

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
NORTH COAST REGION**

In the matter of:

**Occidental County Sanitation District
and Sonoma County Water Agency
Complaint No. R1-2014-0045 for
Administrative Civil Liability**

**Occidental Wastewater Treatment
Facility, WDID No. 1B8300100SON**

**Attn: Pamela Jeane
Assistant General Manager
Water and Wastewater Operations**

Order R1-2015-0066

**Settlement Agreement and Stipulation for
Entry of Order; Order**

Section I: Introduction

This Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order (Stipulation or Stipulation and Order) is entered into by and between the Assistant Executive Officer of the Regional Water Quality Control Board, North Coast Region (Regional Water Board), on behalf of the Regional Water Board Prosecution Team (Prosecution Team), and the Occidental County Sanitation District and Sonoma County Water Agency (the Discharger) (collectively Parties) and is presented to the Regional Water Board for adoption as an Order, by settlement, pursuant to Government Code section 11415.60. This Stipulation and Order are in reference to an adjudicative proceeding initiated by the issuance of Administrative Civil Liability Complaint No. R1-2014-0045 (Complaint), dated July 11, 2014, to the Discharger.

Section II: Recitals

1. The Discharger owns and operates the Wastewater Treatment Facilities (WWTF), a publicly-owned treatment works (POTW), located at 14445 Occidental Road, Occidental, in Sonoma County. The Discharger is subject to the requirements set forth in Waste Discharger Requirements (WDRs) Order No. R1-2012-0101 and Cease and Desist Order No. R1-2012-0102 (the CDO).
2. The CDO established interim effluent limitations for biochemical oxygen demand (BOD₅), total suspended solids (TSS), total coliform, total recoverable copper, cyanide, dichlorobromomethane, and ammonia. Pursuant to Water Code section 13385(j), compliance with the CDO interim effluent limitations and compliance schedules exempts the Discharger from mandatory minimum penalties (MMPs) under Water

Code section 13385, subdivisions (h) and (i) for violations of the final effluent limitations set forth in WDRs Order R1-2012-0101.

3. On July 11, 2014, the Prosecution Team issued the Complaint to the Discharger. The Discharger's self-monitoring reports for the Complaint Period (February 1, 2013 through May 31, 2014) document 174 violations of effluent limitations for BOD₅, TSS, ammonia, copper, cyanide, and dichlorobromomethane contained in WDRs Order No. R1-2012-0101. Of the 174 effluent violations, 155 violations are exempted from MMPs based on compliance with the CDO interim limitations and 19 violations are subject to MMPs pursuant to Water Code section 13385, subdivision (h) and (i), as identified in the Complaint and Attachment A of this Stipulation.
4. Since May 31, 2014 through April 30, 2015, the Discharger has incurred an additional 125 effluent violations contained in WDRs Order No. R1-2012-0101. Of the 125 effluent violations, 116 violations are exempted from MMPs based on compliance with the CDO interim limitations and 9 violations are subject to MMPs pursuant to Water Code section 13385, subdivisions (h) and (i), as identified in Attachment A. The additional effluent violations bring the total number of effluent violations subject to MMPs to 28 for an administrative civil liability totaling \$84,000 ((27 serious violations + 1 non-serious violation) x \$3,000).
5. The Regional Water Board has determined that the Discharger does not meet the requirements under Water Code section 13385, subdivision (k) and the State Water Resources Control Board (State Water Board) Water Quality Enforcement Policy (Enforcement Policy) to be recognized as a POTW serving a small community with a financial hardship. The Discharger is ineligible to spend an amount equivalent to the \$84,000 in MMPs toward a compliance project designed to correct the violations, as explained in Attachment B (Determination of Financial Hardship Memo).
6. The Parties have engaged in settlement negotiations and agree to settle the matter without administrative or civil litigation and by presenting this Stipulation to the Regional Water Board, or its delegate, for adoption as an Order pursuant to Government Code section 11415.60. The Prosecution Team believes that the resolution of the alleged violations set forth herein is fair and reasonable and fulfills its enforcement objectives, that no further action is warranted concerning the violations, except as provided in this Stipulation, and that this Stipulation is in the best interest of the public.
7. To resolve by consent and without further administrative proceedings, the Parties have agreed to the imposition of administrative civil liability in the amount of eighty-four thousand dollars (\$84,000) in MMPs against the Discharger for the violations set forth in Attachment A. Consistent with the State Water Resources Control Board Policy on Supplemental Environmental Projects (SEP Policy) and Water Code section 13385, subdivision (l), the Parties have agreed that \$49,500 will be allocated towards

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the Supplemental Environmental Project (SEP) described below and in Attachment C. The Parties agree that the Discharger shall pay a total of \$34,500 to the State Water Pollution Cleanup and Abatement Account. The remaining \$49,500 in penalties shall be suspended and dismissed upon completion of the SEP in accordance with the terms of this Stipulation and Order.

Section III: Stipulations

The Parties stipulate to the following:

8. **Jurisdiction:** The Regional Water Board has subject matter jurisdiction over the matters alleged in this action and personal jurisdiction over the Parties to this Stipulation.
9. **Administrative Civil Liability:** The Discharger hereby agrees to pay the administrative civil liability totaling \$84,000 as set forth in Paragraph 7 of Section II herein. Within thirty (30) days of the effective date of the Order, the Discharger agrees to remit THIRTY-FOUR THOUSAND FIVE HUNDRED DOLLARS (\$34,500) by check, payable to the State Water Pollution Cleanup and Abatement Account and shall indicate on the check the number of the Order. The Discharger shall send the original signed check to the State Water Resources Control Board, attention: Accounting, P.O. Box 100, Sacramento, CA 95812-0100, and shall send a copy to Cecile Morris, North Coast Regional Water Quality Control Board, 5550 Skylane Boulevard, Suite A, Santa Rosa, CA 95403. The Parties further agree that the remaining \$49,500 (Suspended Liability Amount) of this administrative civil liability shall be suspended pending completion of the SEP as outlined in this Stipulation and Order.
10. **Supplemental Environmental Project:** The Discharger agrees that the Suspended Liability Amount shall be suspended pending completion of the SEP described in this paragraph and Attachment C, attached hereto and incorporated by reference.

a. SEP Definitions:

“Cleanup and Abatement Account” – the State Water Pollution Cleanup and Abatement Account.

“Designated Water Board Representative” – the representative from the Regional Water Quality Control Board responsible for oversight of the supplemental environmental project (SEP). The Designated Water Board Representative for this Stipulation is Water Resource Control Engineer, Cecile Morris. The contact information for this representative is provided in Paragraph 15.

“Milestone Requirement” – a requirement with an established time schedule for meeting/ascertaining certain identified measurements of completed work. Upon

the timely and successful completion of each milestone requirement, an amount of liability will be permanently suspended or excused as set forth in the SEP Description below.

“SEP Completion Date” – the date in which the SEP will be completed in its entirety.

- b. SEP Description:** The Discharger will pay the Suspended Liability Amount to the County of Sonoma Human Services to fund the Laguna de Santa Rosa Foundation’s and Sonoma County Youth Ecology Corps’ (collectively Implementing Party) completion of a trash and small woody debris removal project in the Laguna de Santa Rosa watershed (Debris Removal Project or the SEP), approximately 1.2 miles downstream of the Guerneville Road crossing. To minimize soil disturbance, the Implementing Party will remove trash and debris by hand without the use of large equipment. Additionally, no large woody debris or any debris embedded in the bed or banks will be removed. The Debris Removal Project will limit the spread of an invasive weed, Ludwigia, by eliminating debris blockages that limit flow in the Laguna de Santa Rosa and create stagnant pools in which Ludwigia grows. In effect, the Debris Removal Project will improve water quality, reduce pollution, and enhance aquatic habitat. Additional information on the Debris Removal Project is provided in the SEP Description and Work Plan included herein as Attachment C.
- c. Milestone Requirements:** The Discharger agrees that this Stipulation includes the three Milestone Requirements set forth below. The Discharger and/or the Implementing Party proposed these Milestone Requirements due to labor availability and the need to implement the SEP in dry weather conditions. SEP implementation during summer months also prevented the Implementing Party from interfering with any potential salmonid migration. The Discharger acknowledges that credit for completing any Milestone Requirement is dependent on the Regional Water Board’s or its delegate’s adoption of this Stipulation as an Order.

TASK	MILESTONE REQUIREMENT	DEADLINE
1	Begin Project (Remove Trash & Debris)	Completed
2	SEP Completion Date	October 1, 2015
3	Submit Final Report on SEP Completion	October 31, 2015

- d. SEP Costs:** The estimated cost to complete the Project is \$50,000. The amount of liability to be suspended upon completion of the SEP is \$49,500 in mandatory minimum penalties, as expressly authorized by Water Code section 13385,

subdivision (l)¹. No additional liability above and beyond the \$49,500 shall be suspended for costs incurred to complete the SEP.

- e. **SEP Reporting & Completion Date:** The SEP shall be concluded by October 1, 2015 (SEP Completion Date). A final report certifying the completion of the SEP shall be provided to the Designated Water Board Representative by October 31, 2015, as required in subsection (i) of this Paragraph. The final report shall contain before and after photographs as well as a description of the work completed, documenting the activities and respective expenditures.
- f. **SEP Oversight:** The Discharger will oversee implementation of the SEP. Additional oversight will be provided by the Regional Water Board. The Discharger is solely responsible for paying all reasonable oversight costs incurred by the Regional Water Board to oversee the SEP. The SEP 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 implement and complete the SEP. Reasonable oversight tasks to be performed by the Regional Water Board include but are not limited to, reviewing and evaluating progress, reviewing the final report, and verifying completion of the SEP.
- g. **Representations and Agreements:** The Discharger understands that its promise to implement the SEP described herein and Attachment C is a material condition of this Stipulation. The Discharger represents: 1) it will fund the Suspended Liability Amount as described in this Stipulation; 2) it will provide certifications and written reports to the Regional Water Board consistent with the terms of this Stipulation detailing the implementation of the SEP, and 3) it will guarantee implementation of the SEP by remaining liable for the Suspended Liability Amount in accordance with subsections (l) and (m) of this Paragraph. The Discharger agrees that the Regional Water Board has the right to require an audit of the funds expended by it to implement the SEP.
- h. **Publicity:** If the Discharger or its agents or subcontractors or the Implementing Party publicizes one or more elements of the SEP, they shall state in a **prominent manner** that the project is being, or has been, undertaken as part of the settlement of an enforcement action by the Regional Water Board against the Discharger.

¹ In lieu of assessing penalties pursuant to Water Code section 13385, subdivisions (h) or (i), the Regional Water Board, with the concurrence of the discharger, may direct a portion of the penalty amount to be expended on a supplement environmental project in accordance with the Enforcement Policy. (Wat. Code, § 13385, subd. (l)(1).) 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). (Ibid.)

- i. Certification of SEP Completion:** On or before October 31, 2015, the Discharger shall provide a certified statement of SEP completion (Certification of Completion). The Certification of Completion shall be submitted by a responsible official, under penalty of perjury, to the Designated Water Board Representative and signed by a responsible official representing the Discharger. The Certification of Completion shall include the following:
- i. Certification that the SEP has been completed in accordance with the terms of this Stipulation and Order, including Attachment C. Such documentation may include photographs, invoices, receipts, certifications, and other materials reasonably necessary for the Regional Water Board to evaluate the completion of the SEP and the costs incurred by the Discharger and/or the Implementing Party.
 - ii. Certification documenting the expenditures by the Discharger and the Implementing Party during the completion period for the SEP. In making such certification, the responsible official(s) may rely upon normal project tracking systems that capture employee time expenditures and external payments to outside vendors such as environmental and information technology contractors or consultants. The Discharger shall provide any additional information requested by Regional Water Board staff that is reasonably necessary to verify SEP expenditures.
 - iii. Certification that the Discharger followed all applicable environmental laws and regulations in the implementation of the SEP including but not limited to the California Environmental Quality Act (CEQA), the federal Clean Water Act, and the Porter-Cologne Act.
- j. Third Party Financial Audit of SEP:** At the written request of Regional Water Board staff, the Discharger, at its sole cost, shall submit a report prepared by an independent third party(ies) acceptable to Regional Water Board staff providing such party's(ies') professional opinion that the Discharger and/or the Implementing Party has expended money in the amounts claimed by the Discharger. The written request shall specify the reasons why the audit is being requested. The audit report shall be provided to Regional Water Board staff within three (3) months of notice from Regional Water Board staff to the Discharger of the need for an independent third party audit. The audit need not address any costs incurred by the Regional Water Board for oversight.
- k. Regional Water Board Acceptance of Completed SEP:** Upon the Discharger's satisfaction of its obligations under this Stipulation, the completion of the SEP, and any audits, Regional Water Board staff will issue a "Satisfaction of Order." The issuance of the Satisfaction of Order shall terminate any further obligations of the Discharger and/or the Implementing Party under this Stipulation.

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- l. Failure to Expend the Entire Suspended Liability Amount on the Approved SEP:** In the event that the Discharger is not able to demonstrate to the reasonable satisfaction of the Regional Water Board staff that it and/or the Implementing Party has spent the entire Suspended Liability Amount for the completed SEP, the Discharger shall pay the difference between the Suspended Liability Amount and the amount the Discharger can demonstrate was actually spent on the SEP, as an administrative civil liability. The Discharger shall be liable to pay the Cleanup and Abatement Account the additional administrative civil liability within 30 days of receipt of notice of the Regional Water Board staff's determination that the Discharger failed to demonstrate that the entire Suspended Liability Amount was spent to complete the SEP. Payment shall be made in accordance with the procedures set forth in Paragraph 9 of Section III herein.
- m. Failure to Complete the SEP:** If the SEP is not fully implemented within the SEP Completion Date required by this Stipulation or there has been a material failure to satisfy a Milestone Requirement, the Designated Water Board Representative shall issue a "Notice of Violation." As a consequence, the Discharger shall be liable to pay the entire Suspended Liability Amount or some portion thereof less the value of the completion of any Milestone Requirement. Unless otherwise ordered, the Discharger shall not be entitled to any credit, offset, or reimbursement from the Regional Water Board for expenditures made on the SEP prior to the date of the Notice of Violation by the Regional Water Board. The amount of the suspended liability owed shall be determined via a "Motion for Payment of Suspended Liability" before the Regional Water Board, or its delegee. Upon determination by the Regional Water Board, or its delegee, of the amount assessed for failure to fully implement the SEP, the amount assessed shall be paid within 30 days after the service of the Regional Water Board's determination. Payment shall be made to the Cleanup and Abatement Account in accordance with the procedures set forth in Paragraph 9 of Section III herein. In addition, the Discharger shall be liable for the Regional Water Board's reasonable costs of enforcement, including but not limited to legal costs and expert witness fees. Payment of the assessed amount will satisfy the Discharger's obligations to implement the SEP.
- n. Extension of the Implementation Schedule Deadlines:** If, given written justification from the Discharger and the Regional Water Board, staff determines that a delay in the SEP implementation schedule is beyond the reasonable control of the Discharger, the Executive Officer may revise the implementation schedule as appropriate. Written justification must be received by the Designated Water Board Representative before the specific due date occurs, must describe circumstances causing the delay, and must state when each task of the SEP will be completed. If any extension of the implementation schedule is granted, the Regional Water Board staff shall provide the Discharger a new implementation

schedule in writing, which shall include the date the SEP will be completed (Revised SEP Completion Date).

- 11. Compliance with Applicable Laws:** The Discharger understands that payment of administrative civil liability in accordance with the terms of this Stipulation and Order or compliance with the terms of this Stipulation and Order is not a substitute for compliance with applicable laws, and that continuing violations of the type alleged in the Complaint and herein may subject it to further enforcement, including additional administrative civil liability.
- 12. Effect of Stipulation and Order:** Except as expressly provided herein, nothing in this Stipulation and Order is intended nor shall it be construed to preclude the Prosecution Team or any state agency, department, board or entity or any local agency from exercising its authority under any law, statute, or regulation.
- 13. Matters Addressed by Stipulation:** Upon adoption by the Regional Water Board as an Order, this Stipulation represents a final and binding resolution and settlement of all claims, violations or causes of action alleged herein. The provisions of this Paragraph are expressly conditioned on the full payment of the stipulated penalty amounts and completion of the SEP as specified herein.
- 14. No Waiver of Right to Enforce:** The failure of the Prosecution Team or Regional Water Board to enforce any provision of this Stipulation and Order shall in no way be deemed a waiver of such provision, or in any way affect the validity of this Stipulation and Order. The failure of the Prosecution Team or Regional Water Board to enforce any such provision shall not preclude it from later enforcing the same or any other provision of this Stipulation and Order. No oral advice, guidance, suggestions or comments by employees or officials of any Party regarding matters covered under this Stipulation and Order shall be construed to relieve any Party regarding matters covered in this Stipulation and Order. The Regional Water Board reserves all rights to take additional enforcement actions, including without limitation the issuance of administrative civil liability complaints or orders for violations other than those addressed by this Order.

15. Party Contacts for Communications related to Stipulation/Order:

For the Regional Water Board:

Cecile Morris
Water Resource Control Engineer
North Coast Regional Water Quality
Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
Cecile.Morris@waterboards.ca.gov
(707) 576-2347

For the Discharger:

Pamela Jeane
Assistant General Manager
Water and Wastewater
Operations
Sonoma County Water Agency
404 Aviation Boulevard
Santa Rosa, CA 95403-9019
Pam.Jeane@scwa.ca.gov
(707) 526-5370

16. Attorney's Fees and Costs: Except as otherwise provided herein, each Party shall bear all attorneys' fees and costs arising from the Party's own counsel in connection with the matters set forth herein.

17. Public Notice: The Discharger understands that this Stipulation and Order will be noticed for a 30-day public comment period prior to consideration by the Regional Water Board. In the event objections are raised during the public comment period, the Regional Water Board or the Executive Officer may, under certain circumstances, require a public hearing regarding the Stipulation and Order. In that event, the Parties agree to meet and confer concerning any such objections, and may agree to revise or adjust the Stipulation and Order as necessary or advisable under the circumstances. If the Regional Water Board Assistant Executive Officer or other Prosecution Staff receives significant new information that reasonably affects the propriety of presenting this Stipulation and Order to the Regional Water Board for adoption, the Regional Water Board Assistant Executive Officer may unilaterally declare this Stipulation and Order void and decide not to present the Order to the Regional Water Board. The Discharger agrees that it may not rescind or otherwise withdraw its approval of this Stipulation and Order.

18. Addressing Objections Raised During Public Comment Period: The Parties agree that the procedure contemplated for adopting the Order by the Regional Water Board and review of this Stipulation by the public is lawful and adequate. In the event procedural objections are raised prior to the Order becoming effective, the Parties agree to meet and confer concerning any such objections, and may agree to revise or adjust the procedure as necessary or advisable under the circumstances.

19. Interpretation: This Stipulation and Order shall be construed as if the Parties prepared it jointly. Any uncertainty or ambiguity shall not be interpreted against any one Party.

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- 20. Modification:** This Stipulation and Order shall not be modified by any of the Parties by oral representation made before or after its execution. All modifications must be in writing, signed by all Parties, and approved by the Regional Water Board or its Executive Officer.
- 21. Integration:** This Stipulation and Order constitutes the entire agreement between the Parties and may not be amended or supplemented except as provided herein.
- 22. If Order Does Not Take Effect:** In the event that this Order does not take effect because it is not approved by the Regional Water Board or is vacated in whole or in part by the State Water Board or a court, the Parties acknowledge that they expect to proceed to a contested evidentiary hearing before the Regional Water Board to determine whether to assess administrative civil liabilities for the underlying alleged violations, unless the Parties agree otherwise. The Parties agree that all oral and written statements and agreements made during the course of settlement discussions will not be admissible as evidence in the hearing. The Parties agree to waive any and all objections based on settlement communications in this matter, including, but not limited to:

 - a. Objections related to prejudice or bias of any of the Regional Water Board members or their advisors and any other objections that are premised in whole or in part on the fact that the Regional Water Board members or their advisors were exposed to some of the material facts and the Parties' settlement positions as a consequence of reviewing the Stipulation and/or the Order, and therefore may have formed impressions or conclusions prior to any contested evidentiary hearing on the Complaint in this matter; or
 - b. Laches or delay or other equitable defenses based on the time period for administrative or judicial review to the extent this period has been extended by these settlement proceedings.
- 23. Waiver of Hearing:** The Discharger has been informed of the rights provided by Water Code section 13323, subdivision (b), and hereby waives its right to a hearing before the Regional Water Board prior to the adoption of the Order.
- 24. Waiver of Right to Petition or Appeal:** The Discharger hereby waives its right to petition the Regional Water Board's adoption of the Order for review by the State Water Board, and further waives its rights, if any, to appeal the same to a California Superior Court and/or any California appellate level court. This explicit waiver of rights includes potential future decisions by the Regional Water Board or its delegate related to this Order, including, but not limited to time extensions, completion of SEP milestones, and other terms contained in this Order.

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- 25. Regional Water Board is Not Liable:** Neither the Regional Water Board members nor the Regional or State Water Board staff, attorneys, or representatives shall be liable for any injury or damage to persons or property resulting from acts or omissions by the Discharger its directors, officers, employees, agents, representatives or contractors in carrying out activities pursuant to this Stipulation and Order nor shall the Regional Water Board, its members or staff be held as parties to or guarantors of any contract entered into by the Discharger, its directors, officers, employees, agents, representatives, or contractors in carrying out activities pursuant to this Stipulation and Order.
- 26. Covenant Not to Sue:** The Discharger covenants not to sue or pursue any administrative or civil claim or claims against any State Agency or the State of California, or their officers, employees, representatives, agents, or attorneys arising out of or relating to the alleged violations addressed by this Stipulation and the Order or the SEP.
- 27. Necessity for Written Approvals:** All approvals and decisions of the Regional Water Board under the terms of this Order shall be communicated to the Discharger in writing. No oral advice, guidance, suggestions, or comments by employees or officials of the Regional Water Board regarding submissions or notices shall be construed to relieve the Discharger of its obligation to obtain any final written approval required by this Order.
- 28. Authority to Bind:** Each person executing this Stipulation in a representative capacity represents and warrants that he or she is authorized to execute this Stipulation on behalf of and to bind the entity on whose behalf he or she executes the Stipulation.
- 29. Severability:** This Stipulations and Order are severable; should any provision be found invalid the remainder shall remain in full force and effect.
- 30. Counterpart Signatures:** This Stipulation may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one document. Further, this Stipulation may be executed by facsimile or electronic signature, and any such facsimile or electronic signature by any Party hereto shall be deemed to be an original signature and shall be binding on such Party to the same extent as if such facsimile or electronic signature were an original signature.
- 31. Effective Date:** This Stipulation is effective and binding on the Parties upon the entry of this Order by the Regional Water Board, which incorporates the terms of this Stipulation.

IT IS SO STIPULATED.

**California Regional Water Quality Control Board,
North Coast Region Prosecution Team**

 Digitally signed by Shin-Roei Lee
Date: 2015.09.25 11:52:50 -07'00'

Water Boards

Date: September 25, 2015

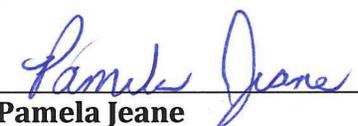
By: _____

**Shin-Roei Lee, P.E.
Assistant Executive Officer**

**Occidental County Sanitation District, and
Sonoma County Water Agency**

Date: 10/20/15

By: _____


**Pamela Jeane
Assistant General Manager
Water and Wastewater Operations**

Findings of the Regional Water Board:

IT IS HEREBY ORDERED:

32. This Order incorporates the foregoing Stipulation.
33. In accepting the foregoing Stipulation, the Regional Water Board has considered, where applicable, each of the factors prescribed in Water Code section 13385(e). The Regional Water Board's consideration of these factors is based upon information obtained by the Regional Water Board's staff in investigating the allegations in the Complaint or otherwise provided to the Regional Water Board.
34. Issuance of this Order is being taken for the protection of the environment and to enforce the laws and regulations administered by the Regional Water Board, and as

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such is exempt from provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) in accordance with California Code of Regulations, title 14, sections 15061(b)(3), 15306, 15307, 15308, and 15321. This Order includes a SEP in the North Coast Region for trash and woody debris removal in the Laguna de Santa Rosa watershed. To the extent that the Order requires earth disturbance and revegetation activities not to exceed five acres in size and to assure restoration of stream habitat and prevent erosion, this Order is exempt from provisions of CEQA pursuant to California Code of Regulations, title 14, section 15333. If the Regional Water Board determines that implementation of any plan required by this Order will have a significant effect on the environment that is not otherwise exempt from CEQA, the Regional Water Board will conduct the necessary and appropriate environmental review prior to approval of the applicable plan. The Discharger will bear the costs, including the Regional Water Board's costs, of determining whether implementation of any plan required by this Order will have a significant effect on the environment and, if so, in preparing and handing any documents necessary for environmental review. If necessary, the Discharger and a consultant acceptable to the Regional Water Board shall enter into a memorandum of understanding with the Regional Water Board regarding such costs prior to undertaking any environmental review.

35. The Executive Officer is authorized to refer this matter directly to the Attorney General for enforcement if the Discharger fails to perform any of its obligations under the Order.

Pursuant to Water Code section 13323 and Government Code section 11415.60, **IT IS HEREBY ORDERED** on behalf of the California Regional Water Quality Control Board, North Coast Region.

Matthias St. John
Executive Officer

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Attachments:

- A. Violations Requiring Mandatory Minimum Penalties
- B. Determination of Financial Hardship Memo
- C. SEP Description and Work Plan

Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Number	Violation Date ¹	Parameter	Pollutant Group	Exempted from MMP?	Permit Limitation Period	Permit Limit	Interim CDO Limit ²	Result/Average	Units	% Over Limit	Date 180 Days Prior	Serious ³ Violation?	Effluent Violations in Past 180 Days	Mandatory Fine?	Penalty
1	945773	9-Feb-2013	Total Suspended Solids	I	Yes	Weekly	15	65	17.5	mg/l	17	13-Aug-2012	No	0	No	--
2	945775	23-Feb-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	17	mg/l	13	27-Aug-2012	No	0	No	--
3	945776	23-Feb-2013	Total Suspended Solids	I	Yes	Weekly	15	65	16	mg/l	7	27-Aug-2012	No	0	No	--
4	945770	28-Feb-2013	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	13.5	mg/l	35	1-Sep-2012	No	0	No	--
5	945774	28-Feb-2013	Cyanide	II	Yes	Monthly	4.3	9.2	4.8	µg/l	12	1-Sep-2012	No	0	No	--
6	945778	28-Feb-2013	Dichlorobromomethane	II	Yes	Monthly	0.56	5.75	0.64	µg/l	14	1-Sep-2012	No	0	No	--
7	945772	28-Feb-2013	Copper, Total Recoverable	II	Yes	Monthly	2.5	58	7.6	µg/l	204	1-Sep-2012	Yes	N/A	No	--
8	945771	28-Feb-2013	Total Suspended Solids	I	Yes	Monthly	10	50	17	mg/l	70	1-Sep-2012	Yes	N/A	No	--
9	945777	2-Mar-2013	Total Suspended Solids	I	Yes	Weekly	15	65	17.8	mg/l	19	3-Sep-2012	No	0	No	--
10	947182	6-Mar-2013	Ammonia, Total as N	I	No	Daily	2.1	24	27	mg/l	1,186	7-Sep-2012	Yes	N/A	Yes	\$3,000
11	947169	6-Mar-2013	Copper, Total Recoverable	II	Yes	Daily	7.8	58	10	µg/l	28	7-Sep-2012	Yes	N/A	No	--
12	947175	9-Mar-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	10-Sep-2012	No	1	No	--
13	947170	9-Mar-2013	Total Suspended Solids	I	Yes	Weekly	15	65	22.4	mg/l	49	10-Sep-2012	Yes	N/A	No	--
14	947167	23-Mar-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	19	mg/l	27	24-Sep-2012	No	1	No	--
15	947166	31-Mar-2013	Total Suspended Solids	I	Yes	Monthly	10	50	12	mg/l	20	2-Oct-2012	No	1	No	--
16	947165	31-Mar-2013	Ammonia, Total as N	I	No	Monthly	1.2	24	27	mg/l	2,150	2-Oct-2012	Yes	N/A	Yes	\$3,000
17	947164	31-Mar-2013	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	16	mg/l	60	2-Oct-2012	Yes	N/A	No	--
18	947168	31-Mar-2013	Copper, Total Recoverable	II	Yes	Monthly	2.5	58	10	µg/l	300	2-Oct-2012	Yes	N/A	No	--
19	948674	4-Apr-2013	Ammonia, Total as N	I	Yes	Daily	2.1	24	11	mg/l	424	6-Oct-2012	Yes	N/A	No	--
20	948672	4-Apr-2013	Copper, Total Recoverable	II	Yes	Daily	7.8	58	51	µg/l	554	6-Oct-2012	Yes	N/A	No	--
21	948670	30-Apr-2013	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	12	mg/l	20	1-Nov-2012	No	2	No	--
22	948666	30-Apr-2013	Ammonia, Total as N	I	Yes	Monthly	1.2	24	11	mg/l	817	1-Nov-2012	Yes	N/A	No	--
23	948667	30-Apr-2013	Copper, Total Recoverable	II	Yes	Monthly	2.5	58	51	µg/l	1,940	1-Nov-2012	Yes	N/A	No	--
24	949531	7-May-2013	Ammonia, Total as N	I	Yes	Daily	2.1	24	6.3	mg/l	200	8-Nov-2012	Yes	N/A	No	--
25	949529	18-May-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	21	mg/l	40	19-Nov-2012	Yes	N/A	No	--
26	949532	31-May-2013	Total Suspended Solids	I	Yes	Monthly	10	50	11	mg/l	10	2-Dec-2012	No	2	No	--
27	949533	31-May-2013	Ammonia, Total as N	I	Yes	Monthly	1.2	24	6.3	mg/l	425	2-Dec-2012	Yes	N/A	No	--
28	949530	31-May-2013	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	14.4	mg/l	44	2-Dec-2012	Yes	N/A	No	--
29	951723	22-Jun-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	24-Dec-2012	No	2	No	--
30	951721	29-Jun-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	19	mg/l	27	31-Dec-2012	No	2	No	--
31	951725	29-Jun-2013	Total Suspended Solids	I	Yes	Weekly	15	65	19	mg/l	27	31-Dec-2012	No	2	No	--
32	951724	30-Jun-2013	Total Suspended Solids	I	Yes	Monthly	10	50	13	mg/l	30	1-Jan-2013	No	2	No	--
33	951722	30-Jun-2013	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	15	mg/l	50	1-Jan-2013	Yes	N/A	No	--
34	947171	10-Jul-2013	Ammonia, Total as N	I	Yes	Daily	2.1	24	13	mg/l	519	11-Jan-2013	Yes	N/A	No	--
35	953929	20-Jul-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	17	mg/l	13	21-Jan-2013	No	2	No	--
36	953930	27-Jul-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	31	mg/l	107	28-Jan-2013	Yes	N/A	No	--
37	953934	31-Jul-2013	Total Suspended Solids	I	Yes	Monthly	10	50	12	mg/l	20	1-Feb-2013	No	2	No	--
38	947181	31-Jul-2013	Ammonia, Total as N	I	Yes	Monthly	1.2	24	13	mg/l	983	1-Feb-2013	Yes	N/A	No	--
39	953932	31-Jul-2013	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	19.4	mg/l	94	1-Feb-2013	Yes	N/A	No	--
40	953933	3-Aug-2013	Total Suspended Solids	I	Yes	Weekly	15	65	20	mg/l	33	4-Feb-2013	No	2	No	--
41	953931	3-Aug-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	24	mg/l	60	4-Feb-2013	Yes	N/A	No	--
42	955411	10-Aug-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	20	mg/l	33	11-Feb-2013	No	2	No	--
43	955412	17-Aug-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	18-Feb-2013	No	2	No	--
44	955409	24-Aug-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	25-Feb-2013	No	2	No	--
45	955413	31-Aug-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	17	mg/l	13	4-Mar-2013	No	2	No	--
46	955414	31-Aug-2013	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	17	mg/l	70	4-Mar-2013	Yes	N/A	No	--
47	957273	7-Sep-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	11-Mar-2013	No	1	No	--
48	957279	11-Sep-2013	Ammonia, Total as N	I	Yes	Daily	2.1	24	23	mg/l	995	15-Mar-2013	Yes	N/A	No	--
49	957274	21-Sep-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	25-Mar-2013	No	1	No	--
50	957278	21-Sep-2013	Total Suspended Solids	I	Yes	Weekly	15	65	17.8	mg/l	19	25-Mar-2013	No	1	No	--
51	957275	30-Sep-2013	Ammonia, Total as N	I	Yes	Monthly	1.2	24	23	mg/l	1,817	3-Apr-2013	Yes	N/A	No	--
52	957277	30-Sep-2013	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	15.25	mg/l	53	3-Apr-2013	Yes	N/A	No	--
53	957276	30-Sep-2013	Total Suspended Solids	I	Yes	Monthly	10	50	14	mg/l	40	3-Apr-2013	Yes	N/A	No	--
54	958744	9-Oct-2013	Ammonia, Total as N	I	Yes	Daily	2.1	24	16	mg/l	662	12-Apr-2013	Yes	N/A	No	--
55	958746	19-Oct-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	20	mg/l	33	22-Apr-2013	No	0	No	--
56	958745	26-Oct-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	25	mg/l	67	29-Apr-2013	Yes	N/A	No	--

Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Number	Violation Date ¹	Parameter	Pollutant Group	Exempted from MMP?	Permit Limitation Period	Permit Limit	Interim CDO Limit ²	Result/Average	Units	% Over Limit	Date 180 Days Prior	Serious ³ Violation?	Effluent Violations in Past 180 Days	Mandatory Fine?	Penalty
57	958743	31-Oct-2013	Total Suspended Solids	I	Yes	Monthly	10	50	11	mg/l	10	4-May-2013	No	0	No	--
58	958740	31-Oct-2013	Ammonia, Total as N	I	Yes	Monthly	1.2	24	16	mg/l	1,233	4-May-2013	Yes	N/A	No	--
59	958739	31-Oct-2013	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	19	mg/l	90	4-May-2013	Yes	N/A	No	--
60	958742	2-Nov-2013	Total Suspended Solids	I	Yes	Weekly	15	65	15.2	mg/l	1	6-May-2013	No	0	No	--
61	958741	2-Nov-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	24	mg/l	60	6-May-2013	Yes	N/A	No	--
62	960709	6-Nov-2013	Ammonia, Total as N	I	No	Daily	2.1	24	28	mg/l	1,233	10-May-2013	Yes	N/A	Yes	\$3,000
63	960718	9-Nov-2013	Total Suspended Solids	I	Yes	Weekly	15	65	15.5	mg/l	3	13-May-2013	No	0	No	--
64	960704	9-Nov-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	24	mg/l	60	13-May-2013	Yes	N/A	No	--
65	960715	16-Nov-2013	Total Suspended Solids	I	Yes	Weekly	15	65	17.5	mg/l	17	20-May-2013	No	1	No	--
66	960716	16-Nov-2013	Biochemical Oxygen Demand	I	No	Weekly	15	45	46	mg/l	207	20-May-2013	Yes	N/A	Yes	\$3,000
67	960713	20-Nov-2013	Ammonia, Total as N	I	No	Daily	2.1	24	36	mg/l	1,614	24-May-2013	Yes	N/A	Yes	\$3,000
68	960710	20-Nov-2013	Copper, Total Recoverable	II	Yes	Daily	7.8	58	35	µg/l	349	24-May-2013	Yes	N/A	No	--
69	960707	23-Nov-2013	Total Suspended Solids	I	Yes	Weekly	15	65	20	mg/l	33	27-May-2013	No	3	No	--
70	960717	23-Nov-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	25	mg/l	67	27-May-2013	Yes	N/A	No	--
71	960714	30-Nov-2013	Ammonia, Total as N	I	No	Monthly	1.2	24	32	mg/l	2,567	3-Jun-2013	Yes	N/A	Yes	\$3,000
72	960705	30-Nov-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	43	mg/l	187	3-Jun-2013	Yes	N/A	No	--
73	960706	30-Nov-2013	Biochemical Oxygen Demand	I	No	Monthly	10	30	35	mg/l	250	3-Jun-2013	Yes	N/A	Yes	\$3,000
74	960711	30-Nov-2013	Copper, Total Recoverable	II	Yes	Monthly	2.5	58	35	µg/l	1,300	3-Jun-2013	Yes	N/A	No	--
75	960708	30-Nov-2013	Total Suspended Solids	I	Yes	Monthly	10	50	20	mg/l	100	3-Jun-2013	Yes	N/A	No	--
76	960719	30-Nov-2013	Total Suspended Solids	I	Yes	Weekly	15	65	25.5	mg/l	70	3-Jun-2013	Yes	N/A	No	--
77	961974	7-Dec-2013	Total Suspended Solids	I	Yes	Weekly	15	65	19	mg/l	27	10-Jun-2013	No	5	No	--
78	961970	7-Dec-2013	Biochemical Oxygen Demand	I	No	Weekly	15	45	53	mg/l	253	10-Jun-2013	Yes	N/A	Yes	\$3,000
79	961972	14-Dec-2013	Total Suspended Solids	I	Yes	Weekly	15	65	20.5	mg/l	37	17-Jun-2013	No	6	No	--
80	961976	14-Dec-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	29	mg/l	93	17-Jun-2013	Yes	N/A	No	--
81	961980	21-Dec-2013	Total Suspended Solids	I	Yes	Weekly	15	65	20	mg/l	33	24-Jun-2013	No	6	No	--
82	961979	21-Dec-2013	Biochemical Oxygen Demand	I	No	Weekly	15	45	53	mg/l	253	24-Jun-2013	Yes	N/A	Yes	\$3,000
83	961975	28-Dec-2013	Total Suspended Solids	I	Yes	Weekly	15	65	17	mg/l	13	1-Jul-2013	No	7	No	--
84	961971	28-Dec-2013	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	41	mg/l	173	1-Jul-2013	Yes	N/A	No	--
85	961978	31-Dec-2013	Biochemical Oxygen Demand	I	Yes	Monthly	4.2	12	4.4	lb/day	5	4-Jul-2013	No	7	No	--
86	961973	31-Dec-2013	Biochemical Oxygen Demand	I	No	Monthly	10	30	44	mg/l	340	4-Jul-2013	Yes	N/A	Yes	\$3,000
87	961977	31-Dec-2013	Total Suspended Solids	I	Yes	Monthly	10	50	19	mg/l	90	4-Jul-2013	Yes	N/A	No	--
88	964182	4-Jan-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	25	mg/l	67	8-Jul-2013	Yes	N/A	No	--
89	964183	11-Jan-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	34	mg/l	127	15-Jul-2013	Yes	N/A	No	--
90	964192	11-Jan-2014	Total Suspended Solids	I	Yes	Weekly	15	65	22.7	mg/l	51	15-Jul-2013	Yes	N/A	No	--
91	964189	15-Jan-2014	Ammonia, Total as N	I	No	Daily	2.1	24	51	mg/l	2,329	19-Jul-2013	Yes	N/A	Yes	\$3,000
92	964191	18-Jan-2014	Biochemical Oxygen Demand	I	No	Weekly	15	45	47	mg/l	213	22-Jul-2013	Yes	N/A	Yes	\$3,000
93	964185	18-Jan-2014	Total Suspended Solids	I	Yes	Weekly	15	65	24.5	mg/l	63	22-Jul-2013	Yes	N/A	No	--
94	964188	25-Jan-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	34	mg/l	127	29-Jul-2013	Yes	N/A	No	--
95	964186	25-Jan-2014	Total Suspended Solids	I	Yes	Weekly	15	65	29	mg/l	93	29-Jul-2013	Yes	N/A	No	--
96	964181	31-Jan-2014	Ammonia, Total as N	I	No	Monthly	1.2	24	51	mg/l	4,150	4-Aug-2013	Yes	N/A	Yes	\$3,000
97	964190	31-Jan-2014	Biochemical Oxygen Demand	I	No	Monthly	10	30	36	mg/l	260	4-Aug-2013	Yes	N/A	Yes	\$3,000
98	964180	31-Jan-2014	Total Suspended Solids	I	Yes	Monthly	10	50	23	mg/l	130	4-Aug-2013	Yes	N/A	No	--
99	964184	1-Feb-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	40	mg/l	167	5-Aug-2013	Yes	N/A	No	--
100	964187	1-Feb-2014	Total Suspended Solids	I	Yes	Weekly	15	65	25.2	mg/l	68	5-Aug-2013	Yes	N/A	No	--
101	947183	5-Feb-2014	Ammonia, Total as N	I	No	Daily	2.1	24	44	mg/l	1,995	9-Aug-2013	Yes	N/A	Yes	\$3,000
102	965832	8-Feb-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	36	mg/l	140	12-Aug-2013	Yes	N/A	No	--
103	965824	8-Feb-2014	Biochemical Oxygen Demand	I	Yes	Weekly	6.3	18	17	lb/day	168	12-Aug-2013	Yes	N/A	No	--
104	965828	8-Feb-2014	Total Suspended Solids	I	Yes	Weekly	15	65	28	mg/l	87	12-Aug-2013	Yes	N/A	No	--
105	965826	8-Feb-2014	Total Suspended Solids	I	Yes	Weekly	6.3	27	13	lb/day	106	12-Aug-2013	Yes	N/A	No	--
106	947179	9-Feb-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	18	mg/l	757	13-Aug-2013	Yes	N/A	No	--
107	947180	9-Feb-2014	Copper, Total Recoverable	II	Yes	Daily	7.8	58	28	µg/l	259	13-Aug-2013	Yes	N/A	No	--
108	965822	15-Feb-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	19	mg/l	27	19-Aug-2013	No	13	No	--
109	965836	15-Feb-2014	Total Suspended Solids	I	Yes	Weekly	15	65	19	mg/l	27	19-Aug-2013	No	13	No	--
110	965823	15-Feb-2014	Biochemical Oxygen Demand	I	Yes	Weekly	6.3	18	10	lb/day	62	19-Aug-2013	Yes	N/A	No	--
111	965831	15-Feb-2014	Total Suspended Solids	I	Yes	Weekly	6.3	27	10	lb/day	59	19-Aug-2013	Yes	N/A	No	--
112	965827	22-Feb-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	26	mg/l	73	26-Aug-2013	Yes	N/A	No	--
113	965829	22-Feb-2014	Total Suspended Solids	I	Yes	Weekly	15	65	22	mg/l	47	26-Aug-2013	Yes	N/A	No	--

Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Number	Violation Date ¹	Parameter	Pollutant Group	Exempted from MMP?	Permit Limitation Period	Permit Limit	Interim CDO Limit ²	Result/Average	Units	% Over Limit	Date 180 Days Prior	Serious ³ Violation?	Effluent Violations in Past 180 Days	Mandatory Fine?	Penalty
114	947177	28-Feb-2014	Ammonia, Total as N	I	No	Monthly	1.2	24	31	mg/l	2,483	1-Sep-2013	Yes	N/A	Yes	\$3,000
115	965835	28-Feb-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	26	mg/l	160	1-Sep-2013	Yes	N/A	No	--
116	965825	28-Feb-2014	Biochemical Oxygen Demand	I	Yes	Monthly	4.2	12	9.7	lb/day	131	1-Sep-2013	Yes	N/A	No	--
117	947176	28-Feb-2014	Copper, Total Recoverable	II	Yes	Monthly	2.5	58	28	µg/l	1,020	1-Sep-2013	Yes	N/A	No	--
118	965837	28-Feb-2014	Total Suspended Solids	I	Yes	Monthly	10	50	24	mg/l	140	1-Sep-2013	Yes	N/A	No	--
119	965841	28-Feb-2014	Total Suspended Solids	I	Yes	Monthly	4.2	20	8.8	lb/day	110	1-Sep-2013	Yes	N/A	No	--
120	965821	1-Mar-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	24	mg/l	60	2-Sep-2013	Yes	N/A	No	--
121	967746	1-Mar-2014	Biochemical Oxygen Demand	I	Yes	Weekly	6.3	18	8.9	lb/day	41	2-Sep-2013	Yes	N/A	No	--
122	965830	1-Mar-2014	Total Suspended Solids	I	Yes	Weekly	15	65	26.4	mg/l	76	2-Sep-2013	Yes	N/A	No	--
123	967760	1-Mar-2014	Total Suspended Solids	I	Yes	Weekly	6.3	27	9.7	lb/day	54	2-Sep-2013	Yes	N/A	No	--
124	967755	8-Mar-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	22	mg/l	47	9-Sep-2013	Yes	N/A	No	--
125	967759	8-Mar-2014	Biochemical Oxygen Demand	I	Yes	Weekly	6.3	18	9.7	lb/day	54	9-Sep-2013	Yes	N/A	No	--
126	967743	8-Mar-2014	Total Suspended Solids	I	Yes	Weekly	15	65	40.5	mg/l	170	9-Sep-2013	Yes	N/A	No	--
127	967742	8-Mar-2014	Total Suspended Solids	I	Yes	Weekly	6.3	27	18	lb/day	186	9-Sep-2013	Yes	N/A	No	--
128	967754	12-Mar-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	12	mg/l	471	13-Sep-2013	Yes	N/A	No	--
129	967757	15-Mar-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	16-Sep-2013	No	14	No	--
130	947184	15-Mar-2014	Total Suspended Solids	I	Yes	Weekly	6.3	27	7.3	lb/day	16	16-Sep-2013	No	14	No	--
131	947178	15-Mar-2014	Biochemical Oxygen Demand	I	Yes	Weekly	6.3	18	8.1	lb/day	162	1-Sep-2012	Yes	N/A	No	--
132	967758	22-Mar-2014	Total Suspended Solids	I	Yes	Weekly	15	65	16.3	mg/l	9	23-Sep-2013	No	14	No	--
133	967750	26-Mar-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	9.0	mg/l	329	27-Sep-2013	Yes	N/A	No	--
134	967748	26-Mar-2014	Copper, Total Recoverable	II	Yes	Daily	7.8	58	13	µg/l	67	27-Sep-2013	Yes	N/A	No	--
135	967751	29-Mar-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	21	mg/l	40	30-Sep-2013	Yes	N/A	No	--
136	967747	29-Mar-2014	Total Suspended Solids	I	Yes	Weekly	15	65	29	mg/l	93	30-Sep-2013	Yes	N/A	No	--
137	967762	31-Mar-2014	Ammonia, Total as N	I	Yes	Monthly	1.2	24	10.5	mg/l	775	2-Oct-2013	Yes	N/A	No	--
138	967756	31-Mar-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	19	mg/l	90	2-Oct-2013	Yes	N/A	No	--
139	967753	31-Mar-2014	Biochemical Oxygen Demand	I	Yes	Monthly	4.2	12	6.1	lb/day	45	2-Oct-2013	Yes	N/A	No	--
140	967745	31-Mar-2014	Copper, Total Recoverable	II	Yes	Monthly	2.5	58	13	µg/l	420	2-Oct-2013	Yes	N/A	No	--
141	967749	31-Mar-2014	Dichlorobromomethane	II	Yes	Monthly	0.56	5.75	0.86	µg/l	54	2-Oct-2013	Yes	N/A	No	--
142	967752	31-Mar-2014	Total Suspended Solids	I	Yes	Monthly	10	50	25	mg/l	150	2-Oct-2013	Yes	N/A	No	--
143	967761	31-Mar-2014	Total Suspended Solids	I	Yes	Monthly	4.2	20	8.2	lb/day	95	2-Oct-2013	Yes	N/A	No	--
144	967744	31-Mar-2014	Total Suspended Solids	I	Yes	Monthly	15	35	34	% ⁴	126	2-Oct-2013	Yes	N/A	No	--
145	969030	5-Apr-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	37	mg/l	147	7-Oct-2013	Yes	N/A	No	--
146	969024	5-Apr-2014	Biochemical Oxygen Demand	I	Yes	Weekly	6.3	18	13	lb/day	106	7-Oct-2013	Yes	N/A	No	--
147	969037	5-Apr-2014	Total Suspended Solids	I	Yes	Weekly	15	65	37	mg/l	147	7-Oct-2013	Yes	N/A	No	--
148	969029	5-Apr-2014	Total Suspended Solids	I	Yes	Weekly	6.3	27	13	lb/day	106	7-Oct-2013	Yes	N/A	No	--
149	969041	12-Apr-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	25	mg/l	67	14-Oct-2013	Yes	N/A	No	--
150	969038	12-Apr-2014	Total Suspended Solids	I	Yes	Weekly	15	65	28.5	mg/l	90	14-Oct-2013	Yes	N/A	No	--
151	969034	16-Apr-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	16.0	mg/l	662	18-Oct-2013	Yes	N/A	No	--
152	969031	19-Apr-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	25	mg/l	67	21-Oct-2013	Yes	N/A	No	--
153	969033	19-Apr-2014	Total Suspended Solids	I	Yes	Weekly	15	65	26.5	mg/l	77	21-Oct-2013	Yes	N/A	No	--
154	969026	26-Apr-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	30	mg/l	100	28-Oct-2013	Yes	N/A	No	--
155	969039	26-Apr-2014	Total Suspended Solids	I	Yes	Weekly	15	65	29	mg/l	93	28-Oct-2013	Yes	N/A	No	--
156	969036	30-Apr-2014	Biochemical Oxygen Demand	I	Yes	Monthly	4.2	12	4.9	lb/day	17	1-Nov-2013	No	14	No	--
157	969028	30-Apr-2014	Total Suspended Solids	I	Yes	Monthly	4.2	20	5.2	lb/day	24	1-Nov-2013	No	14	No	--
158	969035	30-Apr-2014	Ammonia, Total as N	I	Yes	Monthly	1.2	24	16.0	mg/l	1,233	1-Nov-2013	Yes	N/A	No	--
159	969032	30-Apr-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	29	mg/l	190	1-Nov-2013	Yes	N/A	No	--
160	969040	30-Apr-2014	Total Suspended Solids	I	Yes	Monthly	10	50	31	mg/l	210	1-Nov-2013	Yes	N/A	No	--
161	969025	3-May-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	29	mg/l	93	4-Nov-2013	Yes	N/A	No	--
162	969027	3-May-2014	Total Suspended Solids	I	Yes	Weekly	15	65	35	mg/l	135	4-Nov-2013	Yes	N/A	No	--
163	970850	10-May-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	24	mg/l	60	11-Nov-2013	Yes	N/A	No	--
164	970858	10-May-2014	Total Suspended Solids	I	Yes	Weekly	15	65	40	mg/l	167	11-Nov-2013	Yes	N/A	No	--
165	970853	14-May-2014	Ammonia, Total as N	I	No	Daily	2.1	24	30	mg/l	1,329	15-Nov-2013	Yes	N/A	Yes	\$3,000
166	970857	17-May-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	33	mg/l	120	18-Nov-2013	Yes	N/A	No	--
167	970855	17-May-2014	Total Suspended Solids	I	Yes	Weekly	15	65	43	mg/l	187	18-Nov-2013	Yes	N/A	No	--
168	970856	24-May-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	41	mg/l	173	25-Nov-2013	Yes	N/A	No	--
169	970861	24-May-2014	Total Suspended Solids	I	Yes	Weekly	15	65	34	mg/l	124	25-Nov-2013	Yes	N/A	No	--

Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Number	Violation Date ¹	Parameter	Pollutant Group	Exempted from MMP?	Permit Limitation Period	Permit Limit	Interim CDO Limit ²	Result/Average	Units	% Over Limit	Date 180 Days Prior	Serious ³ Violation?	Effluent Violations in Past 180 Days	Mandatory Fine?	Penalty
170	970852	31-May-2014	Ammonia, Total as N	I	No	Monthly	1.2	24	30	mg/l	2,400	2-Dec-2013	Yes	N/A	Yes	\$3,000
171	970860	31-May-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	35	mg/l	133	2-Dec-2013	Yes	N/A	No	--
172	970854	31-May-2014	Biochemical Oxygen Demand	I	No	Monthly	10	30	33	mg/l	230	2-Dec-2013	Yes	N/A	Yes	\$3,000
173	970859	31-May-2014	Total Suspended Solids	I	Yes	Weekly	15	65	28	mg/l	83	2-Dec-2013	Yes	N/A	No	--
174	970851	31-May-2014	Total Suspended Solids	I	Yes	Monthly	10	50	36	mg/l	260	2-Dec-2013	Yes	N/A	No	--
175	972234	7-Jun-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	32	mg/l	113	9-Dec-2013	Yes	N/A	No	--
176	972242	7-Jun-2014	Total Suspended Solids	I	Yes	Weekly	15	65	40.5	mg/l	170	9-Dec-2013	Yes	N/A	No	--
177	972232	11-Jun-2014	Ammonia, Total as N	I	No	Daily	2.1	24	29	mg/l	1,281	13-Dec-2013	Yes	N/A	Yes	\$3,000
178	972243	14-Jun-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	28	mg/l	87	16-Dec-2013	Yes	N/A	No	--
179	972239	14-Jun-2014	Total Suspended Solids	I	Yes	Weekly	15	65	37.3	mg/l	149	16-Dec-2013	Yes	N/A	No	--
180	972238	21-Jun-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	19	mg/l	27	23-Dec-2013	No	11	No	--
181	972236	21-Jun-2014	Total Suspended Solids	I	Yes	Weekly	15	65	48.7	mg/l	225	23-Dec-2013	Yes	N/A	No	--
182	972233	28-Jun-2014	Total Suspended Solids	I	Yes	Weekly	15	65	18.5	mg/l	23	30-Dec-2013	No	11	No	--
183	972240	28-Jun-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	21	mg/l	40	30-Dec-2013	Yes	N/A	No	--
184	972237	30-Jun-2014	Ammonia, Total as N	I	No	Monthly	1.2	24	29	mg/l	2,317	1-Jan-2014	Yes	N/A	Yes	\$3,000
185	972241	30-Jun-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	25	mg/l	150	1-Jan-2014	Yes	N/A	No	--
186	972235	30-Jun-2014	Total Suspended Solids	I	Yes	Monthly	10	50	36	mg/l	263	1-Jan-2014	Yes	N/A	No	--
187	974819	5-Jul-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	23	mg/l	53	6-Jan-2014	Yes	N/A	No	--
188	974821	8-Jul-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	13	mg/l	519	9-Jan-2014	Yes	N/A	No	--
189	974824	12-Jul-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	24	mg/l	60	13-Jan-2014	Yes	N/A	No	--
190	974823	19-Jul-2014	Total Suspended Solids	I	Yes	Weekly	15	65	15.2	mg/l	1	20-Jan-2014	No	9	No	--
191	974820	26-Jul-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	17	mg/l	13	27-Jan-2014	No	9	No	--
192	974817	31-Jul-2014	Total Suspended Solids	I	Yes	Monthly	10	50	13	mg/l	32	1-Feb-2014	No	7	No	--
193	974822	31-Jul-2014	Ammonia, Total as N	I	Yes	Monthly	1.2	24	13	mg/l	983	1-Feb-2014	Yes	N/A	No	--
194	974818	31-Jul-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	19	mg/l	90	1-Feb-2014	Yes	N/A	No	--
195	976143	9-Aug-2014	Total Suspended Solids	I	Yes	Weekly	15	65	27.0	mg/l	80	10-Feb-2014	Yes	N/A	No	--
196	976138	13-Aug-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	18	mg/l	757	14-Feb-2014	Yes	N/A	No	--
197	976144	16-Aug-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	26	mg/l	73	17-Feb-2014	Yes	N/A	No	--
198	976142	23-Aug-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	28	mg/l	87	24-Feb-2014	Yes	N/A	No	--
199	976141	30-Aug-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	3-Mar-2014	No	5	No	--
200	976140	31-Aug-2014	Total Suspended Solids	I	Yes	Monthly	10	50	13	mg/l	29	4-Mar-2014	No	5	No	--
201	976145	31-Aug-2014	Ammonia, Total as N	I	Yes	Monthly	1.2	24	18	mg/l	1,400	4-Mar-2014	Yes	N/A	No	--
202	976139	31-Aug-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	21	mg/l	110	4-Mar-2014	Yes	N/A	No	--
203	978583	10-Sep-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	9.0	mg/l	329	14-Mar-2014	Yes	N/A	No	--
204	978589	13-Sep-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	17-Mar-2014	No	5	No	--
205	978590	20-Sep-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	19	mg/l	27	24-Mar-2014	No	5	No	--
206	978588	27-Sep-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	25	mg/l	67	31-Mar-2014	Yes	N/A	No	--
207	978585	30-Sep-2014	Total Suspended Solids	I	Yes	Monthly	10	50	10.6	mg/l	6	3-Apr-2014	No	5	No	--
208	978584	30-Sep-2014	Ammonia, Total as N	I	Yes	Monthly	1.2	24	9.0	mg/l	650	3-Apr-2014	Yes	N/A	No	--
209	978587	30-Sep-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	19	mg/l	90	3-Apr-2014	Yes	N/A	No	--
210	980782	4-Oct-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	17	mg/l	13	7-Apr-2014	No	5	No	--
211	980780	8-Oct-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	8.5	mg/l	305	11-Apr-2014	Yes	N/A	No	--
212	980779	25-Oct-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	18	mg/l	20	28-Apr-2014	No	5	No	--
213	980781	31-Oct-2014	Total Suspended Solids	I	Yes	Monthly	10	50	12	mg/l	16	4-May-2014	No	5	No	--
214	980785	31-Oct-2014	Ammonia, Total as N	I	Yes	Monthly	1.2	24	8.5	mg/l	608	4-May-2014	Yes	N/A	No	--
215	980784	31-Oct-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	16	mg/l	60	4-May-2014	Yes	N/A	No	--
216	980783	1-Nov-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	20	mg/l	33	5-May-2014	No	5	No	--
217	983478	8-Nov-2014	Total Suspended Solids	I	Yes	Weekly	15	65	15.7	mg/l	5	12-May-2014	No	5	No	--
218	983467	8-Nov-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	21	mg/l	40	12-May-2014	Yes	N/A	No	--
219	983475	15-Nov-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	21	mg/l	40	19-May-2014	Yes	N/A	No	--
220	983463	18-Nov-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	16	mg/l	662	22-May-2014	Yes	N/A	No	--
221	983469	18-Nov-2014	Copper, Total Recoverable	II	No	Daily	7.8	58	71	µg/l	810	22-May-2014	Yes	N/A	Yes	\$3,000
222	983466	18-Nov-2014	Dichlorobromomethane	II	Yes	Daily	1.3	5.75	2.54	µg/l	95	22-May-2014	Yes	N/A	No	--
223	983471	18-Nov-2014	Lead, Total Recoverable	II	No	Daily	1.5	5.5	9.3	µg/l	520	22-May-2014	Yes	N/A	Yes	\$3,000
224	983474	22-Nov-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	22	mg/l	47	26-May-2014	Yes	N/A	No	--
225	983464	25-Nov-2014	Total Coliform Organisms	OEV	No	Single Sample	240	23	>1,600	MPN/100 ml	N/A	29-May-2014	No	6	Yes	\$3,000
226	983476	29-Nov-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	24	mg/l	60	2-Jun-2014	Yes	N/A	No	--

Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Number	Violation Date ¹	Parameter	Pollutant Group	Exempted from MMP?	Permit Limitation Period	Permit Limit	Interim CDO Limit ²	Result/Average	Units	% Over Limit	Date 180 Days Prior	Serious ³ Violation?	Effluent Violations in Past 180 Days	Mandatory Fine?	Penalty
227	983479	30-Nov-2014	Total Suspended Solids	I	Yes	Monthly	10	50	12.7	mg/l	27	3-Jun-2014	No	5	No	--
228	983468	30-Nov-2014	Ammonia, Total as N	I	Yes	Monthly	1.2	24	16	mg/l	1,233	3-Jun-2014	Yes	N/A	No	--
229	983477	30-Nov-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	22	mg/l	120	3-Jun-2014	Yes	N/A	No	--
230	983465	30-Nov-2014	Copper, Total Recoverable	II	No	Monthly	2.5	58	71	µg/l	2,740	3-Jun-2014	Yes	N/A	Yes	\$3,000
231	983470	30-Nov-2014	Dichlorobromomethane	II	Yes	Monthly	0.56	5.75	2.54	µg/l	354	3-Jun-2014	Yes	N/A	No	--
232	983472	30-Nov-2014	Lead, Total Recoverable	II	No	Monthly	0.7	5.5	9.3	µg/l	1,331	3-Jun-2014	Yes	N/A	Yes	\$3,000
233	984913	2-Dec-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	12	mg/l	471	5-Jun-2014	Yes	N/A	No	--
234	984914	2-Dec-2014	Copper, Total Recoverable	II	Yes	Daily	7.8	58	38	µg/l	387	5-Jun-2014	Yes	N/A	No	--
235	984924	2-Dec-2014	Dichlorobromomethane	II	Yes	Daily	1.3	5.75	1.95	µg/l	50	5-Jun-2014	Yes	N/A	No	--
236	984917	2-Dec-2014	Lead, Total Recoverable	II	Yes	Daily	1.5	5.5	4.3	µg/l	187	5-Jun-2014	Yes	N/A	No	--
237	984915	3-Dec-2014	Ammonia, Total as N	I	Yes	Daily	2.1	24	10	mg/l	376	6-Jun-2014	Yes	N/A	No	--
238	984929	3-Dec-2014	Copper, Total Recoverable	II	Yes	Daily	7.8	58	56	µg/l	618	6-Jun-2014	Yes	N/A	No	--
239	984930	3-Dec-2014	Dichlorobromomethane	II	Yes	Daily	1.3	5.75	1.89	µg/l	45	6-Jun-2014	Yes	N/A	No	--
240	984918	3-Dec-2014	Lead, Total Recoverable	II	No	Daily	1.5	5.5	7.1	µg/l	373	6-Jun-2014	Yes	N/A	Yes	\$3,000
241	984927	6-Dec-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	23	mg/l	53	9-Jun-2014	Yes	N/A	No	--
242	984912	6-Dec-2014	Biochemical Oxygen Demand	I	Yes	Weekly	6.3	18	12	lb/day	90	9-Jun-2014	Yes	N/A	No	--
243	984925	6-Dec-2014	Total Suspended Solids	I	Yes	Weekly	15	65	28	mg/l	87	9-Jun-2014	Yes	N/A	No	--
244	984928	6-Dec-2014	Total Suspended Solids	I	Yes	Weekly	6.3	27	15.0	lb/day	138	9-Jun-2014	Yes	N/A	No	--
245	984910	13-Dec-2014	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	16-Jun-2014	No	7	No	--
246	984909	13-Dec-2014	Biochemical Oxygen Demand	I	Yes	Weekly	6.3	18	6.4	lb/day	2	16-Jun-2014	No	7	No	--
247	984932	31-Dec-2014	Biochemical Oxygen Demand	I	Yes	Monthly	4.2	12	5.5	lb/day	31	4-Jul-2014	No	6	No	--
248	984911	31-Dec-2014	Total Suspended Solids	I	Yes	Monthly	10	50	13	mg/l	25	4-Jul-2014	No	6	No	--
249	984933	31-Dec-2014	Total Suspended Solids	I	Yes	Monthly	4.2	20	4.9	lb/day	17	4-Jul-2014	No	6	No	--
250	984926	31-Dec-2014	Ammonia, Total as N	I	Yes	Monthly	1.2	24	11	mg/l	817	4-Jul-2014	Yes	N/A	No	--
251	984908	31-Dec-2014	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	14	mg/l	42	4-Jul-2014	Yes	N/A	No	--
252	984916	31-Dec-2014	Copper, Total Recoverable	II	Yes	Monthly	2.5	58	47	µg/l	1,780	4-Jul-2014	Yes	N/A	No	--
253	984931	31-Dec-2014	Dichlorobromomethane	II	Yes	Monthly	0.56	5.75	1.92	µg/l	243	4-Jul-2014	Yes	N/A	No	--
254	984919	31-Dec-2014	Lead, Total Recoverable	II	No	Monthly	0.65	5.5	5.7	µg/l	777	4-Jul-2014	Yes	N/A	Yes	\$3,000
255	987127	7-Jan-2015	Ammonia, Total as N	I	Yes	Daily	2.1	24	3.2	mg/l	52	11-Jul-2014	Yes	N/A	No	--
256	987130	10-Jan-2015	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	29	mg/l	93	14-Jul-2014	Yes	N/A	No	--
257	987124	17-Jan-2015	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	16	mg/l	7	21-Jul-2014	No	7	No	--
258	987119	21-Jan-2015	Copper, Total Recoverable	II	Yes	Daily	7.8	58	8.8	µg/l	13	25-Jul-2014	No	7	No	--
259	987117	21-Jan-2015	Ammonia, Total as N	I	Yes	Daily	2.1	24	21	mg/l	900	25-Jul-2014	Yes	N/A	No	--
260	987121	21-Jan-2015	Dichlorobromomethane	II	Yes	Daily	1.3	5.75	2.14	µg/l	65	25-Jul-2014	Yes	N/A	No	--
261	987129	24-Jan-2015	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	22	mg/l	47	28-Jul-2014	Yes	N/A	No	--
262	987125	31-Jan-2015	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	18	mg/l	20	4-Aug-2014	No	7	No	--
263	987118	31-Jan-2015	Ammonia, Total as N	I	Yes	Monthly	1.2	24	12	mg/l	908	4-Aug-2014	Yes	N/A	No	--
264	987126	31-Jan-2015	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	21	mg/l	110	4-Aug-2014	Yes	N/A	No	--
265	987120	31-Jan-2015	Copper, Total Recoverable	II	Yes	Monthly	2.5	58	8.8	µg/l	252	4-Aug-2014	Yes	N/A	No	--
266	987122	31-Jan-2015	Dichlorobromomethane	II	Yes	Monthly	0.56	5.75	2.14	µg/l	282	4-Aug-2014	Yes	N/A	No	--
267	988202	21-Feb-2015	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	23	mg/l	53	25-Aug-2014	Yes	N/A	No	--
268	988207	28-Feb-2015	Biochemical Oxygen Demand	I	Yes	Weekly	15	45	17	mg/l	13	1-Sep-2014	No	7	No	--
269	988206	28-Feb-2015	Biochemical Oxygen Demand	I	Yes	Monthly	10	30	17	mg/l	70	1-Sep-2014	Yes	N/A	No	--
270	988200	7-Feb-2015	Total Suspended Solids	I	Yes	Weekly	15	65	21	mg/l	40	11-Aug-2014	Yes	N/A	No	--
271	988203	28-Feb-2015	Total Suspended Solids	I	Yes	Monthly	10	50	11	mg/l	12	1-Sep-2014	No	7	No	--
272	988199	4-Feb-2015	Ammonia, Total as N	I	Yes	Daily	2.1	24	24	mg/l	1,043	8-Aug-2014	Yes	N/A	No	--
273	988196	28-Feb-2015	Ammonia, Total as N	I	Yes	Monthly	1.2	24	24	mg/l	1,900	1-Sep-2014	Yes	N/A	No	--
274	989387	4-Mar-2015	Biochemical Oxygen	I	Yes	Weekly	15	45	19	mg/l	27	5-Sep-2014	No	7	No	--
275	989380	4-Mar-2015	Ammonia, Total (as N)	I	Yes	Daily	2.1	24	15	mg/l	614	5-Sep-2014	Yes	N/A	No	--
276	989386	11-Mar-2015	Copper, Total	II	Yes	Daily	7.8	58	13	µg/l	67	12-Sep-2014	Yes	N/A	No	--
277	989388	11-Mar-2015	Biochemical Oxygen	I	Yes	Weekly	15	45	19	mg/l	27	12-Sep-2014	No	7	No	--
278	989384	18-Mar-2015	Biochemical Oxygen	I	Yes	Weekly	15	45	16	mg/l	7	19-Sep-2014	No	7	No	--
279	989385	25-Mar-2015	Biochemical Oxygen	I	Yes	Weekly	15	45	23	mg/l	53	26-Sep-2014	Yes	N/A	No	--
280	989382	31-Mar-2015	Biochemical Oxygen	I	Yes	Monthly	10	30	19	mg/l	90	2-Oct-2014	Yes	N/A	No	--
281	989383	31-Mar-2015	Copper, Total	II	Yes	Monthly	2.5	58	13	µg/l	420	2-Oct-2014	Yes	N/A	No	--
282	989389	31-Mar-2015	Ammonia, Total (as N)	I	Yes	Monthly	1.2	24	15	mg/l	1,150	2-Oct-2014	Yes	N/A	No	--
283	991066	1-Apr-2015	Total Suspended Solids	I	Yes	Weekly	15	65	19.7	mg/l	31	3-Oct-2014	No	7	No	--

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

TO: David Leland, P.E.
Assistant Executive Officer
NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD

FROM: Melissa Hall, P.E.
Senior Water Resource Control Engineer
OFFICE OF ENFORCEMENT

DATE: 10 March 2015

SUBJECT: OCCIDENTAL WASTEWATER TREATMENT FACILITY, DETERMINATION OF ELIGIBILITY FOR COMPLIANCE PROJECT AS A SMALL COMMUNITY WITH A FINANCIAL HARDSHIP

Background and Summary

On 11 July 2014, the North Coast Regional Water Quality Control Board (Regional Water Board) issued Administrative Civil Liability (ACL) Complaint R1-2014-0045 (Complaint) to Occidental County Sanitation District (Occidental CSD or Owner) and Sonoma County Water Agency (Operator) (collectively, Discharger) for discharges from the Occidental Wastewater Treatment Facility (WWTF) in violation of provisions of law for which the Regional Water Board is required to impose mandatory minimum penalties (MMPs) pursuant to California Water Code (Water Code) section 13385, subdivisions (h) and (i). The Complaint alleges that the Discharger exceeded effluent limitations set forth in Waste Discharge Requirements (WDRs) Order No. R1-2012-0101 (NPDES No. CA0023051).

The Discharger waived the 90-day hearing requirement in order to engage in settlement discussions with the Regional Water Board Prosecution Team. On 30 January 2015, the Discharger submitted a revised compliance project proposal for the Regional Board's approval. Based on the analysis below, Occidental CSD does not serve a community that has a financial hardship and therefore, does not qualify for a compliance project.

Analysis

Occidental CSD owns the WWTF, a publicly owned treatment works (POTW), located at 14445 Occidental Road, Occidental, in Sonoma County. Water Code section 13385, subdivision (k), provides that the State Water Resources Control Board (State Water Board) or Regional Water Board may, contingent upon certain findings, require a POTW serving a small community to spend an amount of money equivalent to the MMP amount toward the completion of a compliance project proposed by the POTW, in lieu of paying the penalty amount to the State Water Board's Cleanup and Abatement Account. Water Code section 13385, subdivision (k)(2), defines a POTW "serving a small community" as:

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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"[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."

Determining whether a POTW is "serving a small community" entails two separate determinations, whether: (1) the POTW is either situated within a rural county or has a population of 10,000 or less; and (2) the POTW's service area has a "financial hardship."

1. Rural County/Population Cap

The State Water Board's Water Quality Enforcement Policy¹ (*Enforcement Policy*), defines a "rural county" as "a county classified by the Economic Research Service, United States Department of Agriculture (ERS, USDA) with a rural-urban continuum code of four through nine."

The Occidental WWTF is a POTW located in Sonoma County. According to the 2013 Rural Urban Continuum Codes file updated 10 May 2013,² Sonoma County has a rural-urban continuum code of two (Metro - Counties in metro areas of 250,000 to 1 million population) and therefore, does not fall within the "rural county" classification. As reported by Discharger personnel in an electronic mail transmission dated 2 March 2015, the POTW service area has a population of 650, which meets the population requirement.

2. Financial Hardship

Consistent with Water Code section 13385, subdivision (k)(2), the *Enforcement Policy*, at page 24, defines "financial hardship" in terms of median household income (MHI), unemployment rate and poverty level. Specifically, the *Enforcement Policy* defines "financial hardship" as meaning that the community served by the POTW meets one of the following criteria:

- *Median household income*⁴ for the community is less than 80 percent of the California median household income;
- *The community has an unemployment rate*⁵ of 10 percent or greater; or
- *Twenty percent of the population is below the poverty level.*⁶

"Median household income," "unemployment rate," and "poverty level" of the population served by the POTW are based on the most recent U.S. Census block group⁷ data or a local survey approved by the Regional Water Board in consultation with the State Water Board.

⁴ **Median household income** The median income divides the income distribution into two equal groups, one having incomes above the median and the other having incomes below the median.

⁵ **Unemployed** All civilians, 16 years and older, are classified as unemployed if they (1) were neither "at work" nor "with a job but not at work" during the reference week, (2) were actively

¹ A copy of the State Water Board's Water Quality Enforcement Policy is available at http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/enf_policy_final111709.pdf.

² <http://www.ers.usda.gov/data-products/rural-urban-continuum-codes.aspx>, accessed 9 March 2015.

looking for work during the last 4 weeks, and (3) were available to accept a job. Also included as unemployed are civilians who (1) did not work at all during the reference week, (2) were waiting to be called back to a job from which they had been laid off, and (3) were available for work except for temporary illness.

⁶ **Poverty** Following the Office of Management and Budget's Directive 14, the Census Bureau uses a set of income thresholds that vary by family size and composition to detect who is poor. If the total income for a family or unrelated individual falls below the relevant poverty threshold, then the family or unrelated individual is classified as being "below the poverty level."

⁷ **Block group** A subdivision of a census tract (or, prior to 2000, a block numbering area). A block group is the smallest geographic unit for which the Census Bureau tabulates sample data. A block group consists of all the blocks within a census tract beginning with the same number. Example: block group 3 consists of all blocks within a 2000 census tract numbering from 3000 to 3999. In 1990, block group 3 consisted of all blocks numbered from 301 to 399Z."

Based on the Utility Map Index included (as the thirty-third page) in the Occidental County Sanitation District's most recent Sanitary Sewer Management Plan (attached file to California Integrated Water Quality System, place identification number 630469) and United States Census Bureau tract and block map layers available in ArcGIS, the Occidental CSD's service area appears to lie wholly within Sonoma County Census Tract 1543.02, and includes portions of Block Groups 1 and 2 within that Tract, as shown in Figure 1.

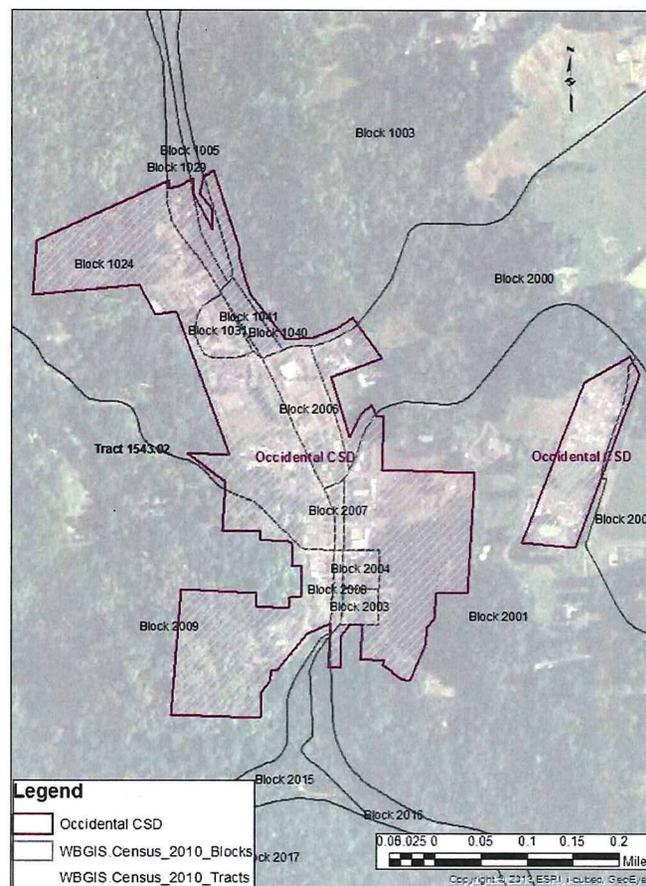


Figure 1 - Occidental County Sanitation District, Census Tract, and Census Block Boundaries

As the 2010 decennial census did not include collection of economic data, the most recent available economic data are from the United States Census Bureau's on-going American Community Survey (ACS) estimates. The State Water Board's Division of Financial Assistance is currently relying on these data.

For smaller communities such as Occidental, ACS data are only available for 5-year estimates. The most recent available 5-year estimate with block group data is that for the 2013 5-year estimate. The Census Bureau provides a Summary File Data Retrieval Tool, available at http://www.census.gov/acs/www/data_documentation/summary_file/, to retrieve selected data tables (Census Bureau staff recommend Mozilla's Firefox browser for most reliably complete retrieval). Based on the 5-year Appendices file available at the same site, the following tables were identified as providing the necessary information at the block group level, and their data were retrieved:

Table #	Table Description	Tract 1543.02 Block Group 1 2013 5- year	Tract 1543.02 Block Group 2 2013 5- year	Tract 1543.02 Block Groups 1 and 2 2013 5-year	California 2013 5-year	Financial Hardship Criterion
B17017	Poverty Status In The Past 12 Months By Household Type By Age Of Householder	21/478 4.4% below poverty level	38/568 6.7% below poverty level	59/568 5.6% below poverty level	N/A	20% below poverty level <i>criteria not met</i>
B19013	Median Household Income In The Past 12 Months (In 2013 Inflation- Adjusted Dollars)	\$69,138	\$77,250	>\$69,138	\$61,400	MHI less than 80% of CA MHI 80% CA MHI = \$49,120 <i>criteria not met</i>
B23025	Employment Status For The Population 16 Years And Over	664/914 in labor force. Of those, 648 employed. 2.4% unemployed	622/1,015 in labor force. Of those, 577 employed. 7.2% unemployed	1,286/1,929 in labor force. Of those, 1,225 employed. 4.7% unemployed	N/A	Unemployment rate 10% or greater <i>criteria not met</i>

Based on the *Enforcement Policy's* criteria and the most recent U.S. Census block group data, the Occidental County Sanitation District does not qualify as a small community with a financial hardship. If the Discharger believes that the U.S. Census data used in this determination do not accurately represent the population served by the Occidental WWTF, the *Enforcement Policy* provides for the possibility of a local survey approved by the Regional Water Board in consultation with the State Water Board (p. 24) and a procedure by which the Discharger may present an alternative justification to the Regional Water Board for designation as a "POTW serving a small community (p. 25)." Pursuant to the *Enforcement Policy*, the Regional Water Board must consult with the State Water Board when making such determinations.

David Leland

- 5 -

10 March 2015

cc: Paul D. Ciccarelli
Office of Enforcement
State Water Resources Control Board

Basic Information

Project Name:

Laguna de Santa Rosa Debris Removal Project (Project)

Project Amount:

\$50,000

Project Developed By:

Sonoma County Water Agency

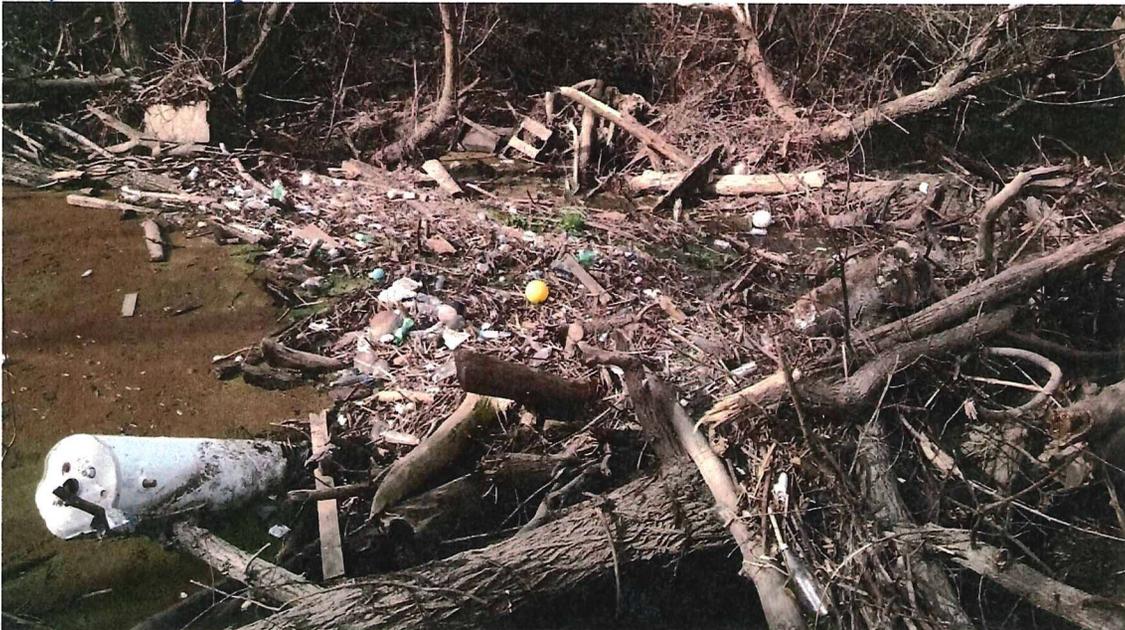
Project to be Performed By:

Sonoma County Water Agency

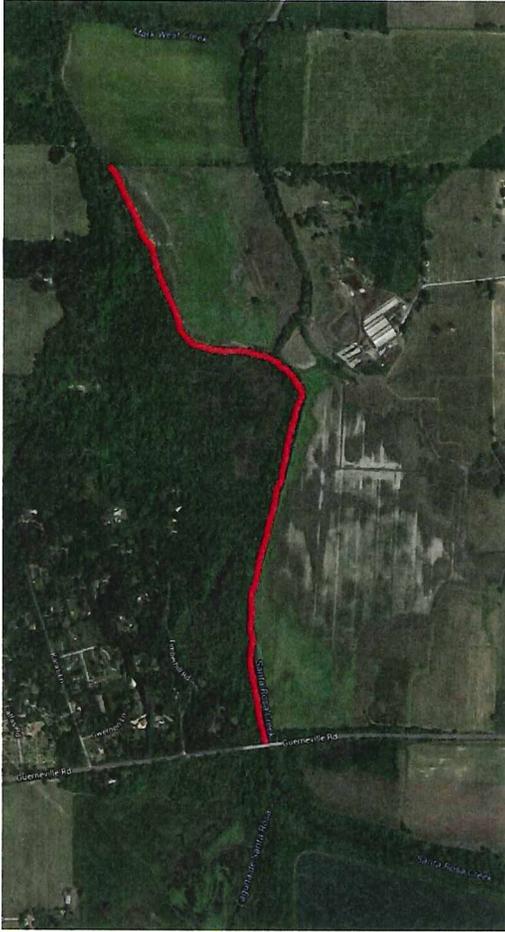
Contact:

Occidental County Sanitation District (District) and Sonoma County Water Agency
Nazareth Tesfai (nazareth.tesfai@scwa.ca.gov; 707-521-1835)

Project Description



The District proposes a trash and woody debris removal project in the Laguna de Santa Rosa. Debris accumulation in the Laguna has been a significant issue for the Laguna for years. The accumulation creates blockages that slow the flow through the Laguna, leaving stagnant pools, which allow for the spread of the invasive weed *Ludwigia*. The blockages also change the drainage patterns of the area which has increased flooding for the neighboring properties. The Project consists of the Sonoma County Water Agency working with the Laguna de Santa Rosa Foundation to employ crew to spend the summer removing trash and woody debris from the 1.2 mile stretch of the Laguna de Santa Rosa that is directly downstream of the Guerneville Road crossing.



Removing excess woody debris from this site is an important part of this project since woody debris makes up a large portion of the composition of the blockages forming in the project area (pictured above). This project will be focused on removing the excess woody debris along with trash that has accumulated in the project area. The source of this trash and woody debris has been identified as coming from upstream nonpoint sources and homeless encampments. There are no new actions to reduce the source and there are no other organizations working on trash and woody debris removal in the project area. The Water Agency continues to have an outreach program that is aimed at reducing nonpoint source pollution.

Compliance with SEP Criteria

The Project directly benefits surface water quality by habitat enhancement and pollution reduction. Removal of trash and debris allow for passage of fish, reduces the amount of decomposing material in the waterway, and reduces the pooling of water and accumulation of sediment that allows for the spread of Ludwigia.

This SEP is to remove trash and woody debris from the Laguna de Santa Rosa. It is located within the Russian River Watershed and appears to have the largest and most direct impact on improving water quality and habitat issues.

Measures that go above and beyond applicable obligations of the discharger

The Project contains only measures that go above and beyond applicable obligations of the OCSD and Sonoma County Water Agency.

No apparent direct benefit to Regional Water Board

The Project does not directly benefit, in a fiscal manner, a Water Board's functions, its members, or its staff.

Nexus

The Project is also located within the Russian River watershed, in which the violations occurred.

Plans to continue and/or maintain Project beyond funded period

As the District does not have maintenance responsibilities, and cannot spend District funds on such projects, the District will not continue funding this activity.

Project Milestones and Budget

This project is expected to take no more than three months. Project completion will be no later than October 1, 2015. By project completion, the crews will have removed at least 100 cubic yards of trash and debris by hand from the banks of the channel within the project area. Water Agency staff roughly estimates that there is about 300 cubic yards of trash and woody debris along the banks of the channel within the project area. There are no current plans to remove the remaining debris. Project milestones are listed below.

Project Milestones	
Begin Project	July 1, 2015
Project Completion	October 1, 2015
Final Report	October 31, 2015

The Project budget is \$50,000. This budget is meant to cover the cost of labor and disposal of the debris collected. The District will account for all costs and expenses incurred by the Project. This will be done by creating an order number to track all cost associated with the Project. A summary of payments along with copies of receipts will be included in the final report. Any funds not used at the successful completion of the Project will be turned over to the State Cleanup and Abatement Account.

Reports to the Water Board

Project Milestone	Reporting
Quarterly Reporting	30 days after the end of each quarter
Final Report	30 days after Project Completion