411	Daily Max	4
112	27-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0572	Daily Max	4

No.	Date of Violation	Violation Type	Units	Permit Limit	Measured	Period Type	Remarks
113	28-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0256	Daily Max	4
114	29-Apr-07	Total Residual Chlorine	mg/L	0.02	0.0469	Daily Max	4
115	01-May-07	Total Residual Chlorine	mg/L	0.02	0.04	Daily Max	4
116	02-May-07	Total Residual Chlorine	mg/L	0.02	0.06	Daily Max	4
117	03-May-07	Total Residual Chlorine	mg/L	0.02	0.09	Daily Max	4
118	04-May-07	Total Residual Chlorine	mg/L	0.02	0.1	Daily Max	4
119	05-May-07	Total Residual Chlorine	mg/L	0.02	0.09	Daily Max	4
120	06-May-07	Total Coliform	MPN/100 mL	2.2	170	7-day Median	4
121	06-May-07	Total Residual Chlorine	mg/L	0.02	0.05	Daily Max	4
122	07-May-07	Total Residual Chlorine	mg/L	0.02	0.1	Daily Max	4
123	08-May-07	Total Residual Chlorine	mg/L	0.02	0.06	Daily Max	4
124	09-May-07	Total Residual Chlorine	mg/L	0.02	0.04	Daily Max	4
125	13-May-07	Total Residual Chlorine	mg/L	0.02	1.14	Daily Max	4
126	14-May-07	Total Residual Chlorine	mg/L	0.02	0.03	Daily Max	4
127	16-May-07	Total Residual Chlorine	mg/L	0.02	0.05	Daily Max	4
128	17-May-07	Total Residual Chlorine	mg/L	0.02	0.05	Daily Max	4
129	18-May-07	Total Residual Chlorine	mg/L	0.02	0.06	Daily Max	4
130	19-May-07	Total Residual Chlorine	mg/L	0.02	0.06	Daily Max	4
131	20-May-07	Total Residual Chlorine	mg/L	0.02	0.18	Daily Max	4
132	21-May-07	Total Residual Chlorine	mg/L	0.02	0.06	Daily Max	4
133	22-May-07	Total Residual Chlorine	mg/L	0.02	0.1	Daily Max	4
134	23-May-07	Total Residual Chlorine	mg/L	0.02	0.49	Daily Max	4
135	24-May-07	Total Residual Chlorine	mg/L	0.02	0.14	Daily Max	4
136	25-May-07	Total Residual Chlorine	mg/L	0.02	0.31	Daily Max	4
137	26-May-07	Total Residual Chlorine	mg/L	0.02	1.71	Daily Max	4
138	27-May-07	Total Residual Chlorine	mg/L	0.02	0.22	Daily Max	4

No.	Date of Violation	Violation Type	Units	Permit Limit	Measured	Period Type	Remarks
139	28-May-07	Total Residual Chlorine	mg/L	0.02	0.08	Daily Max	4
140	29-May-07	Total Residual Chlorine	mg/L	0.02	0.06	Daily Max	4
141	30-May-07	Total Residual Chlorine	mg/L	0.02	0.07	Daily Max	4
142	31-May-07	Total Residual Chlorine	mg/L	0.02	0.08	Daily Max	4
New plant ends startup mode							
143	27-Dec-07	BOD	mg/L	15	27	Wkly Avg	1
144	31-Dec-07	BOD	mg/L	10	15	Mthly Avg	1

Remarks:

- 1 Serious Violation: For Group I Pollutants that exceed the effluent limitation by 40 percent or more, or Group II by 20 percent
- 2 Non-serious violations falls within the first three violations in a six-month period, thus is exempt
- 3 Non-serious violation subject to mandatory penalties
- 4 Violations not assessed during 90-day Plant startup

VIOLATIONS AS OF:	04/30/2008
Group I or II Serious Violations:	48
Non-Serious Exempt from MMPs:	2
Non-Serious Violations subject to MMPs:	24
Violations not assessed during startup:	70
TOTAL VIOLATIONS:	144
TOTAL VIOLATIONS SUBJECT TO MMPs:	72

Mandatory Minimum Penalty = (48 Serious Violations + 24 Non-Serious Violations) X \$3,000 = \$216,000