

**ALLEGED VIOLATIONS**

**Violation Group No. 1, Effluent Limitations:** According to monthly monitoring reports submitted by the Discharger for the period from June 1, 2010 through January 31, 2012, the Discharger had twenty-eight (28) effluent limitation exceedances subject to mandatory minimum penalties. Two (2) exceedances were non-serious (chronic) effluent violations pursuant to Water Code section 13385, subdivision (i), and twenty-six (26) exceedances were serious effluent violations pursuant to Water Code section 13385, subdivision (h). The mandatory minimum penalty amount for these violations is **\$ 84,000**, as shown in the following table:

**Table 1: Violations of Effluent Limitations**  
Mandatory Minimum Penalties Pursuant to Water Code section 13385, subdivisions (h) and (i)

| Date     | CIWQS ID | Parameter (Waste Stream)        | Reported Value | Permit Limit | Units   | Violation Type | Mandatory Minimum Penalty |
|----------|----------|---------------------------------|----------------|--------------|---------|----------------|---------------------------|
| 10/31/10 | 889450   | Copper<br>Total Monthly Average | 30             | 6.29         | µg/L    | Serious        | \$3,000                   |
| 10/7/10  | 889449   | Copper<br>Total Daily Maximum   | 30             | 11.3         | µg/L    | Serious        | \$3,000                   |
| 11/30/10 | 891603   | Copper<br>Total Monthly Average | 8              | 5.64         | µg/L    | Serious        | \$3,000                   |
| 12/31/10 | 891605   | Copper<br>Total Monthly Average | 20             | 6.29         | µg/L    | Serious        | \$3,000                   |
| 12/1/10  | 891606   | Copper<br>Total Daily Maximum   | 20             | 11.3         | µg/L    | Serious        | \$3,000                   |
| 1/15/11  | 891611   | BOD<br>Weekly Average           | 18.3           | 15           | mg/L    | Chronic        | \$3,000                   |
| 1/22/11  | 891608   | BOD<br>Weekly Average           | 21.0           | 15           | mg/L    | Serious        | \$3,000                   |
| 1/29/11  | 891612   | BOD<br>Weekly Average           | 1,374          | 880          | lbs/day | Serious        | \$3,000                   |
| 1/29/11  | 891613   | BOD<br>Weekly Average           | 28.6           | 15           | mg/L    | Serious        | \$3,000                   |
| 1/31/11  | 891607   | Copper<br>Total Monthly Average | 10             | 5.32         | µg/L    | Serious        | \$3,000                   |

| Date         | CIWQS ID | Parameter (Waste Stream)        | Reported Value | Permit Limit | Units   | Violation Type | Mandatory Minimum Penalty |
|--------------|----------|---------------------------------|----------------|--------------|---------|----------------|---------------------------|
| 1/31/11      | 891609   | BOD<br>Monthly Average          | 663            | 580          | lbs/day | Chronic        | \$3,000                   |
| 1/31/11      | 891610   | BOD<br>Monthly Average          | 20.5           | 10           | mg/L    | Serious        | \$3,000                   |
| 2/28/11      | 893684   | Copper<br>Total Monthly Average | 16             | 5.31         | µg/L    | Serious        | \$3,000                   |
| 2/23/11      | 893685   | Copper<br>Total Daily Maximum   | 16             | 10.66        | µg/L    | Serious        | \$3,000                   |
| 3/1/11       | 896346   | Copper<br>Total Daily Maximum   | 18             | 10.66        | µg/L    | Serious        | \$3,000                   |
| 3/31/11      | 896347   | Copper<br>Total Monthly Average | 18             | 5.31         | µg/L    | Serious        | \$3,000                   |
| 4/6/11       | 899306   | Copper<br>Total Daily Maximum   | 25             | 11.33        | µg/L    | Serious        | \$3,000                   |
| 4/30/11      | 899305   | Copper<br>Total Monthly Average | 25             | 5.64         | µg/L    | Serious        | \$3,000                   |
| 5/3/11       | 901646   | Copper<br>Total Daily Maximum   | 20             | 10.66        | µg/L    | Serious        | \$3,000                   |
| 5/31/11      | 901645   | Copper<br>Total Monthly Average | 20             | 5.31         | µg/L    | Serious        | \$3,000                   |
| 10/11/11     | 912458   | Copper<br>Total Daily Maximum   | 21             | 12.65        | µg/L    | Serious        | \$3,000                   |
| 10/31/11     | 912459   | Copper<br>Total Monthly Average | 21             | 6.31         | µg/L    | Serious        | \$3,000                   |
| 11/1/11      | 914151   | Copper<br>Total Daily Maximum   | 13             | 11.33        | µg/L    | Chronic        | \$3,000                   |
| 11/30/11     | 914152   | Copper<br>Total Monthly Average | 13             | 5.64         | µg/L    | Serious        | \$3,000                   |
| 12/7/11      | 917445   | Copper<br>Total Daily Maximum   | 31             | 11.33        | µg/L    | Serious        | \$3,000                   |
| 12/31/11     | 917447   | Copper<br>Total Monthly Average | 31             | 5.64         | µg/L    | Serious        | \$3,000                   |
| 1/4/12       | 919204   | Copper<br>Total Daily Maximum   | 26             | 12.65        | µg/L    | Serious        | \$3,000                   |
| 1/31/12      | 919203   | Copper<br>Total Monthly Average | 26             | 6.31         | µg/L    | Serious        | \$3,000                   |
| <b>TOTAL</b> |          |                                 |                |              |         |                | <b>84,000</b>             |