

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2013-0575

MANDATORY PENALTY  
IN THE MATTER OF

COUNTY OF PLACER FACILITY SERVICES DEPARTMENT  
PLACER COUNTY SEWER MAINTENANCE DISTRICT NO. 1  
WASTEWATER TREATMENT PLANT  
PLACER COUNTY

This Order is issued to the County of Placer Facility Services Department, Placer County Sewer Maintenance District No. 1, (hereafter Discharger) pursuant to California Water Code (Water Code) section 13385, which authorizes the imposition of Administrative Civil Liability, and Water Code section 13323, which authorizes the Executive Officer to issue this Order. This Order is based on findings that the Discharger violated provisions of Waste Discharge Requirements (WDRs) Order R5-2010-0092 (NPDES No. CA0079316).

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

1. The Discharger owns and operates a wastewater collection, treatment, and disposal system, and provides sewerage service to the unincorporated area of North Auburn in Placer County. The wastewater treatment plant provides tertiary treatment when influent flows are 3.5 million gallons per day (mgd) or less and a mixture of secondary and tertiary treatment when flows are greater than 3.5 mgd. Treated municipal wastewater is discharged to Rock Creek, a water of the United States.
2. On 22 September 2010, the Board issued WDRs Order R5-2010-0092 to regulate discharges of waste from the wastewater treatment plant. On 22 September 2010, the Board also issued Cease and Desist Order (CDO) R5-2010-0093. CDO R5-2010-0093 provided a time schedule to comply with the final effluent limitations for aluminum, chlorodibromomethane, chloroform, dichlorobromomethane, nitrate plus nitrite, and nitrite by 31 December 2014. However, CDO R5-2010-0093 did not provide an exemption from mandatory minimum penalties (MMPs) for aluminum, chloroform, nitrate plus nitrite, and nitrite effluent limit violations because the previous CDO (Order R5-2005-0075) already provided a time schedule of five years.
3. On 31 May 2013, the Board adopted Order R5-2013-0051 amending CDO R5-2010-0093. Amended CDO R5-2010-0093-01 includes protection from MMPs for exceedances of final effluent limitations for aluminum, chloroform, nitrate plus nitrite, and nitrite.
4. On 7 October 2011, the Assistant Executive Officer of the Central Valley Water Board issued Administrative Civil Liability Order (ACLO) R5-2011-0593 for mandatory minimum penalties for effluent violations from 1 July 2010 through 31 May 2011 in the amount of \$222,000. The violations covered by that Order are specifically listed in Attachment A to

ACLO R5-2011-0593. The Discharger paid \$103,500 of the penalty and entered into an agreement to construct a Supplemental Environmental Project (SEP) in the amount of \$118,500. The Board considers the effluent violations specifically listed in Attachment A to Order R5-2011-0593 resolved. The Discharger completed the SEP and the Board considers this matter settled.

5. On 11 January 2013, the Executive Officer of the Central Valley Water Board issued Administrative Civil Liability Complaint (ACLC) R5-2013-0503 for mandatory minimum penalties for effluent violations from 30 April 2011 through 31 October 2012. These violations are specifically identified in Attachment A to ACLC R5-2013-0503. The Discharger waived its right to a hearing within 90-days and entered into negotiations with the Board's enforcement staff.
6. On 21 June 2013, Water Board staff issued a revised Record of Violations to the Discharger for the period 30 April 2011 through 30 April 2013. On 2 July 2013, the Discharger responded, agreed with the violations, and submitted a proposed Supplemental Environmental Project (SEP) entitled *Midwestern Placer Regional Sewer Project*. This Order extends the covered period of violation through 31 May 2013.
7. Water Code sections 13385(h) and (i) require assessment of mandatory penalties and state, in part, the following:

Water Code section 13385(h)(1) states:

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.

Water Code section 13385 (h)(2) states:

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.

Water Code section 13385(i)(1) states, in part:

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.

8. WDRs Order R5-2010-0092, Final Effluent Limitations IV.A.1.a. states, in part:

**Table 6. Final Effluent Limitations**

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
<i>Priority Pollutants</i>						
Lead, Total Recoverable	µg/L	2.3	--	6.5	--	--
<i>Non-Conventional Pollutants</i>						
Aluminum, Total Recoverable	µg/L	68	--	151	--	--
Chloroform	µg/L	1.1	--	--	--	--
Nitrate Plus Nitrite (as N)	mg/L	10	--	--	--	--

9. WDRs Order R5-2010-0092, Final Effluent Limitations IV.A.1.g. states, in part:

Total Coliform Organisms. Effluent total coliform organisms shall not exceed:

- i. 2.2 most probable number (MPN) per 100 mL, as a 7-day median;
- ii. 23 MPN/100 mL, more than once in any 30-day period; and
- iii. 240 MPN/100 mL as an instantaneous maximum.

10. WDRs Order R5-2010-0092, Final Effluent Limitations IV.A.1.i. states, in part:

- i. Mercury, Total Recoverable. The total monthly mass discharge of total mercury shall not exceed 0.0018 lbs.

11. WDRs Order R5-2010-0092, Interim Effluent Limitations IV.A.2.a.ii. states, in part:

- ii. Total Coliform Organisms. When the influent flow is greater than 3.5 MGD and the 7-day median receiving water temperature at Monitoring Location RSW-001 (as described in the MRP) is less than 60°F, effluent total coliform organisms shall not exceed:
  - (a) 2.2 most probable number (MPN) per 100 mL, as a 30-day median;
  - (b) 23 MPN/100 mL, more than once in any 30-day period; and
  - (c) 240 MPN/100 mL as an instantaneous maximum.

12. WDRs Order R5-2010-0092, Interim Effluent Limitations IV.A.2.a.iii. states, in part:

- iii. Total Suspended Solids. When the influent flow is greater than 3.5 MGD and the 7-day median receiving water temperature at Monitoring Location RSW-001 (as described in the MRP) is less than 60°F, effluent BOD<sub>5</sub> and TSS shall not exceed:

**Table 7. Interim Effluent Limitations for BOD<sub>5</sub> and TSS**

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Total Suspended Solids	mg/L	20	30	50	--	--

- 13. According to the Discharger’s self-monitoring reports, the Discharger committed twenty-six (26) serious Group I violations of the above effluent limitations contained in WDRs Order R5-2010-0092 during the period beginning 30 April 2011 and ending 31 May 2013, as identified in Attachment A. These violations are defined as serious because measured concentrations of Group I constituents exceeded maximum prescribed levels in WDRs Order R5-2010-0092 by forty percent or more. The mandatory minimum penalty for these serious violations is **seventy-eight thousand dollars (\$78,000)**.
- 14. According to the Discharger’s self-monitoring reports, the Discharger committed twenty-five (25) serious Group II violations of the above effluent limitations contained in WDRs Order R5-2010-0092 during the period beginning 30 April 2011 and ending 31 May 2013, as identified in Attachment A. These violations are defined as serious because measured concentrations of Group II constituents exceeded maximum prescribed levels in WDRs Order R5-2010-0092 by twenty percent or more. The mandatory minimum penalty for these serious violations is **seventy-five thousand dollars (\$75,000)**.
- 15. According to the Discharger’s self-monitoring reports, the Discharger committed eighteen (18) non-serious violations of the above effluent limitations contained in WDRs Order R5-2010-0092 during the period of 30 April 2011 through 31 May 2013, as identified in Attachment A. All eighteen of the non-serious violations are subject to mandatory penalties under Water Code section 13385(i)(1) because these violations were preceded by three or more similar violations within a six-month period. The mandatory minimum penalty for these non-serious violations is **fifty-four thousand dollars (\$54,000)**.
- 16. The total amount of the mandatory penalties assessed for the cited effluent violations for County of Placer Facility Services Department, Sewer Maintenance District No. 1, is **two hundred seven thousand dollars (\$207,000)**. As stated herein, a detailed list of the cited effluent violations is included in Attachment A, a part of this Order. This Order addresses administrative civil liability for violations that are specifically identified in Attachment A.

17. This Order constitutes a settlement of the violations specifically alleged in ACLC R5-2013-0503 and additional effluent limitation violations for the period 30 April 2011 through 31 May 2013 herein mentioned.
18. Water Code section 13385(l) allows a discharger to complete a Supplemental Environmental Project (SEP) in lieu of paying the full amount of a mandatory penalty, and states, in relevant part:
  - (1) In lieu of assessing penalties pursuant to subdivision (h) or (i), the state board or the regional board, with the concurrence of the discharger, may direct a portion of the penalty amount to be expended on a supplemental environmental project in accordance with the enforcement policy of the state board. If the penalty amount exceeds fifteen thousand dollars (\$15,000), the portion of the penalty amount that may be directed to be expended on a supplemental environmental project may not exceed fifteen thousand dollars (\$15,000) plus 50 percent of the penalty amount that exceeds fifteen thousand dollars (\$15,000).
  - (2) For the purposes of this section, a "supplemental environmental project" means an environmentally beneficial project that a person agrees to undertake, with the approval of the regional board that would not be undertaken in the absence of an enforcement action under this section.
19. The effluent violations alleged in this order will be resolved as follows: the Discharger shall pay \$96,000 to the *State Water Pollution Cleanup and Abatement Account* and shall expend \$111,000 to fund the Supplemental Environmental Project (SEP) described in Attachment B, which is incorporated herein by reference. The proposed settlement complies with the State Water Resources Control Board's *Water Quality Enforcement Policy* and *Policy on Supplemental Environmental Projects*.
20. On 23 April 2009, the Central Valley Water Board delegated the authority to issue Administrative Civil Liability Orders, where the matter is not contested by the Discharger, to the Executive Officer, or to an Assistant Executive Officer when the Executive Officer is serving as head of the Board's Prosecution Team (Resolution R5-2009-0027). Pamela C. Creedon is serving as the head of the Board's Prosecution Team for this matter, and therefore Assistant Executive Officer Kenneth D. Landau has the authority to issue this Order.
21. Issuance of this Administrative Civil Liability Order 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 COUNTY OF PLACER FACILITY SERVICES DEPARTMENT IS HEREBY GIVEN NOTICE THAT:**

1. The County of Placer Facility Services Department (Discharger) shall be assessed mandatory minimum penalties in the amount of **two hundred seven thousand dollars (\$207,000)**.
2. The Discharger shall remit payment of **ninety-six thousand dollars (\$96,000)** of the imposed civil liability by check, which shall contain a reference to ACL Order R5-2013-0575 and shall be made payable to the "*State Water Pollution Cleanup and Abatement Account*." This payment must be received by the Central Valley Water Board **by 3 October 2013**.
3. The remaining **one hundred eleven thousand dollars (\$111,000)** in assessed mandatory minimum penalties shall be suspended, pursuant to Water Code section 13385(l), pending completion of the Supplemental Environmental Project (SEP) described in Attachment B to this Order.
4. The SEP chosen by the Discharger is titled "*Midwestern Placer Regional Sewer Project Pump Station*." A summary of the SEP Project Description, which includes a list of deliverables that will be submitted to the Central Valley Water Board throughout the project, can be found as Attachment B to this Order, which is incorporated herein by reference. The tasks listed in Attachment B are assigned an estimated monetary value; however, if excess funds are present in one task then they may be used as needed in subsequent tasks.
5. As required by the State Water Board's *Policy on Supplemental Environmental Projects*, the Discharger shall reimburse the Central Valley Water Board for the full cost of staff oversight of the SEP. Staff oversight costs are in addition to the total administrative civil liability imposed against the Discharger and are not credited toward the Discharger's obligation to fund the SEP.
6. In the event that the Discharger is not able to demonstrate to the reasonable satisfaction of the Assistant Executive Officer that the suspended amount of \$111,000 was spent to complete the SEP for which the Discharger is financially responsible, the Discharger must remit the difference between the suspended liability and the amount the Discharger can demonstrate was actually spent on the SEP, as an administrative civil liability, to the *State Water Pollution Cleanup and Abatement Account* within 30 days of project completion.
7. The Assistant Executive Officer may extend the deadlines contained in this Order if the Discharger demonstrates that unforeseeable contingencies have created delays, provided that the Discharger continues to undertake all appropriate measures to meet the deadlines and makes the extension request in advance of the expiration of the deadline.

The Discharger shall make any deadline extension request in writing at least 30-days prior to the deadline. Any request for an extension not responded to in writing by the Board shall be deemed denied. The Discharger must obtain explicit approval from the Assistant Executive Officer for any significant departures from the project described in Attachment B. Failure to obtain written approval for any significant departures will result in the assessment of the actual cost difference between the portion of the project completed in conformity with the SEP described in Attachment B and the total amount of the suspended penalty.

8. Whenever the Discharger or its agents or subcontractors, or any fiscal agent holding SEP funds publicize any element of the SEP project, it shall state in a prominent manner that the project is being undertaken as part of the settlement of an enforcement action by the Regional Board against the Discharger.
9. The Discharger is ultimately responsible for ensuring that the work described in Attachment B is completed. In addition, the Discharger is responsible for submitting all technical reports and quarterly progress reports by the due dates listed in Attachment B. The quarterly progress reports and the Final Report shall also be submitted to the State Water Resources Control Board, Division of Financial Assistance.
10. If the Assistant Executive Officer determines that any of the tasks listed above are not satisfactorily completed by their respective due date (including any extensions approved by the Assistant Executive Officer), the Assistant Executive Officer may demand payment of the suspended liability that reflects the portion of the SEP that has not been satisfactorily completed. Payment shall be made via check made payable to the *State Water Pollution Cleanup and Abatement Account*, and shall be due within 30 days of the demand. The check shall have written upon it the number of this ACL Order.
11. Should the Discharger fail to comply with this Order, the Assistant Executive Officer may refer the matter to the State Attorney General for enforcement of the terms of this Order.
12. Upon the completion of the Discharger's obligations under this Order and completion of the SEP to the satisfaction of the Assistant Executive Officer, the Regional Board shall provide the Discharger with a statement indicating that the SEP has been completed in satisfaction of the terms of this Order and that any remaining suspended liability is waived. That statement shall terminate any further obligations of the Discharger pursuant to this Order, and result in the permanent stay of the \$111,000 suspended liability.
13. The payment of administrative civil liability in accordance with the terms of this Order or compliance with the terms of this Order is not a substitute for compliance with applicable laws, and continuing violations of the type alleged in this Order may subject the Discharger to further enforcement, including but not limited to additional administrative civil liability.

14. This Order is final upon signature.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date that this Order becomes final, except that if the thirtieth day following the date that this Order becomes final falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

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KENNETH D. LANDAU, Assistant Executive Officer

4 September 2013

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DATE

Attachment A: Record of Violations, Sewer Maintenance District No. 1  
Attachment B: Supplemental Environmental Project

**ATTACHMENT A  
ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2013-0575**

**County of Placer Facility Services Department  
Placer County Sewer Maintenance District No. 1  
Wastewater Treatment Plant**

RECORD OF VIOLATIONS (30 April 2011 – 31 May 2013) MANDATORY PENALTIES  
(Data reported under Monitoring and Reporting Program R5-2010-0092)

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measured</u>	<u>Period</u>	<u>Remarks</u>	<u>CIWQS</u>
1	30-Apr-11	Nitrate Plus Nitrite (as N)	mg/L	10	12	Monthly Ave	4	901742
2	1-Jun-11	Aluminum, Total	µg/L	151	415	Daily	1	905940
3	30-Jun-11	Aluminum, Total	µg/L	68	415	Monthly Ave	1	905951
4	30-Jun-11	Nitrate Plus Nitrite (as N)	mg/L	10	17	Monthly Ave	1	905952
5	30-Jun-11	Chloroform	mg/L	1.1	7	Monthly Ave	2	905953
6	13-Jul-11	Aluminum, Total	µg/L	151	213	Daily	1	907923
7	31-Jul-11	Aluminum, Total	µg/L	68	213	Monthly Ave	1	907924
8	31-Jul-11	Chloroform	µg/L	1.1	6.5	Monthly Ave	2	907925
9	31-Jul-11	Nitrate Plus Nitrite (as N)	mg/L	10	20	Monthly Ave	1	907926
10	31-Aug-11	Chloroform	mg/L	1.1	6.7	Monthly Ave	2	910292
11	31-Aug-11	Aluminum, Total	µg/L	68	94	Monthly Ave	4	910289
12	31-Aug-11	Nitrate Plus Nitrite (as N)	mg/L	10	22	Monthly Ave	1	910293
13	10-Sep-11	Total Coliform	MPN/100 mL	2.2	4	7-Day Median	4	911743
14	11-Sep-11	Total Coliform	MPN/100 mL	2.2	4	7-Day Median	4	911744
15	12-Sep-11	Total Coliform	MPN/100 mL	2.2	4	7-Day Median	4	911740
16	13-Sep-11	Total Coliform	MPN/100 mL	2.2	4	7-Day Median	4	911739
17	30-Sep-11	Nitrate Plus Nitrite (as N)	mg/L	10	22	Monthly Ave	1	911742
18	30-Sep-11	Chloroform	µg/L	1.1	4.9	Monthly Ave	2	911741
19	31-Oct-11	Chloroform	µg/L	1.1	14.1	Monthly Ave	2	913365
20	31-Oct-11	Nitrate Plus Nitrite (as N)	mg/L	10	17	Monthly Ave	1	913366
21	31-Oct-11	Lead, Total Recoverable	µg/L	2.3	4.6	Monthly Ave	2	913368
22	30-Nov-11	Chloroform	µg/L	1.1	4.8	Monthly Ave	2	915130
23	30-Nov-11	Nitrate Plus Nitrite (as N)	mg/L	10	19	Monthly Ave	1	915131
24	31-Dec-11	Chloroform	µg/L	1.1	11.4	Monthly Ave	2	918307
25	31-Dec-11	Nitrate Plus Nitrite (as N)	mg/L	10	20	Monthly Ave	1	918306
26	23-Jan-12	Total Coliform	MPN/100mL	240	500	Instant	4	919788
27	31-Jan-12	Chloroform	µg/L	1.1	6.8	Monthly Ave	2	919789
28	31-Jan-12	Nitrate Plus Nitrite (as N)	mg/L	10	20	Monthly Ave	1	919791
29	29-Feb-12	Chloroform	µg/L	1.1	38.5	Monthly Ave	2	921565
30	29-Feb-12	Nitrate Plus Nitrite (as N)	mg/L	10	21	Monthly Ave	1	921566
31	31-Mar-12	Chloroform	µg/L	1.1	6.9	Monthly Ave	2	924420
32	31-Mar-12	Nitrate Plus Nitrite (as N)	mg/L	10	16	Monthly Ave	1	924417
33	31-Mar-12	Mercury	lb/mo	0.0018	0.0031	Monthly Ave	2	924419
34	30-Apr-12	Nitrate Plus Nitrite (as N)	mg/L	10	16	Monthly Ave	1	925661
35	30-Apr-12	Chloroform	µg/L	1.1	27.2	Monthly Ave	2	925662
36	31-May-12	Nitrate Plus Nitrite (as N)	mg/L	10	20	Monthly Ave	1	928839

**ATTACHMENT A**  
**ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2013-0575**

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measured</u>	<u>Period</u>	<u>Remarks</u>	<u>CIWQS</u>
37	31-May-12	Chloroform	µg/L	1.1	27.9	Monthly Ave	2	928841
38	30-Jun-12	Nitrate Plus Nitrite (as N)	mg/L	10	23	Monthly Ave	1	931893
39	30-Jun-12	Chloroform	µg/L	1.1	13.9	Monthly Ave	2	931894
40	31-Jul-12	Chloroform	µg/L	1.1	72.6	Monthly Ave	2	934133
41	31-Jul-12	Nitrate Plus Nitrite (as N)	mg/L	10	21	Monthly Ave	1	934134
42	31-Aug-12	Chloroform	µg/L	1.1	17.6	Monthly Ave	2	937040
43	31-Aug-12	Nitrate Plus Nitrite (as N)	mg/L	10	21	Monthly Ave	1	937037
44	30-Sep-12	Chloroform	µg/L	1.1	46.8	Monthly Ave	2	938804
45	30-Sep-12	Nitrate Plus Nitrite (as N)	mg/L	10	19	Monthly Ave	1	938803
46	31-Oct-12	Chloroform	µg/L	1.1	2.1	Monthly Ave	2	940026
47	31-Oct-12	Nitrate Plus Nitrite (as N)	mg/L	10	21	Monthly Ave	1	940024
48	30-Nov-12	Chloroform	µg/L	1.1	32.9	Monthly Ave	2	940991
49	30-Nov-12	Nitrate Plus Nitrite (as N)	mg/L	10	18	Monthly Ave	1	940987
50	2-Dec-12	Total Coliform	MPN/100mL	240	500	Instant	4	942930
51	3-Dec-12	Total Suspended Solids	mg/l	50	53	Daily	4	942927
52	31-Dec-12	Total Coliform	MPN/100mL	23	27	30 day	4	942931
53	31-Dec-12	Chloroform	µg/L	1.1	6.6	Monthly Ave	2	942929
54	31-Dec-12	Nitrate Plus Nitrite (as N)	mg/L	10	12	Monthly Ave	4	942932
55	31-Jan-13	Chloroform	µg/L	1.1	2.8	Monthly Ave	2	944392
56	31-Jan-13	Nitrate Plus Nitrite (as N)	mg/L	10	17	Monthly Ave	1	944391
57	31-Jan-13	Total Coliform	MPN/100mL	2.2	4	7-Day Median	4	944395
58	1-Feb-13	Total Coliform	MPN/100mL	2.2	8	7-Day Median	4	945557
59	2-Feb-13	Total Coliform	MPN/100mL	2.2	8	7-Day Median	4	945554
60	3-Feb-13	Total Coliform	MPN/100mL	2.2	8	7-Day Median	4	945560
61	4-Feb-13	Total Coliform	MPN/100mL	2.2	8	7-Day Median	4	945555
62	5-Feb-13	Total Coliform	MPN/100mL	2.2	8	7-Day Median	4	945562
63	6-Feb-13	Total Coliform	MPN/100mL	2.2	6	7-Day Median	4	945559
64	28-Feb-13	Nitrate Plus Nitrite (as N)	mg/L	10	20	Monthly Ave	1	945561
65	28-Feb-13	Chloroform	µg/L	1.1	4	Monthly Ave	2	945553
66	31-Mar-13	Nitrate Plus Nitrite (as N)	mg/L	10	22	Monthly Ave	1	947593
67	31-Mar-13	Chloroform	µg/L	1.1	9.1	Monthly Ave	2	947592
68	30-Apr-13	Nitrate Plus Nitrite (as N)	mg/L	10	24	Monthly Ave	1	948845
69	30-Apr-13	Chloroform	µg/L	1.1	4.9	Monthly Ave	2	948843

**ATTACHMENT A  
ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2013-0575**

Remarks:

1. Serious Violation: For Group I pollutants that exceed the effluent limitation by 40 percent or more.
2. Serious Violation: For Group II pollutants that exceed the effluent limitation by 20 percent or more.
3. Non-serious violation falls within the first three violations in a six-month period, thus is not subject to mandatory minimum penalties.
4. Non-serious violation subject to mandatory minimum penalties.

<u><b>VIOLATIONS AS OF:</b></u>	<u><b>5/31/2013</b></u>
Group I Serious Violations:	26
Group II Serious Violations:	25
Non-Serious Violations Not Subject to MMPs:	0
Non-serious Violations Subject to MMPs:	18
<u><b>Total Violations Subject to MMPs:</b></u>	<u><b>69</b></u>

**Mandatory Minimum Penalty = (51 serious Violations + 18 Non-Serious Violations) x \$3,000 = \$207,000**

**Amount that can go toward a SEP: \$111,000 = (\$15,000 + ½ [\$207,000-\$15,000])**

**ATTACHMENT B  
ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2013-0575**

**SEP Project Description**

**Project Title:** Midwestern Placer Regional Sewer Project Pump Station

**Geographic Area of Interest:** Placer County Sewer Maintenance District No. 1 service area, Placer County

**Name of Responsible Entity:** Placer County, Placer County Department of Facility Services (Discharger)

**Estimated Cost of Project Completion:** The total cost of the pump station construction is estimated at \$8.9 million. The City of Lincoln (City) is the Lead Agency for the project; however the Discharger is responsible for the project funding. Under the Construction and Initial Operations Agreement with the City, the Discharger will reimburse the City for construction costs. To date, the City has completed the environmental review and design, and has begun to solicit bids for construction of the various project components. Pursuant to the Discharger's Cease and Desist Order, amended 31 May 2013, construction must begin by 1 November 2013; the SEP funding will be applied to the first \$111,000 spent on construction of the pump station component.

**Contact Information:**

Kevin Bell, Program Manager  
Placer County Environmental Engineering  
11476 'C' Avenue  
Auburn, CA 95603  
(530) 886-4915  
[kbell@placer.ca.gov](mailto:kbell@placer.ca.gov)

Christina Hanson, Sr. Planner  
Placer County Environmental Engineering  
11476 'C' Avenue  
Auburn, CA 95603  
(530) 886-4965  
[chanson@placer.ca.gov](mailto:chanson@placer.ca.gov)

**Project Description:**

The purpose of the project is to provide regional wastewater treatment. This will be accomplished by expanding the Wastewater Treatment and Reclamation Facility (WWTRF) in Lincoln, CA and constructing a pump station and pipeline to convey wastewater flows from the SMD 1 service area to the WWTRF for treatment.

**Water Body, Beneficial Use and/or Pollutant Addressed by this Project:**

The SMD-1 WWTP currently discharges to Rock Creek, which is a tributary to Dry Creek, Coon Creek, and, ultimately, the Sacramento River Basin. The following existing and potential beneficial uses apply: municipal and domestic water supply (MUN), agricultural supply for irrigation (AGR), contact (REC-1) and non-contact (REC-2) water recreation, warm freshwater habitat (WARM), cold freshwater habitat (COLD), warm and cold migration of aquatic organisms (MGR), warm and cold spawning, reproduction, and/or early development (SPWN), navigation (NAV), and wildlife habitat (WILD).

The Lincoln WWTRF is in compliance with current surface water discharge requirements; the SMD1 WWTP currently exceeds effluent limitations for aluminum, chloroform, chlorodibromomethane, dichlorobromomethane, nitrate, and nitrate plus nitrate. Upon completion of the project, the discharge from SMD 1 will cease and the effluent will be treated at the Lincoln WWTRF (which will be expanded to accommodate the additional flow).

**Project Tasks, Budget, and Deliverables:**

1. Pipeline and Pump Station Construction. Commence pipeline and pump station construction.

**Estimated Cost:** The total pump station construction budget is \$8.9 million. The SEP funding will be applied towards the first \$111,000 spent on pump station construction.

**Deliverable:** Submit a report documenting that the pump station has been constructed.

**Due Date:** 31 March 2015

2. Quarterly Progress Reports. Describe work completed during the preceding quarter.

**Deliverable:** Quarterly Progress Report. Beginning with the Fourth Quarter 2013, quarterly progress reports shall be submitted by the first day of the second month following the end of each quarter. Each progress report will describe the work completed during the preceding quarter. If no activity occurred during a particular quarter, a quarterly report so stating shall be submitted. The following statement must be included above the signature line of each report: "I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct."

**Due Date:** First day of second month following the end of each quarter (e.g. by 1 February, 1 May, 1 August, and 1 November).

3. Final Report.

**Deliverable:** Complete lift station construction and provide Final Report. The final report will include a summary of all completed tasks and a post-project accounting of all expenditures. The accounting must clearly show whether the final cost of the successfully completed SEP is less than, equal to, or more than the suspended liability amount. This serves as the last report required under the SEP and the following statement must be included above the signature line of the report: "I certify under penalty of perjury that the foregoing is true and correct."

**Due Date:** 1 June 2015