

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

In the Matter of:

ORDER R5-2020-0556

**CITY OF BIGGS
BIGGS WASTEWATER TREATMENT
PLANT
BUTTE COUNTY**

**SETTLEMENT AGREEMENT AND
STIPULATION FOR ENTRY OF
ADMINISTRATIVE CIVIL LIABILITY
ORDER**

I. Introduction

1. This Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order (Stipulated Order) is entered into by and between the Assistant Executive Officer of the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board), on behalf of the Central Valley Water Board Prosecution Team (Prosecution Team), and the City of Biggs (Discharger) (collectively, Parties) and is presented to the Central Valley Water Board, or its delegee, for adoption as an order by settlement, pursuant to California Water Code section 13323 and Government Code section 11415.60.

II. Recitals

2. The Discharger owns and operates the Biggs Wastewater Treatment Plant (Facility), which serves approximately 600-700 households and a small commercial center that includes a grocery store, gas station, and bar. As of the date of this Order, the Facility discharges wastewater produced from the water treatment process to two 40-million-gallon clay-lined storage basins and a 103-acre land application area. Previously, the Facility discharged treated wastewater to a Waters of the United States and was regulated under an NPDES permit as described in the findings below.
3. On 4 October 2012, the Central Valley Water Board adopted WDRs Order R5-2012-0082 (NPDES No. CA0078930) to regulate the Facility's surface water discharge to Lateral K, an agricultural drain, which required compliance with effluent limitations at monitoring location EFF-001.
4. On 4 October 2012, the Central Valley Water Board adopted Time Schedule Order (TSO) R5-2012-0084 which required the Discharger to bring the Facility into compliance with the final effluent limitations for ammonia contained in WDRs Order R5-2012-0083 on or before 3 October 2017. TSO R5-2012-0084 contained

interim effluent limits for ammonia, which were effective 4 October 2012 through 10 August 2017.

5. On 11 August 2017, the Central Valley Water Board adopted TSO R5-2017-0092, rescinding TSO R5-2012-0084, which required the Discharger to bring the Facility into compliance with final effluent limitations for ammonia and total coliform contained in WDRs Order R5-2012-0083 on or before 30 November 2019. TSO R5-2017-0092 contained interim limits for ammonia and total coliform, which were effective 11 August 2017 through 25 November 2019.
6. On 26 November 2019, the Central Valley Water Board Executive Officer issued Order R5-2019-1004, which amended TSO R5-2017-0092 to become TSO R5-2017-0092-01. TSO R5-2017-0092-01 required the Discharger to bring the Facility into compliance with final effluent limitations for ammonia and total coliform contained in WDRs Order R5-2012-0083 on or before 30 November 2020. TSO R5-2017-0092-01 contains interim limits for ammonia and total coliform, which are effective 26 November 2019 through 30 November 2020.
7. From 8 February 2017 to 31 May 2020, the Discharger violated effluent limitations at monitoring location EFF-001. The violations are specifically identified in Attachment A, attached hereto and incorporated by reference, and are subject to mandatory minimum penalties (MMPs) pursuant to Water Code section 13385, subdivisions (h) and (i).
8. Water Code section 13385, subdivisions (h) and (i) require the assessment of MMPs as follows:

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 (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.

9. According to the Discharger's self-monitoring reports (SMRs), the Discharger committed six (6) acute toxicity violations, one hundred ninety-six (196) group I serious violations, five (5) group I non-serious violations, one (1) group II serious violation, one (1) group II non-serious violation, and fifty-nine (59) other effluent violations (OEVs) of effluent limitations contained in WDRs Order R5-2012-0083. As identified in Table A of Attachment A, incorporated herein by reference, two (2) of the group I serious violations and one (1) group II serious violation are subject to MMPs under Water Code section 13385, subdivision (h)(1). Additionally, as identified in Table A of Attachment A, three (3) of the group I non-serious violations, one (1) group II non-serious violation, and forty-four (44) of the OEVs are subject to MMPs under Water Code section 13385, subdivision (i)(1) because each of the violations was preceded by at least three effluent limitation violations within a period of six consecutive months. **The total MMP amount for the alleged effluent limitation violations is one hundred fifty-three thousand dollars (\$153,000).**

10. Water Code section 13385, subdivision (k) states:

- (1) In lieu of assessing all or a portion of the mandatory minimum penalties pursuant to subdivisions (h) and (i) against a publicly owned treatment works serving a small community, the state board or the regional board may elect to require the publicly owned treatment works to spend an equivalent amount towards the completion of a compliance project proposed by the publicly owned treatment works, if the state board or the regional board finds all of the following:

(A) The compliance project is designed to correct the violations within five years.

(B) The compliance project is in accordance with the enforcement policy of the state board, excluding any provision in the policy that is inconsistent with this section.

(C) The publicly owned treatment works has prepared a financing plan to complete the compliance project.

(2) For the purposes of this subdivision, “a publicly owned treatment works serving a small community” means a publicly owned treatment works serving a population of 20,000 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.

11. Under the State Water Resources Control Board’s Water Quality Enforcement Policy, “financial hardship” means that the community served by the POTW meets one of the following criteria:

A) Median household income for the community is less than 80 percent of the California median household income;

B) The community has an unemployment rate of 10 percent or greater, or;

C) Twenty percent of the population is below the poverty level.

12. The Central Valley Water Board finds that the Discharger is eligible for a Compliance Project because the Facility is a POTW serving a small community with a financial hardship. The Discharger serves a community with a population of approximately 2,323 and with a median household income (MHI) less than 80% of the statewide MHI and an unemployment rate greater than 10 percent, according to the United States Census Bureau.

13. The Discharger submitted a Compliance Project proposal to eliminate future effluent limitation violations. Additional information and requirements regarding the Compliance Project is contained in Attachment B, attached hereto and incorporated by reference.

14. The Parties have engaged in confidential settlement negotiations and agree to settle the matter without administrative or civil litigation by presenting this Stipulated Order to the Central Valley Water Board, or its delegee, for adoption as an order by settlement, pursuant to Water Code section 13323 and Government Code section 11415.60. To resolve the violations set forth in Attachment A, by consent and without further administrative proceedings, the Parties have agreed to the imposition of an administrative civil liability (ACL) in the amount of **one hundred fifty-three thousand dollars (\$153,000)** in MMPs against the Discharger.
15. The Central Valley Water Board Prosecution Team believes that the resolution of the alleged violations is fair and reasonable and fulfills its enforcement objectives, that no further action is warranted concerning the violations alleged herein, and that this Stipulated Order is in the best interest of the public.

III. Stipulations

The Parties stipulate to the following:

16. **Jurisdiction:** The Parties agree that the Central Valley Water Board has subject matter jurisdiction over the matters alleged in this action and personal jurisdiction of the Parties to this Stipulation.
17. **Administrative Civil Liability:**
- A) The Discharger agrees to the imposition of an ACL in the amount of **one hundred fifty-three thousand dollars (\$153,000)** to resolve the violations alleged in Attachment A. The ACL will be spent in accordance with the Compliance Project described herein and in Attachment B.
 - B) The Parties agree that the entire **one hundred fifty-three thousand dollars (\$153,000)** ACL will be permanently suspended pending completion of the Compliance Project described herein and Attachment B.
18. **Description of Compliance Project:** The Compliance Project proposed by the Discharger is designed to correct the effluent limitation violations within 5 years because it will eliminate any future discharges to surface water. The complete description for the Compliance Project is contained in Attachment B.
19. **Inspection Authority:** The Discharger agrees that Central Valley Water Board staff have permission to inspect the Compliance Project, including any

documents associated with implementation of the Compliance Project, at any time without notice.

20. **Compliance Project Budget:** The amount that the Discharger will expend on the Compliance Project is in excess of the MMPs that the Central Valley Water Board is required to assess under Water Code section 13385, subdivisions (h) and (i) for the violations listed in Attachment A. The Discharger has received grants, above and beyond the ACL amount described in Paragraph 17, to complete the Compliance Project.

21. **Compliance Project Schedule and Reporting Requirements:** The Compliance Project is designed to correct the violations within five years as shown in Attachment B. The Discharger shall submit the following reports to the Central Valley Water Board contact identified in Paragraph 26 below:

A) **Certification of Completion:** No later than the Compliance Project completion date identified in Attachment B, a responsible official of the Discharger shall submit a final report and certified statement, signed under penalty of perjury, that documents that the Discharger completed the Compliance Project in accordance with the terms of this Stipulated Order, and documents the Discharger's expenditures to implement the Compliance Project. Documentation may include photographs, invoices, receipts, certifications, and other materials reasonably necessary for the Central Valley Water Board to evaluate completion of the Compliance Project and the costs incurred. The Discharger shall provide Central Valley Water Board staff with any additional information that is reasonably necessary to verify the Discharger's expenditures and certification of completion.

22. **Third Party Financial Audit of Compliance Projects:** If the Central Valley Water Board obtains information indicating that the Discharger has not expended money on the Compliance Project in the amount claimed, or has not adequately completed the Compliance Project, the Central Valley Water Board may require the Discharger to submit, at its sole costs, a written report prepared by an independent third party(ies) acceptable to the Central Valley Water Board, providing such party's(ies's) professional opinion that the Discharger has or has not expended money in the amounts claimed. The audit report shall be provided to the Central Valley Water Board within three (3) months of notice from the Central Valley Water Board to the Discharger of the need for an independent

third-party audit. The audit need not address any costs incurred by the Central Valley Water Board for oversight.

- 23. Compliance with Applicable Laws and Regulatory Changes:** The Discharger understands that payment of an ACL in accordance with the terms of this Stipulated Order and/or compliance with the terms of this Stipulated Order is not a substitute for compliance with applicable laws, and that additional violations of the type alleged herein may subject it to further enforcement, including additional ACLs. Nothing in this Stipulated Order shall excuse the Discharger from meeting any more stringent requirements that may be imposed hereafter by changes in applicable and legally binding legislation or regulations.
- 24. Failure to Complete Compliance Project:** If the Compliance Project is not fully implemented by the completion date identified in Attachment B of this Stipulated Order, the designated Central Valley Water Board contact shall issue a Notice of Violation. As a consequence, the Discharger shall be liable to pay the entire Suspended Liability to the *State Water Pollution Cleanup and Abatement Account*.
- 25. Acceptance of Completed Compliance Projects:** Upon the Discharger's satisfaction of its obligations under this Stipulated Order, completion of Compliance Project, and any audits, the Executive Officer, or its delegate, will issue a "Satisfaction of Order." The Satisfaction of Order shall terminate any further obligations of the Discharger under this Stipulated Order and permanently suspend the suspended liability amount associated with the Compliance Project.
- 26. Party Contacts for Communications Related to Stipulated Order:**

FOR THE CENTRAL VALLEY WATER BOARD:

Jeremy Pagan, Senior Water Resource Control Engineer
NPDES Unit
364 Knollcrest Drive, Suite 205
Redding, CA 96002
(530) 224-4850
jeremy.pagan@waterboards.ca.gov

FOR THE DISCHARGER:

Mark Sorensen, City Administrator
City of Biggs

465 C Street, P.O. Box 307
Biggs, CA 95917
(530) 868-0100
mark@biggs-ca.gov

27. **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.
28. **Public Notice:** The Discharger understands that this Stipulated Order will be noticed for a 30-day public review and comment period prior to consideration by the Central Valley Water Board, or its delegee. If significant new information is received that reasonably affects the propriety of presenting this Stipulated Order to the Central Valley Water Board, or its delegee, for adoption, the Assistant Executive Officer may unilaterally declare this Stipulated Order void and decide not to present it to the Central Valley Water Board, or its delegee. The Discharger agrees that it may not rescind or otherwise withdraw its approval of this proposed Stipulated Order.
29. **Addressing Objections Raised During Public Comment Period:** The Parties agree that the procedure contemplated for public review of this Stipulated Order and the Central Valley Water Board's, or its delegee's, adoption of this Stipulated Order is lawful and adequate. The Parties understand that the Central Valley Water Board, or its delegee, has the authority to require a public hearing on this Stipulated Order. In the event procedural objections are raised or a public hearing is required prior to the Stipulated Order becoming effective, the Parties agree to meet and confer concerning any such objections and may agree to revise or adjust the procedure and/or this Stipulated Order as necessary or advisable under the circumstances.
30. **No Waiver of Right to Enforce:** The failure of the Prosecution Team or Central Valley Water Board to enforce any provision of this Stipulated Order shall in no way be deemed a waiver of such provision, or in any way affect the validity of this Stipulated Order. The failure of the Prosecution Team or Central Valley Water Board to enforce any such provision shall not preclude it from later enforcing the same or any other provision of this Stipulated Order. No oral advice, guidance, suggestions, or comments by employees or officials of any Party regarding matters covered under this Stipulated Order shall be construed to relieve any Party regarding matters covered in this Stipulated Order. The Central Valley

Water Board reserves all rights to take additional enforcement actions, including without limitation, the issuance of ACL complaints or orders for violations other than those addressed by this Stipulated Order.

31. **Effect of Stipulated Order:** Except as expressly provided in this Stipulated Order, nothing in this Stipulated Order is intended nor shall it be construed to preclude the Central Valley Water Board or any state agency, department, board or entity or any local agency from exercising its authority under any law, statute, or regulation.
32. **Interpretation:** This Stipulated Order shall not be construed against the party preparing it but shall be construed as if the Parties jointly prepared it and any uncertainty and ambiguity shall not be interpreted against any one party.
33. **Modification:** This Stipulated Order shall not be modified by any of the Parties by oral representation whether made before or after the execution of this Stipulated Order. All modifications must be made in writing and approved by the Central Valley Water Board or its delegee.
34. **Integration:** This Stipulated Order constitutes the entire agreement between the Parties and may not be amended or supplemented except as provided for in this Stipulated Order.
35. **If Order Does Not Take Effect:** In the event that this Stipulated Order does not take effect because it is not approved by the Central Valley Water Board, or its delegee, or is vacated in whole or in part by the State Water Board or a court, the Parties acknowledge that the Prosecution Team may proceed to a contested evidentiary hearing before the Central Valley Water Board to determine whether to assess an ACL for the underlying alleged violations, or may continue to pursue settlement. 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 any subsequent administrative or judicial proceeding or hearing and will be fully protected by California Evidence Code sections 1152 and 1154; California Government Code section 11415.60; Rule 408, Federal Rules of Evidence; and any other applicable privilege under federal and/or state law. The Parties also agree to waive any and all objections related to their efforts to settle this matter, including, but not limited to:
 - A) Objections related to prejudice or bias of any of the Central Valley Water Board members or their advisors and any other objections to the extent

that they are premised in whole or in part on the fact that the Central Valley Water Board members or their advisors were exposed to some of the material facts and the Parties settlement positions, and therefore may have formed impressions or conclusions, prior to conducting any contested evidentiary hearing in this matter; or

- B) Laches or delay or other equitable defenses based on the time period that the Order or decision by settlement may be subject to administrative or judicial review.
36. **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 Central Valley Water Board.
37. **Waiver of Right to Petition:** The Discharger hereby waives the right to petition the Central Valley Water Board's adoption of the Stipulated Order as written for review by the State Water Resources Control Board, and further waives the right, if any, to appeal the same to a California Superior Court and/or any California appellate level court.
38. **Covenant Not to Sue:** Upon the effective date of this Stipulated Order, the Discharger shall and does release, discharge, and covenant not to sue or pursue any civil or administrative claims against any State Agency or the State of California, its officers, agents, directors, employees, attorneys, representatives, for any and all claims or cause of action, which arise out of or are related to this action.
39. **Central Valley Water Board is Not Liable:** Neither the Central Valley Water Board members, nor the Central Valley Water Board staff, attorneys, or representatives shall be liable for any injury or damage to persons or property resulting from the negligent or intentional acts or omissions by the Discharger or its respective directors, officers, employees, agents, representatives, or contractors in carrying out activities pursuant to this Stipulated Order, nor shall the Central Valley Water Board, its members, staff, attorneys, or representatives be held as parties to or guarantors of any contract entered into by the Discharger, or its directors, officers, employees, agents, representatives, or contractors in carrying out activities pursuant to this Stipulated Order.
40. **Authority to Bind:** Each person executing this Stipulated Order in a representative capacity represents and warrants that he or she is authorized to

execute this Stipulated Order on behalf of and to bind the entity on whose behalf he or she executes the Stipulated Order.

41. **Necessity for Written Approvals:** All approvals and decisions of the Central Valley Water Board under the terms of this Stipulated Order shall be communicated to the Discharger in writing. No oral advice, guidance, suggestions, or comments by employees or officials of the Central Valley 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 Stipulated Order.
42. **No Third Party Beneficiaries:** This Stipulated Order is not intended to confer any rights or obligation on any third party or parties, and no third party or parties shall have any right of action under this Stipulated Order for any cause whatsoever.
43. **Severability:** This Stipulated Order is severable; should any provision be found invalid the remainder shall remain in full force and effect.
44. **Effective Date:** This Stipulated Order shall be effective and binding on the Parties upon the date the Central Valley Water Board, or its delegee, enters the Order.
45. **Counterpart Signatures:** This Stipulated Order 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.

City of Biggs
Biggs Wastewater Treatment Plant
Butte County

IT IS SO STIPULATED.

California Regional Water Quality Control Board Prosecution Team
Central Valley Region

By: Original Signed By
Clint E. Snyder, P.G.
Assistant Executive Officer

11/9/2020
Date

City of Biggs

By: Original Signed By
Mark Sorensen
City Administrator

11/12/2020
Date

City of Biggs
Biggs Wastewater Treatment Plant
Butte County

HAVING CONSIDERED THE PARTIES STIPULATIONS, THE CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD, BY AND THROUGH ITS EXECUTIVE OFFICER, FINDS THAT:

1. The foregoing Stipulation is fully incorporated herein and made part of this Order.
2. This is an action to enforce the laws and regulations administered by the Central Valley Water Board. The Central Valley Water Board finds that issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, sections 21000 et seq.), in accordance with section 15321, subdivision (a)(2), Title 14, of the California Code of Regulations.
3. The Executive Officer of the Central Valley Water Board is authorized to refer this matter directly to the Attorney General for enforcement if the Discharger fails to perform any of its obligations under this 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, Central Valley Region.

Patrick Pulupa, Executive Officer

February 5, 2021

Date

Attachments (2):

Attachment A: Record of Violations

Attachment B: Compliance Project Description

**R5-2020-0556 - ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

**City of Biggs
Biggs Wastewater Treatment Plant**

RECORD OF VIOLATIONS (8 February 2017 – 31 May 2020) MANDATORY MINIMUM PENALTIES
(Data reported under Monitoring and Reporting Program R5-2012-0083)

The following table lists the alleged violations, including those subject to mandatory minimum penalties (MMPs) pursuant to Water Code section 13385, subdivisions (h) and (i).

Table A – Effluent Limitation Violations subject to Mandatory Minimum Penalties

Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
1	2/8/2017	Total Coliform	MPN/100 mL	Instantaneous Maximum	240	1600	OEV	1074657	NCHRON	N/A ¹
2	2/8/2017	Total Coliform	MPN/100 mL	7-Day Median	2.2	1600	OEV	1022856	NCHRON	N/A ¹
3	3/29/2017	Total Coliform	MPN/100 mL	7-Day Median	2.2	920	OEV	1023908	NCHRON	N/A ¹
4	3/29/2017	Total Coliform	MPN/100 mL	Instantaneous Maximum	240	920	OEV	1074659	CHRON	\$3,000
5	3/31/2017	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	4.9	Serious Group I	1074036	CHRON	N/A ²
6	4/5/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	5.7	Serious Group I	1074037	CHRON	N/A ²
7	4/12/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.8	Serious Group I	1074038	CHRON	N/A ²
8	4/19/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.2	Serious Group I	1074039	CHRON	N/A ²
9	4/26/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	5.5	Serious Group I	1074040	CHRON	N/A ²
10	4/30/2017	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	6	Serious Group I	1074041	CHRON	N/A ²

**R5-2020-0556 - ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
11	5/3/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.1	Serious Group I	1074150	CHRON	N/A ²
12	5/10/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6	Serious Group I	1074151	CHRON	N/A ²
13	5/17/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6	Serious Group I	1074152	CHRON	N/A ²
14	5/24/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.5	Serious Group I	1074153	CHRON	N/A ²
15	5/31/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6	Serious Group I	1074154	CHRON	N/A ²
16	5/31/2017	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	6.32	Serious Group I	1074155	CHRON	N/A ²
17	6/7/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.8	Serious Group I	1074157	CHRON	N/A ²
18	6/14/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.6	Serious Group I	1074158	CHRON	N/A ²
19	6/21/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.7	Serious Group I	1074159	CHRON	N/A ²
20	6/28/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10.8	Serious Group I	1074160	CHRON	N/A ²
21	6/30/2017	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	8.2	Serious Group I	1074161	CHRON	N/A ²
22	7/5/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.6	Non-serious Group I	1074162	CHRON	N/A ²
23	7/12/2017	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1030469	CHRON	\$3,000
24	7/12/2017	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1061955	CHRON	\$3,000

**R5-2020-0556 - ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
25	7/12/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10.6	Serious Group I	1074163	CHRON	N/A ²
26	7/19/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11.5	Serious Group I	1074164	CHRON	N/A ²
27	7/26/2017	Total Coliform	MPN/100mL	Instantaneous Maximum	240	350	OEV	1073944	CHRON	\$3,000
28	7/26/2017	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	350	OEV	1073913	CHRON	\$3,000
29	7/26/2017	Total Coliform	MPN/100mL	7-day Median	2.2	350	OEV	1030470	CHRON	\$3,000
30	7/26/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11.2	Serious Group I	1074165	CHRON	N/A ²
31	7/31/2017	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	10.2	Serious Group I	1074166	CHRON	N/A ²
32	8/2/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11.3	Serious Group I	1074169	CHRON	N/A ²
33	8/9/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.9	Serious Group I	1074170	CHRON	N/A ²
34	8/16/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.1	Serious Group I	1074399	CHRON	N/A ²
35	8/23/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.4	Serious Group I	1074400	CHRON	N/A ²
36	8/30/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.4	Serious Group I	1074401	CHRON	N/A ²
37	8/31/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.8	Serious Group I	1074402	CHRON	N/A ²
38	9/6/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	13	Serious Group I	1074403	CHRON	N/A ²
39	9/13/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11.3	Serious Group I	1074404	CHRON	N/A ²

R5-2020-0556 - ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES

Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
40	9/20/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12.6	Serious Group I	1074405	CHRON	N/A ²
41	9/27/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12.9	Serious Group I	1074406	CHRON	N/A ²
42	9/30/2017	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	12.4	Serious Group I	1074407	CHRON	N/A ²
43	10/4/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10.9	Serious Group I	1074408	CHRON	N/A ²
44	10/11/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	16	Serious Group I	1074409	CHRON	N/A ²
45	10/18/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.4	Serious Group I	1074410	CHRON	N/A ²
46	10/25/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.8	Serious Group I	1074411	CHRON	N/A ²
47	10/31/2017	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	11	Serious Group I	1074412	CHRON	N/A ²
48	11/1/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	15	Serious Group I	1074413	CHRON	N/A ²
49	11/8/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	14	Serious Group I	1074414	CHRON	N/A ²
50	11/15/2017	Acute Toxicity	% Survival	Minimum for any one bioassay	70	30	Acute Toxicity	1039584	NCHRON	N/A ¹
51	11/15/2017	Acute Toxicity	% Survival	3-Sample Median	90	30	Acute Toxicity	1074925	NCHRON	N/A ¹
52	11/21/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	16	Serious Group I	1074415	CHRON	N/A ²
53	11/29/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	19	Serious Group I	1074416	CHRON	N/A ²

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
54	11/30/2017	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	12	Serious Group I	1074417	CHRON	N/A ²
55	12/6/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	3.2	Serious Group I	1074418	CHRON	N/A ²
56	12/13/2017	Biochemical Oxygen Demand (5-day @ 20° C)	mg/L	Average Weekly	45	49	Non-serious Group I	1061975	CHRON	\$3,000
57	12/13/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	16	Serious Group I	1074419	CHRON	N/A ²
58	12/20/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	18	Serious Group I	1074420	CHRON	N/A ²
59	12/27/2017	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	19	Serious Group I	1074421	CHRON	N/A ²
60	12/31/2017	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	14	Serious Group I	1074422	CHRON	N/A ²
61	12/31/2017	Biochemical Oxygen Demand (5-day @ 20° C)	mg/L	Average Monthly	30	36	Non-serious Group I	1061977	CHRON	\$3,000
62	1/3/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	15.4	Serious Group I	1074423	CHRON	N/A ²
63	1/8/2018	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1073945	CHRON	\$3,000
64	1/8/2018	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1039741	CHRON	\$3,000
65	2/5/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10.7	Serious Group I	1074424	CHRON	N/A ²
66	2/26/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	10.7	Serious Group I	1074425	CHRON	N/A ²

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
67	3/4/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10.5	Serious Group I	1074426	CHRON	N/A ²
68	3/12/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10.5	Serious Group I	1074427	CHRON	N/A ²
69	3/19/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8.7	Serious Group I	1074428	CHRON	N/A ²
70	3/26/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.6	Serious Group I	1074429	CHRON	N/A ²
71	3/31/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	9.3	Serious Group I	1074430	CHRON	N/A ²
72	4/2/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.2	Serious Group I	1074431	CHRON	N/A ²
73	4/9/2018	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1073955	CHRON	\$3,000
74	4/9/2018	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1073954	CHRON	\$3,000
75	4/9/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6	Serious Group I	1074432	CHRON	N/A ²
76	4/16/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.3	Serious Group I	1074433	CHRON	N/A ²
77	4/23/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.2	Serious Group I	1074434	CHRON	N/A ²
78	4/23/2018	Total Coliform	MPN/100mL	Instantaneous Maximum	240	500	OEV	1043841	CHRON	\$3,000
79	4/23/2018	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	500	OEV	1043842	CHRON	\$3,000
80	4/23/2018	Total Coliform	MPN/100mL	7-day Median	2.2	500	OEV	1073953	CHRON	\$3,000
81	4/30/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	6.8	Serious Group I	1074435	CHRON	N/A ²

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
82	4/30/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.5	Serious Group I	1074436	CHRON	N/A ²
83	5/7/2018	Copper, Total Recoverable	µg/L	Average Monthly	15.1	32.5	Serious Group II	1062465	CHRON	\$3,000
84	5/7/2018	Copper, Total Recoverable	µg/L	Maximum Daily	28	32.5	Non-serious Group II	1062448	CHRON	\$3,000
85	5/7/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.1	Serious Group I	1074438	CHRON	N/A ²
86	5/14/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.9	Serious Group I	1074439	CHRON	N/A ²
87	5/21/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.9	Serious Group I	1074440	CHRON	N/A ²
88	5/30/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.4	Serious Group I	1074441	CHRON	N/A ²
89	5/31/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	8.3	Serious Group I	1074442	CHRON	N/A ²
90	6/4/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.3	Serious Group I	1074444	CHRON	N/A ²
91	6/11/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.1	Serious Group I	1074445	CHRON	N/A ²
92	6/18/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.9	Serious Group I	1074446	CHRON	N/A ²
93	6/25/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.1	Serious Group I	1074447	CHRON	N/A ²
94	6/30/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	8.8	Serious Group I	1074448	CHRON	N/A ²
95	7/2/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11	Serious Group I	1074449	CHRON	N/A ²

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
96	7/9/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074450	CHRON	N/A ²
97	7/16/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8	Serious Group I	1074451	CHRON	N/A ²
98	7/23/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074452	CHRON	N/A ²
99	7/30/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11	Serious Group I	1074453	CHRON	N/A ²
100	7/30/2018	Total Coliform	MPN/100 mL	7-Day Median	2.2	4	OEV	1074456	CHRON	N/A ²
101	7/31/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	10	Serious Group I	1074454	CHRON	N/A ²
102	8/6/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074530	CHRON	N/A ²
103	8/13/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.5	Serious Group I	1074531	CHRON	N/A ²
104	8/20/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	15	Serious Group I	1074532	CHRON	N/A ²
105	8/27/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	17	Serious Group I	1074533	CHRON	N/A ²
106	8/31/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	12	Serious Group I	1074534	CHRON	N/A ²
107	9/6/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	17	Serious Group I	1074537	CHRON	N/A ²
108	9/10/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	19	Serious Group I	1074540	CHRON	N/A ²
109	9/17/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	19	Serious Group I	1074541	CHRON	N/A ²
110	9/24/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	20	Serious Group I	1074542	CHRON	N/A ²

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
111	9/30/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	18	Serious Group I	1074543	CHRON	N/A ²
112	10/1/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	20	Serious Group I	1074545	CHRON	N/A ²
113	10/8/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	19	Serious Group I	1074546	CHRON	N/A ²
114	10/15/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	21	Serious Group I	1074547	CHRON	N/A ²
115	10/22/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	21	Serious Group I	1074548	CHRON	N/A ²
116	10/29/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	22	Serious Group I	1074549	CHRON	N/A ²
117	10/31/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	20	Serious Group I	1074550	CHRON	N/A ²
118	11/5/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	20.5	Serious Group I	1074551	CHRON	N/A ²
119	11/12/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	21.5	Serious Group I	1074552	CHRON	N/A ²
120	11/19/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	24.1	Serious Group I	1074553	CHRON	N/A ²
121	11/26/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	22.6	Serious Group I	1074554	CHRON	N/A ²
122	11/30/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	22.1	Serious Group I	1074555	CHRON	N/A ²
123	12/3/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	26	Serious Group I	1074556	CHRON	N/A ²

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
124	12/3/2018	Biochemical Oxygen Demand (5-day @ 20° C)	mg/L	Average Weekly	45	82	Serious Group I	1062382	CHRON	\$3,000
125	12/3/2018	Biochemical Oxygen Demand (5-day @ 20° C)	mg/L	Maximum Daily	60	82	Non-serious Group I	1062381	NCHRON	N/A ¹
126	12/10/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	24	Serious Group I	1074557	CHRON	N/A ²
127	12/11/2018	Acute Toxicity	% Survival	Minimum for any one bioassay	70	0	Acute Toxicity	1055355	NCHRON	N/A ¹
128	12/11/2018	Acute Toxicity	% Survival	3-Sample Median	90	30	Acute Toxicity	1055356	NCHRON	N/A ¹
129	12/17/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	22	Serious Group I	1074558	CHRON	N/A ²
130	12/27/2018	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	18	Serious Group I	1074559	CHRON	N/A ²
131	12/31/2018	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	12	Serious Group I	1074560	CHRON	N/A ²
132	12/31/2018	Biochemical Oxygen Demand (5-day @ 20° C)	mg/L	Average Monthly	30	43	Serious Group I	1062384	CHRON	\$3,000
133	1/3/2019	pH	SU	Instantaneous Minimum	6.5	6.4	OEVI	1062380	CHRON	\$3,000
134	1/3/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	16	Serious Group I	1074561	CHRON	N/A ²

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
135	1/7/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	16	Serious Group I	1074562	CHRON	N/A ²
136	1/7/2019	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1073965	CHRON	\$3,000
137	1/7/2019	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1056321	CHRON	\$3,000
138	1/14/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074564	CHRON	N/A ²
139	1/21/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8	Serious Group I	1074565	CHRON	N/A ²
140	1/28/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6	Serious Group I	1074566	CHRON	N/A ²
141	1/31/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	11	Serious Group I	1074567	CHRON	N/A ²
142	2/4/2019	Total Coliform	MPN/100 mL	7-Day Median	2.2	4	OEV	1074654	CHRON	N/A ²
143	2/4/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.9	Serious Group I	1074568	CHRON	N/A ²
144	2/11/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	5.8	Serious Group I	1074569	CHRON	N/A ²
145	2/18/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	4.4	Serious Group I	1074570	CHRON	N/A ²
146	2/25/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	4.3	Serious Group I	1074571	CHRON	N/A ²
147	2/28/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	5.3	Serious Group I	1074572	CHRON	N/A ²
148	3/4/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	3.9	Serious Group I	1074576	CHRON	N/A ²
149	3/4/2019	Total Coliform	MPN/100mL	7-day Median	2.2	110	OEV	1058155	CHRON	\$3,000
150	3/11/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	3.6	Serious Group I	1074577	CHRON	N/A ²

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
151	3/18/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	3.5	Serious Group I	1074578	CHRON	N/A ²
152	3/25/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.6	Serious Group I	1074579	CHRON	N/A ²
153	3/25/2019	Total Coliform	MPN/100mL	Instantaneous Maximum	240	300	OEV	1073967	CHRON	\$3,000
154	3/25/2019	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	300	OEV	1073966	CHRON	N/A ²
155	3/25/2019	Total Coliform	MPN/100mL	7-day Median	2.2	300	OEV	1062377	CHRON	\$3,000
156	3/31/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	4.4	Serious Group I	1074580	CHRON	N/A ²
157	4/1/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	5.9	Serious Group I	1074584	CHRON	N/A ²
158	4/1/2019	Total Coliform	MPN/100mL	Instantaneous Maximum	240	280	OEV	1073968	CHRON	\$3,000
159	4/1/2019	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	280	OEV	1074043	CHRON	\$3,000
160	4/1/2019	Total Coliform	MPN/100mL	7-day Median	2.2	280	OEV	1059288	CHRON	\$3,000
161	4/8/2019	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1073969	CHRON	\$3,000
162	4/8/2019	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	1600	OEV	1059289	CHRON	\$3,000
163	4/8/2019	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1059759	CHRON	\$3,000
164	4/8/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7	Serious Group I	1074585	CHRON	N/A ²
165	4/15/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.2	Serious Group I	1074586	CHRON	N/A ²
166	4/15/2019	Total Coliform	MPN/100mL	Instantaneous Maximum	240	300	OEV	1073970	CHRON	\$3,000

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
167	4/15/2019	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	300	OEV	1059290	CHRON	\$3,000
168	4/15/2019	Total Coliform	MPN/100mL	7-day Median	2.2	300	OEV	1059760	CHRON	\$3,000
169	4/22/2019	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1073971	CHRON	\$3,000
170	4/22/2019	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	1600	OEV	1059287	CHRON	\$3,000
171	4/22/2019	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1059761	CHRON	\$3,000
172	4/22/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.1	Serious Group I	1074587	CHRON	N/A ²
173	4/29/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074588	CHRON	N/A ²
174	4/30/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	7.6	Serious Group I	1074589	CHRON	N/A ²
175	5/6/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.6	Serious Group I	1074590	CHRON	N/A ²
176	5/13/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8.5	Serious Group I	1074591	CHRON	N/A ²
177	5/13/2019	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1073972	CHRON	\$3,000
178	5/13/2019	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	1600	OEV	1060090	CHRON	\$3,000
179	5/13/2019	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1068082	CHRON	\$3,000
180	5/20/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	5.9	Serious Group I	1074592	CHRON	N/A ²
181	5/27/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8.9	Serious Group I	1074593	CHRON	N/A ²
182	5/31/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	7.7	Serious Group I	1074595	CHRON	N/A ²

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Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
183	6/3/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.7	Serious Group I	1074597	CHRON	N/A ²
184	6/10/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8	Serious Group I	1074598	CHRON	N/A ²
185	6/17/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8.7	Serious Group I	1074599	CHRON	N/A ²
186	6/24/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074601	CHRON	N/A ²
187	6/30/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	8.3	Serious Group I	1074602	CHRON	N/A ²
188	7/1/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074603	CHRON	N/A ²
189	7/8/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.7	Serious Group I	1074604	CHRON	N/A ²
190	7/15/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8.7	Serious Group I	1074605	CHRON	N/A ²
191	7/22/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8.3	Serious Group I	1074606	CHRON	N/A ²
192	7/29/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	5.6	Serious Group I	1074607	CHRON	N/A ²
193	7/31/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	8.4	Serious Group I	1074608	CHRON	N/A ²
194	8/5/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	6.1	Serious Group I	1074609	CHRON	N/A ²
195	8/12/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.2	Serious Group I	1074610	CHRON	N/A ²
196	8/19/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	8.7	Serious Group I	1074611	CHRON	N/A ²

**R5-2020-0556 - ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
197	8/26/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.2	Serious Group I	1074612	CHRON	N/A ²
198	8/31/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	7.8	Serious Group I	1074613	CHRON	N/A ²
199	9/5/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.7	Serious Group I	1074614	CHRON	N/A ²
200	9/9/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.3	Serious Group I	1074615	CHRON	N/A ²
201	9/16/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11	Serious Group I	1074616	CHRON	N/A ²
202	9/23/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074617	CHRON	N/A ²
203	9/30/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074618	CHRON	N/A ²
204	9/30/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	10	Serious Group I	1074619	CHRON	N/A ²
205	10/7/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11	Serious Group I	1074620	CHRON	N/A ²
206	10/14/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	7.2	Serious Group I	1074621	CHRON	N/A ²
207	10/21/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074622	CHRON	N/A ²
208	10/28/2019	Total Coliform	MPN/100mL	7-day Median	2.2	4	OEV	1074655	CHRON	N/A ²
209	10/28/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	13	Serious Group I	1074623	CHRON	N/A ²
210	10/31/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	10	Serious Group I	1074624	CHRON	N/A ²
211	11/4/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	13	Serious Group I	1074625	CHRON	N/A ²

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RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
212	11/11/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	16	Serious Group I	1074626	CHRON	N/A ²
213	11/18/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	18	Serious Group I	1074627	CHRON	N/A ²
214	11/25/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	19	Serious Group I	1074628	CHRON	N/A ²
215	11/30/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	17	Serious Group I	1074629	CHRON	N/A ²
216	12/2/2019	Total Coliform	MPN/100 mL	7-Day Median	2.2	4	OEV	1074656	CHRON	N/A ²
217	12/2/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	19	Serious Group I	1074630	CHRON	N/A ²
218	12/9/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	18	Serious Group I	1074631	CHRON	N/A ²
219	12/9/2019	Acute Toxicity	% Survival	Minimum for any one bioassay	70	2.5	Acute Toxicity	1069948	NCHRON	N/A ¹
220	12/9/2019	Acute Toxicity	% Survival	3-Sample Median	90	2.5	Acute Toxicity	1074924	NCHRON	N/A ¹
221	12/16/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	16	Serious Group I	1074632	CHRON	N/A ²
222	12/23/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	15	Serious Group I	1074633	CHRON	N/A ²
223	12/30/2019	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074634	CHRON	N/A ²
224	12/31/2019	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	16	Serious Group I	1074635	CHRON	N/A ²
225	1/6/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074636	CHRON	N/A ²

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RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
226	1/13/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074637	CHRON	N/A ²
227	1/20/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074638	CHRON	N/A ²
228	1/27/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074639	CHRON	N/A ²
229	1/27/2020	Total Coliform	MPN/100mL	Instantaneous Maximum	240	500	OEV	1073974	NCHRON	N/A ¹
230	1/27/2020	Total Coliform	MPN/100mL	7-day Median	2.2	500	OEV	1071307	NCHRON	N/A ¹
231	1/31/2020	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	11.5	Serious Group I	1074640	CHRON	N/A ²
232	2/3/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074641	CHRON	N/A ²
233	2/3/2020	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	240	OEV	1074044	CHRON	N/A ²
234	2/3/2020	Total Coliform	MPN/100mL	7-day Median	2.2	240	OEV	1072105	NCHRON	N/A ¹
235	2/10/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	9.5	Serious Group I	1074642	CHRON	N/A ²
236	2/17/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074644	CHRON	N/A ²
237	2/24/2020	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	80	OEV	1073975	CHRON	N/A ²
238	2/24/2020	Total Coliform	MPN/100mL	7-day Median	2.2	80	OEV	1072106	CHRON	\$3,000
239	2/24/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11	Serious Group I	1074645	CHRON	N/A ²
240	2/29/2020	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	11	Serious Group I	1074646	CHRON	N/A ²
241	3/2/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074647	CHRON	N/A ²

**R5-2020-0556 - ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
242	3/9/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	10	Serious Group I	1074648	CHRON	N/A ²
243	3/16/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	11	Serious Group I	1074649	CHRON	N/A ²
244	3/23/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074650	CHRON	N/A ²
245	3/30/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	12	Serious Group I	1074651	CHRON	N/A ²
246	3/31/2020	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	11	Serious Group I	1074652	CHRON	N/A ²
247	4/6/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	20	Serious Group I	1076343	CHRON	N/A ²
248	4/13/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	16	Serious Group I	1076344	CHRON	N/A ²
249	4/13/2020	Total Coliform	MPN/100mL	7-day Median	2.2	21	OEV	1075281	CHRON	N/A ²
250	4/20/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	15	Serious Group I	1076345	CHRON	N/A ²
251	4/20/2020	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1075282	CHRON	\$3,000
252	4/20/2020	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1075860	CHRON	\$3,000
253	4/27/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	13	Serious Group I	1076346	CHRON	N/A ²
254	4/27/2020	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	80	OEV	1075861	CHRON	N/A ²
255	4/27/2020	Total Coliform	MPN/100mL	7-day Median	2.2	80	OEV	1075283	CHRON	\$3,000
256	4/30/2020	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	16	Serious Group I	1076348	CHRON	N/A ²
257	5/4/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	20	Serious Group I	1076336	CHRON	N/A ²

**R5-2020-0556 - ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

Item	Violation Date	Parameter	Units	Condition	Final Effluent Limit	Reported Value	Violation Type	CIWQS	MMP Type	MMP Amount
258	5/11/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	21	Serious Group I	1076338	CHRON	N/A ²
259	5/11/2020	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1076330	CHRON	\$3,000
260	5/11/2020	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	1600	OEV	1076334	CHRON	\$3,000
261	5/11/2020	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1076332	CHRON	\$3,000
262	5/18/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	15	Serious Group I	1076339	CHRON	N/A ²
263	5/27/2020	Ammonia, Total (as N)	mg/L	Maximum Daily	2.15	16	Serious Group I	1076340	CHRON	N/A ²
264	5/27/2020	Total Coliform	MPN/100mL	Instantaneous Maximum	240	1600	OEV	1076331	CHRON	\$3,000
265	5/27/2020	Total Coliform	MPN/100mL	Not to Exceed Limit ³	23	1600	OEV	1076335	CHRON	\$3,000
266	5/27/2020	Total Coliform	MPN/100mL	7-day Median	2.2	1600	OEV	1076333	CHRON	\$3,000
267	5/31/2020	Ammonia, Total (as N)	mg/L	Average Monthly	1.23	18	Serious Group I	1076342	CHRON	N/A ²
268	5/31/2020	Biochemical Oxygen Demand (5-day @ 20° C)	mg/L	Average Monthly	30	32	Non-serious Group I	1076467	CHRON	\$3,000

¹ Non-serious violation, falls within the first three violations in a 180-day period, thus is not subject to mandatory minimum penalties.

² Violation is exempt from mandatory minimum penalties due to compliance with a Time Schedule Order.

³ Not to exceed the limit more than once in any 30-day period.

**R5-2020-0556 - ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

PAYMENT AMOUNT VIOLATIONS SUMMARY:

<u>VIOLATIONS AS OF:</u>	<u>date of Parties' signature</u>
Acute Toxicity Violations Subject to MMPs:	0
Acute Toxicity Violations Not Subject to MMPs:	6
Group I Serious Violations Subject to MMPs:	2
Group I Serious Violations Not Subject to MMPs	194
Group I Non-Serious Violations Subject to MMPs:	3
Group I Non-Serious Violations Not Subject to MMPs:	2
Group II Serious Violations Subject to MMPs:	1
Group II Serious Violations Not Subject to MMPs:	0
Group II Non-Serious Violations Subject to MMPs:	1
Group II Non-Serious Violations Not Subject to MMPs:	0
OEV Violations Subject to MMPs:	44
<u>OEV Violations Not Subject to MMPs:</u>	<u>15</u>
Total Violations Subject to MMPs:	51

Mandatory Minimum Penalty Amount for Effluent Limit Violation(s)

2 Group I Serious Violations Subject to MMPs x \$3,000/Violation = \$6,000
3 Group I Non-Serious Violations Subject to MMPs x \$3,000/Violation = \$9,000
1 Group II Serious Violation Subject to MMPs x \$3,000/Violation = \$3,000
1 Group II Non-Serious Violation Subject to MMPs x \$3,000/Violation = \$3,000
44 OEV Violations Subject to MMPs x \$3,000/Violation = \$132,000

Total Mandatory Minimum Penalty = \$153,000

R5-2020-0556 - ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES

Table B - Definitions

Abbreviation	Description
CHRON	Chronic violation as defined by Water Code section 13385(i). To be counted as a chronic violation, there must be 3 preceding violations (serious or non-serious) within a 180-day period. The fourth and any subsequent non-serious violation that occurs within the 180-day period is an MMP violation.
CIWQS	California Integrated Water Quality System (https://www.waterboards.ca.gov/water_issues/programs/ciwqs/)
MMP Type	Classification of the type of MMP violation.
NCHRON	Non-serious violation falls within the first three violations in a 180-day period, thus, not subject to MMP.
OEVI	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Reported Value	Reported value for the monitoring period by the Discharger.
Violation Date	Date that a violation occurred.

**R5-2020-0556 – ATTACHMENT B
COMPLIANCE PROJECT DESCRIPTION**

Compliance Project Title:

Biggs WWTP Land Discharge Conversion

Geographic Area of Interest:

Butte County

Name of Responsible Entity:

City of Biggs (Discharger)

Contact Information:

Mark Sorenson, City Administrator
City of Biggs
465 C Street
P.O. Box 307
Biggs, CA 95917
mark@biggs-ca.gov

Compliance Project Description and Goals:

The Goal of the project is to convert the existing facility from surface water discharge to land disposal because the Discharger has not been able to consistently meet effluent limits and permit requirements for surface water discharge. The project is divided into two phases; both phases are required components of the Compliance Project as discussed in this Stipulated Order. Phase 1 includes: influent pump station improvements, new mechanical intake screen, improvements to the existing chlorine delivery system and improvements to the electrical power and controls for the treatment plant. Phase 2 includes: installation of monitoring wells, new effluent pump station at the treatment plant, new chlorine delivery system, new wastewater pond recycling pumps, new effluent storage basin, land application area, irrigation distribution pump station, irrigation piping, a tailwater pump station, and SCADA integration. Additionally, Phase 2 includes the dismantling and demolition of the existing surface water discharge facility.

In addition to Phase 1 and Phase 2 as described above, remaining items to be addressed as part of the project include upgrading the treatment pond aerators to improve treatment and installing a permanent electric tailwater pump in order to pump stormwater from the land application area to the effluent ponds.

Ultimately, the project will convert the existing facility from a surface water discharge to a land discharge resolving any non-compliance with the Discharger's NPDES permit and resulting in the rescission of the Discharger's NPDES permit.

**R5-2020-0556 – ATTACHMENT B
COMPLIANCE PROJECT DESCRIPTION**

Estimated Cost of Compliance Project Completion:

The total estimated project cost is \$12,062,958. When the project is complete, the City will have expended a total of \$1,929,937 (\$212,079 in cash payments and an additional \$1,717,858 in low interest loans). This is over the \$153,000 of total mandatory minimum penalties for effluent limitations violations. The remainder of the project will be funded through low interest loans and grants.

Compliance Project Milestones and Completion Dates:

The Compliance Project will be completed no later than one year from the effective date of the Stipulated Order approving this Compliance Project (Stipulated Order).

Final Report:

No later than one year of from the effective date of the Stipulated Order, the City of Biggs will submit a final report declaring the completion of the Compliance Project and detailing fund expenditures and goals achieved. The report shall clearly show whether the final cost of the completed Compliance Project is less than, equal to, or more than the suspended liability of \$153,000, and shall comply with the “Certification of Completion” provision in Section II of the Stipulated Order.