

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2013-0573

MANDATORY PENALTY
IN THE MATTER OF

LINDA COUNTY WATER DISTRICT
WASTEWATER TREATMENT PLANT
YUBA COUNTY

This Order is issued to the Linda County Water District (hereafter Discharger) pursuant to California Water Code (Water Code) section 13385, which authorizes the imposition of Administrative Civil Liability. This Order is based on findings that the Discharger violated provisions of Waste Discharge Requirements (WDRs) Orders R5-2006-0096 and R5-2012-0034 (NPDES No. CA0079651).

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 Linda in Yuba County. Treated municipal wastewater is discharged to both the Feather River and to evaporation/percolation ponds that lie within the 100-year floodplain of the Feather River. The Feather River is a water of the United States. The ponds discharge directly to the Feather River during floods, and have hydraulic continuity with the Feather River.
2. On 22 September 2006, effective 11 November 2006, the Central Valley Water Board issued WDRs Order R5-2006-0096, which contained new requirements and rescinded WDRs Order 5-00-165, except for enforcement purposes. On 7 June 2012, the Board issued WDRs Order R5-2012-0034, which contained new requirements and rescinded WDRs Order R5-2006-0096, except for purposes of enforcement.
3. On 29 June 2010, the Board issued amended Time Schedule Order (TSO) R5-2006-0097-01 which provided interim limitations and allowed until 18 May 2010 to comply with the effluent limit for organochlorine pesticides. It also provided interim limitations and allowed until 21 September 2011 to comply with the effluent limits for aluminum, ammonia, diazinon, iron, manganese, and methoxychlor. On 4 August 2011, the Board issued TSO R5-2011-0056 which provided interim limitations and allowed until 31 December 2012 to comply with the copper, lead, zinc, bis(2-ethylhexyl)phthalate, dibenzo(a,h)anthracene, aluminum, manganese, ammonia, BOD, TSS, settleable solids, EC, total coliform organisms, nitrate, and mercury effluent limitations.
4. On 7 June 2012, the Board issued TSO R5-2012-0035 which provided interim limitations and allowed until 31 September 2012 to comply with final effluent limitations for nitrate plus nitrite, ammonia, BOD, TSS, total coliform organisms, and nitrite. TSO R5-2012-0035 also provided an interim limitation for copper, with compliance to be achieved by 1 June 2015.
5. On 14 March 2011, the Executive Officer of the Central Valley Water Board issued Administrative Civil Liability Complaint (ACLC) R5-2011-0535 for mandatory minimum penalties (MMPs) for effluent violations from 1 July 2010 through 30 November 2010. The Discharger paid the civil liability and the Board considers those effluent violations specifically listed in Attachment A to ACLC R5-2011-0535 to be resolved.
6. This Order addresses violations subject to MMPs which occurred during the period of 1 December 2010 through 31 March 2013. On 11 January 2013, Central Valley Water Board staff issued the Discharger ACLC R5-2013-0506 for the period of 1 December 2010 through

31 August 2012. On 13 March 2013, the Discharger met with Board staff, agreed with the violations, and asked to complete a Supplemental Environmental Project (SEP) in lieu of paying a portion of the penalty. Board staff has, in agreement with the Discharger, adjusted the violations listed in Attachment A to the Order to also include additional violations subject to MMPs that occurred at the facility from 1 September 2012 through 31 March 2013.

7. Water Code section 13385 subdivisions (h) and (i) require assessment of mandatory minimum penalties and state, in relevant part, the following:

Water Code section 13385 subdivision (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 subdivision (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 subdivision (i)(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 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. Water Code section 13385(j) exempts certain violations from mandatory minimum penalties, and states, in relevant part:

Subdivisions (h) and (i) do not apply to any of the following:

- 3) A violation of an effluent limitation where the waste discharge is in compliance with either a cease and desist order issued pursuant to Section 13301 or a time schedule order issued pursuant to Section 13300 or 13308 if all of the following requirements are met:
 - C) The regional board establishes a time schedule for bringing the waste discharge into compliance with the effluent limitation that is as short as possible....For the purposes of this subdivision, the time schedule may not exceed five years in length The interim requirements shall include both of the following:
 - i) Effluent limitations for the pollutant or pollutants of concern.
 - ii) Actions and milestones leading to compliance with the effluent limitation.

9. 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.

10. TSO R5-2011-0056 contains interim effluent limitations for total coliform; however, as shown on Attachment A, the Discharger exceeded those interim effluent limits and therefore Water Code section 13385(j) does not exempt those particular violations from mandatory minimum penalties.

11. WDRs Order R5-2006-0096 Effluent Limitations IV.A.1.a., include, in part, the following effluent limitations:

- a. Upon commencement of discharge from the proposed diffuser...or 18 May 2010 whichever is sooner, the discharge of treatment to the Feather River shall maintain compliance with the following effluent limitations...

Parameter	Units	Effluent Limitations	
		Average Monthly	Maximum Daily
Zinc, Total Recoverable	µg/L	21	43
Dichlorobromomethane	µg/L	2.6	5.3

12. WDRs Order R5-2006-0096 Effluent Limitations IV.A.1.b., include, in part, the following effluent limitations:

- b. Upon commencement of discharge from the proposed diffuser...or 21 September 2011, whichever is sooner, the discharge of treatment to the Feather River shall maintain compliance with the following effluent limitations...

Parameter	Units	Effluent Limitations			
		Average Monthly	Average Weekly	Instantaneous Minimum	Instantaneous Maximum
pH	Std. Unit	-	-	6.5	8.0
Chloroform	µg/L	26	-	-	-
Organochlorine Pesticides	µg/L	-	-	-	ND ³
³ The non-detectable (ND) limitation applies to each individual pesticide. No individual pesticide may be present in the discharge at detectable concentrations. The Discharger shall use USEPA standard analytical techniques with the detection limits equal to or less than the lowest minimum level published in Appendix 4 of the <i>Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California</i> (known as the State Implementation Plan or SIP), for the organochlorine pesticides listed in Appendix 4. For all other organochlorine pesticides, the Discharger shall use the lowest possible detectable level with a maximum acceptable detection level of 0.05 µg/L.					

13. WDRs Order R5-2006-0096 Effluent Limitations IV.A.1.b., include, in part, the following effluent limitations:

- vi. Total Coliform Organisms: Effluent total coliform organisms concentrations shall not exceed the following:

- 2.2 MPN/100 ml as a seven-day median;
- 23 MPN/100 ml more than once in any 30-day period; and
- 240 MPN/100 ml at any time.

14. WDRs Order R5-2006-0096 Effluent Limitations IV.A.2.b., include, in part, the following interim effluent limitations:

- b. During the period beginning upon the effective date of this Order and ending... 21 September 2011, the discharge of treatment to the Feather River shall maintain compliance with the following effluent limitations...

Parameter	Units	Effluent Limitations	
		Average Monthly	Average Weekly
Biochemical Oxygen Demand	mg/L	45	65
	lbs/day ¹	680	980
Total Suspended Solids	mg/L	45	65

¹ Based upon a design treatment capacity of 1.8 mgd

15. WDRs Order R5-2006-0096 Effluent Limitations IV.A.2.b.ii., include, in part, the following interim effluent limitations:

- ii. Electrical Conductivity: The 30-day 90th percentile effluent electrical conductivity shall not exceed 780 µmhos/cm.

16. WDRs Order R5-2006-0096 Effluent Limitations IV.A.2.b.iii., include, in part, the following interim effluent limitations:

- iii. Total Residual Chlorine: Effluent total residual chlorine shall not exceed the following:
- 0.011 mg/L as a four-day average;
 - 0.17 lbs/day as a four-day average;
 - 0.019 mg/L as a one-hour average; and
 - 0.29 lbs/day as a one-hour average

17. WDRs Order R5-2012-0034 Effluent Limitations IV.A.1., include, in part, the following effluent limitations:

- a. Effective immediately and until 31 December 2012, the Discharger shall maintain compliance with the following effluent limitations...

Parameter	Units	Effluent Limitations	
		Instantaneous Minimum	Instantaneous Maximum
pH	Std. Unit	6.0	8.0

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

- 2.2 MPN/100 ml, as a seven-day median;
- 23 MPN/100 ml, more than once in any 30-day period; and
- 240 MPN/100 ml, at any time.

18. WDRs Order R5-2012-0034 Effluent Limitations IV.A.2., include, in part, the following effluent limitations:

- Effective immediately and until 31 December 2012, the Discharger shall maintain compliance with the following effluent limitations...

Parameter	Units	Effluent Limitations	
		Instantaneous Minimum	Instantaneous Maximum
pH	Std. Unit	6.5 ²	8.0

2. Instantaneous minimum of pH is limited to 6.0 standard units for Discharge Point No. 002 only, because of the soil beneath the ponds ability to buffer pH and other environmental factors like temperature change.

19. TSO R5-2011-0056 includes, in part, the following effluent interim limitations:

2.c. Total Coliform Organisms: Effluent total coliform organisms concentrations shall not exceed the following:

- 240 MPN/100 ml as a 30-day median;
- 500 MPN/100 ml at any time.

20. According to the Discharger's self-monitoring reports, the Discharger committed no serious Group I violations of the above effluent limitations contained in WDR Orders R5-2006-0096 and R5-2012-0034.

21. According to the Discharger's self-monitoring reports, the Discharger committed eighteen (18) serious Group II violations of the above effluent limitations contained in WDR Orders R5-2006-0096 and R5-2012-0034, as shown in Attachment A. These violations are defined as serious because measured concentrations of Group II constituents exceeded maximum prescribed levels in the WDRs by 20 percent or more. The mandatory minimum penalty for these serious violations is **fifty-four thousand dollars (\$54,000)**.

22. According to the Discharger's self-monitoring reports, the Discharger committed thirty-five (35) non-serious violations of the above effluent limitations contained in Orders R5-2006-0096 and R5-2012-0034. Twenty-nine (32) of these non-serious violations are subject to mandatory penalties under Water Code section 13385 subdivision (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 **ninety-six thousand dollars (\$96,000)**.

23. The total amount of the mandatory penalties assessed for the alleged effluent violations is **one hundred fifty thousand dollars (\$150,000)**. A detailed list of the cited effluent violations is included in Attachment A, a part of this Order.

24. 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 Creedon is serving as the head of the Board's Prosecution Team for this matter, and therefore Assistant Executive Officer Kenneth Landau has the authority to issue this Order.

25. This Order constitutes a settlement of the violations herein mentioned. Notice of this settlement was published on the Central Valley Water Board's website, and was provided to all interested

parties. The 30-day public notice and comment period mandated by Federal regulations (40 CFR 123.27) has expired. No comments were received.

26. Issuance of this Administrative Civil Liability Order to enforce Water Code 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).

IT IS HEREBY ORDERED THAT:

1. The Linda County Water District is hereby assessed an administrative civil liability in the amount of **one hundred fifty thousand dollars (\$150,000)**.
2. The Discharger shall remit payment of **sixty-seven thousand five hundred dollars (\$67,500)** of the imposed civil liability by check, which shall contain a reference to "ACL Order No. R5-2013-0573" 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. Of the \$150,000 assessed penalty, **eighty-two thousand five hundred dollars (\$82,500)** shall be suspended, pursuant to Water Code section 13385(l), pending completion of a Supplemental Environmental Project (SEP). The Discharger has chosen to complete the "*LCWD Sanitary Sewer Overflow and Inflow/Infiltration Reduction Project*". A summary of the SEP and deliverables that will be submitted to the Central Valley Water Board can be found in Attachment B of this Order.
4. The Discharger is ultimately responsible for ensuring that the work described in Attachment B is satisfactorily 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 Final Report shall also be submitted to the State Water Resources Control Board, Division of Finance.
5. If the final cost of the successfully completed SEP is less than the suspended amount of \$82,500, the Discharger must remit the difference to the *State Water Pollution Cleanup and Abatement Account* by **30 February 2014**, or within 30 days of project completion, whichever comes first.
6. 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 not part of the direct cost of the SEP.
7. Whenever the Discharger or its agents or subcontractors, or any fiscal agent holding SEP funds publicize any element of a SEP project, it shall state in a prominent manner that the project is being undertaken as part of the settlement of an enforcement action against the Discharger.
8. 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. 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.

9. 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.
10. 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

or will be provided upon request.

Original Signed By

KENNETH D. LANDAU, Assistant Executive Officer

DATE

Attachment A: Record of Violations
Attachment B: SEP Project Description

**ATTACHMENT A
ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R5-2013-0573**

**Linda County Water District
Wastewater Treatment Plant**

RECORD OF VIOLATIONS (1 December 2010 – 31 March 2013) MANDATORY PENALTIES
(Data reported under Monitoring and Reporting Program R5-2006-0096 and R5-2012-0034)

	<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>
	<i>Violations under NPDES Order R5-2006-0096</i>							
*	31-Oct-10	E.C.	µmhos/cm	780	802	30-day 90 th percentile	4	885593
*	30-Nov-10	BOD	mg/L	45	46.5	Ave Monthly	4	887979
*	30-Nov-10	E.C.	µmhos/cm	780	801	30-day 90 th percentile	4	887981
	<i>TSO R5-2006-0097-01 In Effect</i>							
1	3-Mar-11	Chlorine	mg/L	0.019	1.95	1-hour Average	2	899691
2	3-Mar-11	Chlorine	lbs/day	0.29	18.1	1-hour Average	2	899694
3	3-Mar-11	Chlorine	mg/L	0.011	0.11	4-day Average	2	899697
4	3-Mar-11	Chlorine	lbs/day	0.17	0.19	4-day Average	4	899698
5	19-Mar-11	BOD	lbs/day	980	1119	Average Weekly	4	899699
6	20-Mar-11	Chlorine	mg/L	0.019	0.22	1-hour Average	2	899692
7	20-Mar-11	Chlorine	lbs/day	0.29	5.6	1-hour Average	2	899695
8	31-Mar-11	Chlorine	mg/L	0.019	0.22	1-hour Average	2	899693
9	31-Mar-11	Chlorine	lbs/day	0.29	2.22	1-hour Average	2	899696
10	14-May-11	Chlorine	mg/L	0.019	0.66	1-hour Average	2	903460
11	14-May-11	Chlorine	lbs/day	0.29	6.0	1-hour Average	2	903461
12	31-May-11	E.C.	µmhos/cm	780	798	30-day 90 th percentile	4	903466
13	8-Jun-11	BOD	mg/L	65	67	Average Weekly	4	904832
14	30-Jun-11	BOD	mg/L	45	56	Average Monthly	4	904830
15	31-Jul-11	TSS	mg/L	45	49	Average Monthly	4	907345
16	31-Jul-11	BOD	mg/L	45	49	Average Monthly	4	907344
	<i>TSO R5-2011-0056 In Effect</i>							
17	26-Oct-11	Total Coliform	MPN/100mL	240/500**	1600	Instantaneous Maximum	4	922201
18	16-Nov-11	Chlordane	µg/L	0	0.44	Instantaneous Maximum	2	916175
	<i>Effluent Violations exempt from MMPs during startup of new Wastewater Treatment Plant from 7 February 2012 to 7 May 2012</i>							
19	8-May-12	pH	Std. Units	8	8.6	Instantaneous Maximum	3	929022
20	9-May-12	pH	Std. Units	6.5	6.4	Instantaneous Minimum	4	929023
21	9-May-12	pH	Std. Units	8	8.3	Instantaneous Maximum	5	929008
22	9-May-12	DCBM	µg/L	5.3	14	Daily Maximum	2	929015
23	10-May-12	pH	Std. Units	6.5	3.6	Instantaneous Minimum	4	929024
24	10-May-12	pH	Std. Units	8	8.3	Instantaneous Maximum	5	929009
25	11-May-12	pH	Std. Units	8	9.3	Instantaneous Maximum	4	929010
26	12-May-12	pH	Std. Units	6.5	6.4	Instantaneous Minimum	4	929011
27	12-May-12	pH	Std. Units	8	8.8	Instantaneous Maximum	5	929025
28	13-May-12	pH	Std. Units	8	8.4	Instantaneous Maximum	4	929026
29	17-May-12	pH	Std. Units	6.5	6.3	Instantaneous Minimum	4	931761
30	18-May-12	pH	Std. Units	6.5	6.3	Instantaneous Minimum	4	931763
31	18-May-12	pH	Std. Units	8	8.4	Instantaneous Maximum	5	929012
32	22-May-12	pH	Std. Units	6.5	6.3	Instantaneous Minimum	4	929027
33	23-May-12	pH	Std. Units	6.5	6.3	Instantaneous Minimum	4	929013
34	26-May-12	pH	Std. Units	8	8.5	Instantaneous Maximum	4	929028
35	31-May-12	pH	Std. Units	6.5	6.4	Instantaneous Minimum	4	929014
36	31-May-12	Chloroform	µg/L	26	33	Average Monthly	2	929017

ATTACHMENT A
LINDA COUNTY WATER DISTRICT
WASTEWATER TREATMENT PLANT
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2013-0573

	<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	DCBM	µg/L	2.6	14	Average Monthly	2	929030
38	1-Jun-12	pH	Std. Units	6.5	6.4	Instantaneous Minimum	4	930637
39	2-Jun-12	pH	Std. Units	6.5	6.2	Instantaneous Minimum	4	930645
40	2-Jun-12	pH	Std. Units	8	8.4	Instantaneous Maximum	5	930638
41	3-Jun-12	pH	Std. Units	8	8.4	Instantaneous Maximum	4	930640
<i>TSO R5-2012-0035 In Effect</i>								
42	9-Jun-12	pH	Std. Units	8	8.3	Instantaneous Maximum	4	930639
43	13-Jun-12	DCBM	µg/L	5.3	17	Daily Maximum	2	930634
44	30-Jun-12	Chloroform	µg/L	26	33	Average Monthly	2	930644
45	30-Jun-12	DCBM	µg/L	2.6	17	Average Monthly	2	930642
46	11-Jul-12	DCBM	µg/L	5.3	17	Daily Maximum	2	935062
47	11-Jul-12	Zinc	µg/L	43	62	Daily Maximum	2	935064
<i>Violations under NPDES Order R5-2012-0034</i>								
48	3-Aug-12	pH	Std. Units	6	5.9	Instantaneous Minimum	4	937004
49	6-Aug-12	pH	Std. Units	6	5.8	Instantaneous Minimum	4	937005
50	11-Dec-2012	Total Coliform	MPN/100mL	240/500**	1600	Instantaneous Maximum	4	942019
51	12-Dec-2012	Total Coliform	MPN/100mL	240**	500	Instantaneous Maximum	4	942018
52	15-Dec-2012	Total Coliform	MPN/100mL	2.2**	500	7-day Median	4	942020
53	31-Dec-2012	Total Coliform	MPN/100mL	23**	500	More than once in any 30 day period	4	948208
54	9-Mar-2013	pH	Std. Units	6	5.8	Instantaneous Minimum	4	946555
55	22-Mar-2013	pH	Std. Units	6	5.9	Instantaneous Minimum	4	946556
56	23-April-2013	pH	Std. Units	6	5.9	Instantaneous Minimum	4	948520

* Supporting violations addressed in ACLC R5-2011-0535.

** Subject to MMPs because the effluent exceeded the interim instantaneous maximum effluent limitation in TSOs R5-2011-0056 and R5-2011-0056-01 on 11 December 2012.

E.C. = Electrical Conductivity
DCBM = Dichlorobromomethane

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 exempt.
4. Non-serious violation subject to mandatory penalties.
5. Multiple exceedances of instantaneous min/max treated as one violation per day when there is continuous monitoring.

<u>VIOLATIONS AS OF:</u>	<u>3/31/2013</u>
Group I Serious Violations:	0
Group II Serious Violations:	18
Non-Serious Exempt from MMPs:	3
Non-serious Violations Subject to MMPs:	32
Multiple exceedances Exempt from MMPs:	5
<u>Total Violations Subject to MMPs:</u>	<u>50</u>

Mandatory Minimum Penalty = (18 Serious Violations + 32 Non-Serious Violation) x \$3,000 = \$150,000

**ATTACHMENT B
ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2013-0573**

Linda County Water District
SEP Description

Project Title: LCWD Sanitary Sewer Overflow and Inflow/Infiltration Reduction Project

Geographic Area of Interest: Linda County Water District south of the Yuba River, east of the Feather River

Name of Responsible Entity: Linda County Water District (LCWD)

Estimated Cost of Project Completion: The total cost is estimated at \$89,000. The Supplemental Environmental Project (SEP) will contribute \$82,500 toward construction of the project. The remaining funds will be obtained from LCWD's general funding sources.

Contact Information:

Brian Davis
District Engineer
10850 Gold Center Drive, Suite 350
Rancho Cordova, CA 95760
(916) 858-2700

Doug Lofton
LCWD General Manager
1280 Scales Ave.
Marysville, CA 95901
(530) 743-2043

Project Description: LCWD will be responsible for completing the projects included in this SEP, none of which were previously planned to be completed or are currently required for compliance purposes. The purpose of the project is to repair/replace the existing collection system to reduce inflow and infiltration (I/I) and prevent sanitary sewer overflows (SSOs). The project will include: 1) the replacement of a 6-inch sewer lateral that was constructed in the 1940's; 2) updating the electrical wiring at the Silverwood lift station; 3) installing SCADA systems at five lift stations; 4) replacing pumps at two lift stations; and 5) installing battery operated float sensors at ten locations in the sanitary sewer collection system.

Water Body, Beneficial Use and/or Pollutant Addressed by this Project: Completion of the project will reduce I/I from entering into the LCWD sanitary sewer collection system and reduce the number of SSOs that enter Yuba River.

Project Schedule, Budget, and Deliverables:

LCWD will be responsible for completing the below deliverables:

1. Replace 6-inch lateral – The primary source of I/I in LCWD's sanitary sewer collection system has been identified as a dead end lateral that was constructed in the 1940's. This existing lateral is on school district property and not owned by LCWD. This project would abandon the existing lateral and replace it with a new 6-inch line, reducing the amount of I/I at the wastewater treatment plant.

Estimated Cost: \$49,000, funded by this SEP

Deliverable: Written report showing that improvements have been completed.

Due Date: 30 November 2013

2. Lift Station Improvements – To reduce the number of SSOs the following repairs will be conducted:
 - a. Update existing wiring at the Silverwood lift station
 - b. Install SCADA systems at the following lift stations:
 - i. Alicia
 - ii. Arboga
 - iii. Garden Avenue
 - iv. Riverside
 - v. Silverwood
 - c. Replace the existing pumps at the Silverwood and Riverside lift stations

Estimated Cost: \$16,000, funded by this SEP

Deliverable: Written report showing that improvements have been completed.

Due Date: 30 November 2013

3. Battery Operated Float Sensors – One battery operated float sensor will be installed at the following locations:
 - a. Arboga
 - b. Alberto
 - c. Edgewater
 - d. Garden Avenue
 - e. Riverside
 - f. Trevor

Two battery operated float sensors will be installed at the following locations:

- a. Alicia
- b. North Beale Road

Estimated Cost: \$16,000, funded by this SEP

Deliverable: Written report showing that improvements have been completed.

Due Date: 30 November 2013

4. Final Report – LCWD will submit a final report including a summary of the completed tasks; a summary the project expenditures; and certification that all applicable environmental laws and regulations have been followed during the implementation of the project. 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 of \$82,500. This serves as the final 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 under the laws of the State of California that the foregoing is true and correct."
Due Date: 30 January 2014