

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2012-0526
IN THE MATTER OF
TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
DISCOVERY BAY WASTEWATER TREATMENT PLANT
CONTRA COSTA COUNTY

This Administrative Civil Liability Order is issued to the Town of Discovery Bay Community Services District (hereafter "Discharger") pursuant to Water Code sections 13350, 13385, and 13268, which authorize the imposition of Administrative Civil Liability, and Water Code section 7, which authorizes the delegation of the Executive Officer's authority to a deputy, in this case the Assistant Executive Officer.

This Order is based on a settlement of claims presented in Administrative Civil Liability (ACL) Complaint R5-2008-0627, issued by the Executive Officer on 3 December 2008, which alleged that the Discharger violated provisions of State Water Resources Control Board (State Water Board) Order 2006-0003-DWQ, General Waste Discharge Requirements (WDRs) for Sanitary Sewer Systems and WDRs Order R5-2003-0067 (NPDES No. CA0078590). As part of the settlement, this Order also includes additional violations of Order 2006-003-DWQ, WDRs Order R5-2003-0067, and WDRs Order R5-2008-0179.

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

Background

1. The Discharger owns a wastewater collection, treatment, and disposal system, and provides sewerage service to the Town of Discovery Bay. The treatment facility was operated under contract by Southwest Water Company (formerly ECO Resources, Inc.) until 31 December 2008. Thereafter, the facility has been operated under contract by Veolia Water.
2. On 25 April 2003, the Central Valley Water Board issued WDRs Order R5-2003-0067 to regulate the collection, treatment, and disposal of waste from the Discovery Bay wastewater treatment plant. WDRs Order R5-2003-0067 contains, among other items, prohibitions, effluent limitations, and monitoring and reporting requirements with which the Discharger must comply.
3. On 2 May 2006, the State Water Board issued Order 2006-0003-DWQ, Statewide General WDRs for Sanitary Sewer Systems (the "Sanitary Sewer General Order"). The Sanitary Sewer General Order contains, among other items, sanitary sewer overflow requirements including monitoring and reporting requirements, Sewer System Management Plan requirements, and an implementation time schedule.

4. On 4 December 2008, the Central Valley Water Board issued WDRs Order R5-2008-0179, which rescinded and replaced WDRs Order R5-2003-0067, except for the purpose of enforcement. WDRs Order R5-2008-0179 contains, among other items, prohibitions, effluent limitations, and monitoring and reporting requirements with which the Discharger must comply.
5. The sewage collection system conveys a dry weather design flow of 1.8 million gallons of wastewater per day through approximately 60 miles of gravity lines and four miles of force mains. The sewer system services a population of approximately 14,000 with 5,600 lateral connections. This collection system is relatively new, with 50% built from 1980 through 1999, and 45% built since 2000, according to the Collection System Questionnaire submitted by the Discharger.
6. The Discharger is required to operate and maintain its sewage collection system to prevent sanitary sewer overflows and spills in compliance with requirements of the Sanitary Sewer General Order and WDR Orders R5-2003-0067 and R5-2008-0179. The Discharger was required to comply with the Sanitary Sewer General Order as of the date of issuance (2 May 2006), and to file documents to obtain coverage as of 2 November 2006.
7. The Discharger owns two parallel wastewater treatment plants (WWTPs). All influent flows to WWTP No. 1 and is split evenly to both plants for treatment at an influent pump station located at WWTP No. 1. WWTP No. 1 and WWTP No. 2 share a common ultra violet (UV) disinfection system located at WWTP No. 2. Effluent is pumped via an export pump station from WWTP No. 2 to Old River.

Lakeshore Sanitary Sewer Overflow

8. On 17 July 2008, a power failure caused a power interruption to the Discharger's Newport pump station. After power was restored, three of the four pumps did not restart, and one pump ran at a reduced flow capacity due to a partially closed discharge valve. The inflow at the Newport pump station wet wells was larger than the flow rate of the single working pump, raising the wastewater level in the wet wells and surcharging the system. The Discharger's SCADA system generated "high level" and "high-high level" alarms that were dismissed by plant personnel without confirming whether the Newport pump station was operating properly.
9. Due to the surcharge generated at the Newport pump station, the Discharger's collection system experienced a sanitary sewer overflow (SSO) at a sewer cleanout within the residential community of Lakeshore. The SSO had a duration of approximately 11 hours and 20 minutes. The Discharger calculated the volume of raw sewage spilled over 17/18 July 2008 to be between 77,000 and 111,000 gallons. The raw sewage entered a storm drain that discharges to a 37 million gallon manmade lake at the Lakeshore community. Because the discharge was located next to a storm inlet that led directly to the lake, it is assumed that all the raw sewage reached the lake.

10. On 14 August 2008, the Central Valley Water Board conducted an inspection of the 17/18 July 2008 Lakeshore spill and subsequently provided the Discharger with an inspection report dated 28 August 2008 (found as Attachment A to the ACL Complaint). The inspection report included a Water Code section 13267 Order for Information requiring the Discharger to submit technical reports by 10 September 2008, which were needed by Board staff to complete the SSO investigation.
11. On 10 September 2008, the Central Valley Water Board received the Discharger's response to the Water Code section 13267 Order. However, the Discharger did not submit all of the information required by the 13267 Order. After reviewing the Discharger's incomplete response and other documents, Board staff determined that the Discharger failed to comply with several provisions of WDRs Order R5-2003-0067 and General Order 2006-0003-DWQ before, during, and after the 17/18 July 2008 Lakeshore SSO.
12. On 9 October 2008, the Central Valley Water Board issued a Notice of Violation (NOV) to the Discharger for the 17/18 July 2008 Lakeshore SSO, as well as for response and reporting deficiencies before, during, and after the event. A memorandum with a detailed description of the violations was provided to the Discharger. The NOV required the Discharger to submit the missing information required in the 28 August 2008 Water Code section 13267 Order. The Discharger submitted a report on 21 October 2008. That submittal has been considered in this Order.
13. On 3 December 2008, the Executive Officer, acting as head of the Prosecution Team, issued ACL Complaint R5-2008-0627 to the Discharger. The ACL proposed a penalty of \$231,000 to address the violations that took place during the Lakeshore SSO and for failure to submit a complete technical report pursuant to Water Code section 13267.
14. On 26 February 2009, Board staff met with the Discharger to discuss penalties associated with ACL Complaint R5-2008-0627. The Discharger requested that the Board amend the ACL to include three additional SSOs that occurred in 2008, and agreed to pay an additional \$10,000. The ACL has also been amended to include three more SSOs that occurred in 2009 and 2010.

Additional Sanitary Sewer Overflows

15. On 19 April 2008, a power failure caused WWTP No. 2 to shut down. All equipment was brought back online early morning of 20 April 2008 with the exception of the effluent export pump station, which was brought online on the morning of 21 April 2008. Due to the export pump station not being operational, the treated effluent was re-directed and discharged to Reclamation District 800 drainage ditch¹. The total discharge to the drainage ditch was first estimated by Southwest Water to be 1.05 million gallons.

¹ Prior to June 2004, treated effluent was discharged to this location. After June 2004, the discharge point was moved to Old River.

However, this value is less than the average daily flow at the WWTPs and the Discharger later revised the total volume discharged to the drainage ditch to 1.67 million gallons.

16. On 10 November 2008, Southwest Water staff filled up both of the Newport lift station wet wells with potable water. Southwest Water staff then loaded the force main by using all four pumps at the lift station, each rated at 2,300 gallons per minute (gpm). The flow ruptured a glued joint on a cleanout on the force main and caused a spill of approximately 20,000 gallons of raw sewage to the ground. The Discharger estimates that less than 1,000 gallons entered a storm drain that goes into a series of private storm water ponds that drain to the Delta.
17. On 17 December 2008, staff of the State Water Resources Control Board and Central Valley Water Board conducted a joint inspection of the Discharger's WWTPs. During the inspection, the Chief Plant Operator was asked to turn the power off at WWTP No. 1 to simulate a power failure and test the plant's generator. After turning off the power to the plant, the generator started within approximately 10 seconds. Immediately after the generator started powering the plant, the inspectors noticed the SCADA system reporting several alarms indicating pump failures at the influent pumps station. Several of these alarms were acknowledged by the Chief Operator, but no action was taken. From SCADA reports submitted on 4 February 2009, it is apparent that a fault at the influent pump station was reported repeatedly by the SCADA system and the alarms were repeatedly acknowledged and cleared by Southwest Water operators without restoring proper operation of the pump station. The resulting spill was estimated by the Discharger at 1,000 gallons and was caused by operator inattention. Raw sewage entered the Reclamation District 800 drainage ditch, which is hydraulically connected to Old River.
18. On 6 August 2009, a blockage in the gravity main caused a discharge of approximately 1,500 gallons of raw sewage to the ground at 1700 Willow Lake Road. The Discharger estimates that approximately 1,000 gallons was recovered and returned to the sanitary sewer system and that approximately 500 gallons entered a storm drain which enters a private lake which is hydraulically connected to the Delta.
19. On 15 August 2009, an air relief valve was broken off of a force main under a bridge located at the corner of Newport Drive and Capstan Place, causing an estimated 4,500 gallons of raw sewage to be spilled. The Discharger estimates that 2,000 gallons of sewage reached the private lake which is hydraulically connected to the Delta. According to the initial report to the California Emergency Management Agency, the Discharger stated that vandalism was suspected as the cause of the spill.
20. Between late evening of 22 June 2010 and the morning of 23 June 2010, approximately 16,450 gallons of untreated sewage overflowed from a faulty air relief valve on a force main at Clipper Dive near Newport Drive. All 16,450 gallons of untreated sewage flowed into a storm drain and reached surface waters of Discovery Bay which are hydraulically connected to the Delta.

Regulatory Considerations

21. The *Water Quality Control Plan Central Valley Region—Sacramento River and San Joaquin River Basins, Fourth Edition* (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, and contains implementation plans and policies for all waters of the Basin. The beneficial uses of the Sacramento-San Joaquin Delta are municipal and domestic supply, agricultural supply, industrial supply, contact and non-contact water recreation, freshwater habitat, migration habitat, wildlife habitat, and navigation.
22. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.), in accordance with California Code of Regulations, title 14, section 15321(a)(2).
23. On 17 November 2009, the State Water Resources Control Board adopted a new Water Quality Enforcement Policy. However, at the time ACL Complaint R5-2008-0627 was issued, and at the time substantive settlement negotiations were conducted, this policy had not yet been adopted. Therefore, the Board considers the Water Quality Enforcement Policy adopted on 19 February 2002 as the controlling policy for the purposes of resolving ACL Complaint R5-2008-0627.

Violations under Water Code section 13350

24. Water Code section 13350(a) states, in relevant part:

(a) Any person who ... in violation of any waste discharge requirement ... or other order or prohibition issued, reissued, or amended by a regional board or the state board, discharges waste, or causes or permits waste to be deposited where it is discharged, into the waters of the state... shall be liable civilly, and remedies may be proposed, in accordance with subdivision (d) or (e).

Administrative civil liability may be imposed for violations of the Sanitary Sewer General Order pursuant to Water Code section 13350.

25. Water Code section 13350(e) states, in relevant part,

(e) The state board or a regional board may impose civil liability administratively ... either on a daily basis or on a per gallon basis, but not both.

(1) The civil liability on a daily basis may not exceed five thousand dollars (\$5,000) for each day the violation occurs.

...

(2) The civil liability on a per gallon basis may not exceed ten dollars (\$10) for each gallon of waste discharged.

Administrative civil liability may be assessed on a per-gallon basis pursuant to Water Code section 13350 or section 13385. However, this Order only imposes per-gallon assessments for wastewater that discharged to surface waters; the violations of the Sanitary Sewer General Order (the violations addressed in this section) are being

assessed as daily violations. Violations subject to Water Code section 13350 are being charged as daily violations.

26. The Sanitary Sewer General Order, section C.2, states:

Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited.

27. Water Code section 13050(m) states:

“Nuisance” means anything which meets all of the following requirements: (1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. (2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of annoyance or damage inflicted upon individuals may be unequal. (3) Occurs during, or as a result of, the treatment or disposal of wastes.

The 17/18 July 2008, 10 November 2008, 17 December 2008, 6 August 2009, 15 August 2009, and 22/23 June 2010 SSOs created a nuisance because they interfered with the comfortable enjoyment of Lakeshore Lake, Old River, the Delta and the surrounding facilities, affected the entire community or neighborhoods in varying degrees, and occurred due to a prohibited discharge of raw sewage. These SSOs are therefore considered a violation of Section C.2 of the Sanitary Sewer General Order.

28. The Sanitary Sewer General Order, provision D.5 states:

All SSOs must be reported in accordance with Section G of the General WDRs.

The Sanitary Sewer General Order, provision G.2 states, in part:

The Enrollee shall comply with the attached Monitoring and Reporting Program 2006-0003...

The Sanitary Sewer General Order, Monitoring and Reporting Program section A.4., states:

Category 1 SSOs – All SSOs that meet the above criteria for Category 1 SSOs must be reported as soon as: (1) the Enrollee has knowledge of the discharge, (2) reporting is possible, and (3) reporting can be provided without substantially impeding cleanup or other emergency measures. Initial reporting of Category 1 SSOs must be reported to the Online SSO System as soon as possible but no later than 3 business days after the Enrollee is made aware of the SSO. Minimum information that must be contained in the 3-day report must include all information identified in section 9 below, except for item 9.K. A final certified report must be completed through the Online SSO System, within 15 calendar days of the conclusion of SSO response and remediation. Additional information may be added to the certified report, in the form of an attachment, at any time.

The above reporting requirements do not preclude other emergency notification requirements and timeframes mandated by other regulatory agencies (local County Health Officers, local Director of Environmental Health, Regional Water Boards, or Office of Emergency Services (OES)) or State law.

The Discharger did not report the 17/18 July 2008 Lakeshore SSO in accordance with the Sanitary Sewer General Order's Monitoring and Reporting Program Provision A.4. The Discharger was aware of the SSO on 18 July 2008 at 9:17 hours, and therefore, the deadline for reporting was 23 July 2008 at 9:17 hours. The Discharger entered the initial draft into the electronic reporting database on 11 August 2008, 13 days late. A final, certified report is required 15 calendar days after the conclusion of SSO response and remediation. The Discharger certified that the response was complete on 18 July 2008 at 13:30 hours; however, it did not enter the final report until 10 September 2008, nearly 39 days late.

29. The Sanitary Sewer General Order, provision D.7 states:

When a sanitary sewer overflow occurs, the Enrollee shall take all feasible steps and necessary remedial actions to 1) control or limit the volume of untreated or partially treated wastewater discharged, 2) terminate the discharge, and 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water. The Enrollee shall ... [provide] (vi) Adequate public notification to protect the public from exposure to the SSO.

The Discharger did not properly clean up wastewater debris collected at the overflow site of the 17/18 July 2008 SSO until requested by Central Valley Water Board staff on 14 August 2008. The Discharger also failed to provide adequate public notification by not posting signs where the spill originated and failing to report the SSO in CIWQS within the required timeframe. These actions are violations of Provision D.7. of the Sanitary Sewer General Order.

30. The Sanitary Sewer General Order, section G.3 states:

... Additionally, within 30 days of receiving an account and prior to recording spills into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding a Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.

The Discharger enrolled in the SSO Database in 2006. However, the Discharger did not complete or update the "Collection System Questionnaire" until 10 September 2008. This is a violation of Section G.3 of the Sanitary Sewer General Order.

31. Findings 27 through 30 describe 47 distinct daily violations, which are individually listed on Attachment A of this Order. Pursuant to Water Code section 13350, up to \$5,000 may be assessed per day, per violation. Therefore, the maximum penalty for these violations under Water Code section 13350 is **two hundred thirty-five thousand dollars (\$235,000)**.

Violations under Water Code section 13268

32. Water Code section 13267(b)(1) states, in relevant part:

... the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its

region ... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires.

The 28 August 2008 Water Code section 13267 Order required the Discharger to submit a number of technical reports. On 9 September 2008, the Discharger submitted an incomplete response to Item No. 1 of the 13267 Order because it did not address the cause, remedy, or prevention of non-compliance due to inadequate reporting. The Discharger did not submit a report to address Item No. 2 of the 13267 Order, which required an analysis of the frequency, duration, and impact of power failures experienced over the past five years. The Discharger did not submit a report to address Item No. 3 of the 13267 Order, which required a description of the preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events.

33. Water Code section 13268(a)(1) states, in part:

Any person failing or refusing to furnish technical...reports as required by subdivision (b) of Section 13267,...is guilty of misdemeanor and may be liable civilly in accordance with subdivision (b).

34. Water Code section 13268(b)(1) states, in part:

Civil liability may be administratively imposed by a regional board... for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

35. The Discharger did not submit all the requested reports by the required due date of 10 September 2008. The reports were submitted on 22 October 2008, which was 42 days late. The maximum liability for the late submittal of reports required by the Water Code section 13267 Order is **forty-two thousand dollars (\$42,000)**. A table listing each violation and the associated penalty is included as **Attachment A** to this Order.

Violations under Water Code section 13385

36. Both 33 U.S.C. § 1311(a)(referred to as Clean Water Act section 301) and Water Code section 13376 prohibit discharge of pollutants to surface waters except in compliance with a National Pollutant Discharge Elimination System (NPDES) permit.

37. Water Code section 13376 states, in relevant part:

Any person discharging pollutants or proposing to discharge pollutants to the navigable waters of the United States ... shall file a report of the discharge in compliance with the procedures set forth in Section 13260... The discharge of pollutants...except as authorized by waste discharge requirements [NPDES permit]...is prohibited.

38. Clean Water Act section 301 states that,

Except as in compliance with this section and sections ... 1342, and 1344 of this title, the discharge of any pollutant by any person shall be unlawful.

The federal Clean Water Act defines the “discharge of a pollutant” as the “any addition of any pollutant to navigable waters from any point source.” (33 U.S.C. § 1362(12)(A).) The federal Clean Water Act defines a “point source” as, “any discernible, confined and discrete conveyance ... from which pollutants are or may be discharged.” (33 U.S.C. § 1362(14).) Section 1342 is the statutory provision pertaining to NPDES permits, which are required for certain discharges. The spills described in Findings Nos. 9 and 15-20 are considered discharges that violate 33 U.S.C. § 1311(a), as these discharges were not made in compliance with the NPDES permits issued to the Discharger.

39. Water Code section 13385(a) states, in relevant part:

(a) Any person who violates any of the following shall be liable civilly in accordance with subdivisions (b), (c), (d), (e), and (f):

(1) Section 13375 or 13376

...

(5) Any requirements of Section 301, 302, 306, 307, 308, 318, 401, or 405 of the Clean Water Act, as amended.

40. Water Code section 13385(c) states, in relevant part:

(c) Civil liability may be imposed administratively by the state board or a regional board pursuant to Article 2.5 (commencing with Section 13323) of Chapter 5 in an amount not to exceed the sum of both the following:

(1) Ten thousand dollars (\$10,000) for each day in which the violation occurs.

(2) Where there is a discharge, any portion of which is not susceptible to cleanup or is not cleaned up, and the volume discharged but not cleaned up exceeds 1,000 gallons, an additional liability not to exceed ten dollars (\$10) times the number of gallons by which the volume discharged but not cleaned up exceeds 1,000 gallons.

41. Order R5-2003-0067, Prohibition A.1 states: *“Discharge of wastewater at a location or in a manner different from that described in Finding No. 2 is prohibited.”* The 17/18 July 2008, 10 November 2008, and 17 December 2008 SSOs were not treated, as required by the WDRs, nor were they discharged at locations authorized by the WDRs. Therefore, these discharges were in violation of Prohibition A.1.

42. Order R5-2003-0067, Prohibition A.2 states: *“Discharge to the Reclamation District No. 800 drainage ditch (discharge points 002 and 003) is prohibited after 1 June 2004.”* The 19-21 April 2008 spill was treated but discharged at Reclamation District No. 800 drainage ditch, an unauthorized waste discharge location, in violation of Prohibition A.2.

43. Order R5-2003-0067, Prohibition A.3 states: *“The bypass or overflow of untreated or partially treated wastes to surface waters is prohibited...”* The 17/18 July 2008 SSO discharged into a private lake that is hydraulically connected to the Delta, a water of the United States. The 17 December 2008 SSO discharged into a reclamation ditch that drains to Old River, a water of the United States. The 10 November 2008 SSO discharged into a storm drain that is hydraulically connected to the Sacramento-San

Joaquin River Delta, a water of the United States. These three discharges violated Prohibition A.3.

44. Order R5-2003-0067, Prohibition A.4 states: *“Neither the discharge nor its treatment shall create a nuisance as defined in Section 13050 of the California Water Code.”* As described in Finding 26, the 17/18 July 2008, 10 November 2008, and 17 December 2008 SSOs created a nuisance as defined in Water Code section 13050. Therefore, these discharges violated Prohibition A.4.

45. Order R5-2008-0179, Prohibition III.A states: *“Discharge of wastewater at a location or in a manner different from that described in the Findings is prohibited.”* The 6 August 2009, 15 August 2009, and 22/23 June 2010 SSOs were not treated as required by the WDRs, nor were they discharged at locations authorized by the WDRs. Therefore, these discharges were in violation of Prohibition III.A.

46. Order R5-2008-0179, Prohibition III.B states: *“The by-pass or overflow of wastes to surface waters is prohibited...”* The 6 August 2009 and 15 August 2009 SSOs discharged into a private lake that is hydraulically connected to the Sacramento-San Joaquin River Delta, a water of the United States. The 22/23 June 2010 SSO discharged into a storm drain that is hydraulically connected to the Sacramento-San Joaquin River Delta. These discharges violated Prohibition III.B.

47. Order R5-2008-0179, Prohibition III.C states: *“Neither the discharge nor its treatment shall create a nuisance as defined in Section 13050 of the California Water Code.”* As described in Finding 26, the 6 August 2009, 15 August 2009, and 22/23 June 2010 SSOs created a nuisance as defined in Water Code section 13050. Therefore, these discharges violated Prohibition III.C.

48. Order R5-2003-0067 Standard Provisions B.1 states:

In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, daily maximum effluent limitation, or receiving water limitation of this Order, the Discharger shall notify the Board by telephone ...within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Regional Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and, prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

The Discharger did not comply with the requirement to submit a written report within five days of the 17/18 July 2008 spill. This is a violation of WDRs Standard Provision B.1. The report was not submitted until after Central Valley Regional Water Board staff required its submittal pursuant to the Water Code section 13267 Order dated 28 August 2008. The 13267 Order gave the Discharger a conditional reprieve from administrative civil liability, but in the 36 days between the 5-day report due date (23 July 2008) and the issuance of the 13267 Order (28 August 2008), the Discharger accrued violations of Standard Provision B.1.

49. Order 2006-0003-DWQ, Prohibition C.1 states: *“Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited.”* The 17/18 July 2008, 6 August 2009, and 15 August 2009 SSOs discharged into a private lake that is hydraulically connected to the Sacramento-San Joaquin River Delta, a water of the United States. The 17 December 2008 SSO reached a reclamation ditch that drains to Old River, a water of the United States. The 10 November 2008 and 22/23 June 2010 SSOs discharged into storm drains that are hydraulically connected to the Sacramento-San Joaquin River Delta, a water of the United States. All of these discharges violated Prohibition C.1.

50. Order R5-2003-0067 Standard Provisions B.2.b. states:

Upon written request by the Board the Discharger shall submit a written description of safeguards. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past five years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Board.

The Water Code section 13267 Order required that the Discharger submit the above information by 10 September 2008. The Discharger did not submit the information until after a second request from staff. The information was received 42 days late, on 22 October 2008, in violation of Water Code section 13267 and WDRs Standard Provisions B.2.b. The penalty that may be assessed for this violation has been addressed in Finding 35.

51. Water Code section 13385(e) states:

In determining the amount of any liability imposed under this section, the regional board, the state board, or the superior court, as the case may be, shall take into account the nature, circumstances, extent, and gravity of the violation or violations, whether the discharge is susceptible to cleanup or abatement, the degree of toxicity of the discharge, and, with respect to the violator, the ability to pay, the effect on its ability to continue its business, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic benefit or savings, if any, resulting from the violation, and other matters that justice may require. At a minimum, liability shall be assessed at a level that recovers the economic benefits, if any, derived from the acts that constitute the violation.

52. Pursuant to Water Code section 13385(e), at minimum, administrative civil liability charged under this section must be equivalent to the economic benefit accrued by the Discharger for not implementing management and physical improvements necessary to prevent the discharge. The severity of the discharges could have been prevented through adequate training of the wastewater treatment plant staff, appropriate redundant safeguards at the lift station and WWTPs, and having an overflow emergency response plan in place. Central Valley Water Board staff is unable to precisely calculate the economic benefit, but it is estimated to be at least \$25,000.

53. Findings 41 through 49 describe 61 violations (36 of which are described in Finding 48) of Order R5-2003-0067. At a maximum of \$10,000 per violation, these violations add up to \$610,000.
54. Pursuant to Water Code section 13385, the Board may assess additional administrative civil liability of \$10 for each unauthorized gallon discharged to surface water in excess of 1,000 gallons. The additional administrative civil liability that may be assessed pursuant to Water Code section 13385 for the unauthorized discharges to surface waters is as follows:
- The Discharger estimates that on 19-21 April 2008, 1.67 million gallons were discharged at an unauthorized location to surface water. Under Water Code section 13385, the maximum additional per-gallon civil liability assessment is \$16,690,000 (\$10 per gallon for every gallon over 1,000).
 - The Discharger estimates that on 17/18 July 2008, approximately 94,000 gallons of raw sewage was discharged to surface water. Under Water Code section 13385, the maximum additional per-gallon civil liability assessment is \$930,000 (\$10 per gallon for every gallon over 1,000).
 - The Discharger estimates that on 10 November 2008, approximately 20,000 gallons of raw sewage spilled, of which less than 1,000 gallons entered a storm drain. As the portion of the spill that reached surface waters was less than 1,000 gallons, no additional assessment under Water Code section 13385 will be imposed.
 - The Discharger estimates that on 17 December 2008, approximately 1,000 gallons of raw sewage entered surface waters. As the portion of the spill that reached surface waters was approximately 1,000 gallons, no additional assessment under Water Code section 13385 will be imposed.
 - The Discharger estimates that on 6 August 2009, approximately 1,500 gallons of raw sewage spilled, of which less than 500 gallons entered surface water. As the portion of the spill that reached surface waters was less than 1,000 gallons, no additional assessment under Water Code section 13385 will be imposed.
 - The Discharger estimates that during the 15 August 2009 SSO, 4,500 gallons of raw sewage spilled, of which 2,000 gallons was not recovered and entered surface water. Under Water Code section 13385, the maximum additional per-gallon civil liability assessment is \$10,000 (\$10 per gallon for every gallon over 1,000).
 - The Discharger estimates that during the 22/23 June 2010 SSO, 16,450 gallons were not recovered and entered surface water. Under Water Code section 13385, the maximum additional per-gallon civil liability assessment is \$154,500 (\$10 per gallon for every gallon over 1,000).

Adding the amounts above to the per-violation, per-day maximum assessment described in Finding No. 53, the total amount of civil liability that may be assessed pursuant to Water Code section 13385 is **eighteen million three hundred ninety-four thousand five hundred dollars (\$18,394,500)**. A table listing each violation and the associated penalty is included as Attachment A to this Order.

Total Civil Liability

55. Adding together the total maximum penalties that could be assessed under Water Code sections 13268, 13350 and 13385 (described in Findings 31, 35, and 54), the maximum penalty for the discharge and reporting violations is **eighteen million six hundred seventy-one thousand five hundred dollars (\$18,671,500)**. A table listing each violation and the associated penalty is included as Attachment A to this Order.
56. Water Code sections 13327 and 13385(e) contain substantially similar requirements regarding the considerations that the Board must make in arriving upon a final civil liability amount.² The Board hereby finds the following, with respect to the violations described above:

Nature of the Violations: The Discharger spilled approximately 94,000 gallons of raw sewage to surface waters from 17 July 2008 to 18 July 2008. For this incident the Discharger failed to: (a) properly implement remedial actions, (b) properly report the overflow, (c) comply with SSO reporting requirements of General Order 2006-0003-DWQ, and (d) fully comply with the requirements of the 13267 Order issued to the Discharger on 28 August 2008. In addition, since adoption of General Order 2006-0003-DWQ on 2 November 2006 and continuing through 9 September 2008, the Discharger failed to comply with CIWQS reporting requirements to complete a collection system questionnaire, did not report and certify any spills from its collection system, and failed to submit a monthly no-spill certification to CIWQS. On 10 September 2008, the Discharger completed the collection system questionnaire and started reporting and certifying SSOs.

From 19 April 2008 to 21 April 2008, the Discharger spilled approximately 1.67 million gallons of treated effluent to Reclamation District 800 drainage ditch in violation of Order R5-2003-0067 Discharge Prohibition A.2. The spill was attributed to operator inattention.

On 10 November 2008, the Discharger spilled approximately 20,000 gallons of sewage to the ground. An estimated 1,000 gallons reached a private lake hydraulically connected to the Delta.

² Water Code section 13385(e) contains the additional requirement that the civil liability be at least greater than the economic benefit of the violations. This amount is discussed in Finding No. 52.

On 17 December 2008, the Discharger's actions caused approximately 1,000 gallons of raw sewage to spill from the collection system and flow into Reclamation District 800 drainage ditch, which is hydraulically connected to Old River.

On 6 August 2009, a blockage in a force main caused a discharge of approximately 1,500 gallons of raw sewage and an estimated 500 gallons reached a storm drain which enters a private lake, which is hydraulically connected to the Delta.

On 15 August 2009, an air relief valve was broken off of a force main under a bridge causing an estimated 4,500 gallons of raw sewage to be spilled, of which approximately 2,000 gallons reached a private lake which is hydraulically connected to the Delta.

On 22/23 June 2010, approximately 16,450 gallons of untreated sewage overflowed from a faulty air relief valve on a force main. All 16,450 gallons of untreated sewage flowed into a storm drain and reached surface waters of Discovery Bay, which are hydraulically connected to the Delta.

Circumstances Surrounding the Violations: The 17/18 July 2008 Lakeshore Lake spill was a result of a power outage and pump station failure. The Discharger failed to recognize the pump station failure in a timely manner, which caused the SSO to continue for approximately 11 hours and 20 minutes, discharging approximately 94,000 gallons of raw sewage to a man-made lake adjacent and hydraulically connected to the Delta. After discovering the violation, the Discharger did not properly contain the spill, implement adequate remedial actions, or properly report the overflow. The Discharger failed to provide safeguards to prevent overflows of raw sewage, including safeguards for the collection system in case it experiences a reduction, loss, or failure of electric power.

The 19/20/21 April 2008 spill was a result of a power outage at the WWTP No. 2 effluent pump station. An unsupervised Southwest Water operator-in-training responded to the power outage at the plant and failed to properly restart the effluent pump station, allowing a discharge of approximately 1.67 million gallons of treated effluent to Reclamation District 800 drainage ditch, which is hydraulically connected to Old River.

The 10 November 2008 spill was a result of a sewer force main cleanout joint failure, allowing the sewage release. On the day of the spill, Southwest Water staff filled up both of the Newport lift station wet wells with potable water from a nearby fire hydrant. Southwest Water staff then loaded the force main by using all four pumps at the lift station, each rated at 2,300 gallons per minute (gpm). The flow ruptured a cleanout glued joint on the force main. The Discharger estimates that 1,000 gallons reached surface waters.

The 17 December 2008 spill was a result of a controlled power supply interruption during a compliance inspection. During the inspection, the Chief Plant Operator was

asked to cut the power off at WWTP No. 1 to simulate a power failure and test the plant's generator. After cutting the power to the plant, the generator started within approximately 10 seconds. Immediately after the generator started powering the plant, the inspectors noticed the SCADA system reporting several alarms. Several of these alarms were acknowledged by the Chief Operator while the inspectors were still at the plant. From SCADA reports, it is apparent that a fault at the influent pump station was reported repeatedly and it was repeatedly acknowledged by Southwest Water operators. The spill was estimated by the Discharger at 1,000 gallons and was caused by operator inattention. Raw sewage reached storm drains which drain to Reclamation District 800 drainage ditch. The drainage ditch is hydraulically connected to Old River by a pump station.

The 6 August 2009 spill was the result of a blockage in a gravity main which caused approximately 1,500 gallons of raw sewage to discharge to the ground. The Discharger was able to recover and return approximately 1,000 gallons to the collection system. The Discharger estimates that approximately 500 gallons was not recovered and reached surface waters.

The 15 August 2009 spill was the result of an air relief valve that was broken off of a force main which caused approximately 4,500 gallons of raw sewage to be spilled. According to the Discharger, vandalism was suspected as the cause of this spill. The Discharger estimates that approximately 2,000 gallons reached surface waters.

The 22/23 June 2010 spill was the result of a faulty air relief valve on a force main causing an estimated 16,450 gallons of raw sewage to be spilled. Inadequate inspection and maintenance of the collection system may have contributed to this spill. The Discharger estimates that all 16,450 gallons reached surface waters.

Extent of the Violations: Between April 2008 and June 2010, the Discharger had ten sanitary sewer overflows from its collection system releasing approximately 151,150 gallons of raw sewage. In addition, approximately 1,670,000 gallons of secondary treated wastewater was discharged at an unauthorized location in violation of WDRs Order R5-2003-0067. The Discharger also had several reporting violations of both WDRs Order R5-2003-0067 and the Sanitary Sewer General Order associated with these spills.

Gravity of the Violations: The Sacramento-San Joaquin River Delta is designated as suitable for numerous beneficial uses, including domestic water supply and contact recreation. Potential health risks from exposure to bacteria and viruses from raw sewage are a serious concern for humans. Ammonia in sewage is toxic to aquatic life, and sewage depletes dissolved oxygen in receiving waters. Due to the proximity of homes, and the possible human exposure to raw sewage in surface waters, the 17/18 July 2008 overflow created a nuisance as defined in Section 13050 of the Water Code.

The Discharger failed to fully contain the 17/18 July 2008 spill by allowing the lake fountains which sprayed mist into the air to continue to operate while elevated levels of fecal coliform were present in lake water.

The Discharger has reported at least one previous SSO, estimated at 8,600 gallons, from pipelines located near Lakeshore Lake. However, for the 17/18 July 2008 SSO, the Discharger failed to submit the initial report and final certification for all SSOs, from 2 November 2006 to 9 September 2008, to CIWQS as required by General Order 2006-0003-DWQ. Between 2 November 2006 and 9 September 2008, the Discharger failed to submit SSO reports to CIWQS as required by General Order 2006-0003-DWQ. The Discharger also failed to submit the five-day non-compliance report required by WDRs R5-2003-0067 on time. The report was submitted on 9 September 2008. Failure to properly report SSOs prevents regulatory agencies and the public from being aware of the incidents in a timely manner, such that public exposure may be prevented, and regulatory agencies can investigate the incident in a timely manner.

The 19/20/21 April 2008 discharge consisted of 1.67 million gallons of secondary treated effluent. However, it was discharged to Reclamation District 800 drainage ditch, a location prohibited in the Order.

The 10 November 2008, 6 August 2009, 15 August 2009, and 22/23 July 2010 spills allowed approximately 19,950 gallons to reach surface waters, with potential risks to human health, aquatic life, and surface waters quality.

The 17 November 2008 spill caused by operator inattention resulted in approximately 1,000 gallons of raw sewage reaching the Reclamation District 800 drainage ditch, which is hydraulically connected to Old River.

Whether the Discharge is Susceptible to Cleanup or Abatement: Due to the circumstances of the 17/18 July 2008 spill, once the sewage entered lake waters, there was no practical way to clean up to avoid water quality impacts or impacts to beneficial uses. The Discharger did not attempt to remove any sewage that entered the Lakeshore Lake and failed to fully contain the spill by allowing the lake fountains to continue to operate.

During a SSO follow-up inspection by Board staff on 14 August 2008, it was observed that the Discharger had failed to properly clean up the area where the spill originated. Rags and debris were visible on the ground and there were no warning signs posted. The Discharger should have provided more cleanup of the area immediately following the incident.

Due to the circumstances of the 19/20/21 April 2008 spill, it may have been feasible to cleanup the ditch where treated effluent was discharged since the wastewater had to be pumped from the drainage ditch to Old River. However, the illegal discharge was found more than twenty four hours after it had started.

During the 10 November 2008 incident, once the sewage reached surface waters, there was no practical way to clean up the spill.

Due to the circumstances of the 17 December 2008 spill, the 1,000 gallons of raw sewage spilled were not recovered and cleanup efforts were limited to the area where the spill originated.

Following the 6 August 2009 spill, approximately 1,000 gallons of raw sewage were recovered and the area of the spill was cleaned-up. For the 500 gallons that reached surface waters, there was no practical way to clean up the spill.

Due to the circumstances of the 15 August 2009 spill, none of the 4,500 gallons that spilled were recovered, and an estimated 2,000 gallons reaching surface waters. The remainder of the spill soaked into the ground, and cleanup efforts were limited to mitigating the effects of the spill on the ground surface in the area where the spill originated.

Due to the circumstances of the 22/23 August 2010 spill, none of the spill was recovered with an estimated 16,450 gallons reaching surface waters. Once the spill reached surface waters, there was no practical way to clean up the spill.

The Degree of Toxicity of the Discharges: The degree of toxicity from the spills is unknown. However, sewage discharges can be toxic to human beings and aquatic life. There were no reported fish kills subsequent to any of the spills to surface waters. A resident living next to Lakeshore Lake reported that they experienced illness following the 17/18 July 2008 incident, and suggested that sewage mist from the fountain operation was the cause. This has not been verified or validated by the Contra Costa Environmental Health Department.

The Effect of the Civil Liability upon the Discharger's Ability to Stay in Business: The median family household income for the Discovery Bay, as reported in the 2000 census, was approximately \$90,272.

Voluntary Cleanup Efforts Undertaken: The Discharger has improved its reporting of SSOs and now correctly reports spills in compliance with its current WDRs and the Sanitary Sewer General Order. The Discharger has also implemented a preventative maintenance program on its collection system to reduce the number of SSOs. This has resulted in a decrease in SSOs with only two occurring between 1 July 2010 and 31 December 2011, with a total volume of 120 gallons spilled.

Prior History of Violations: At least one previous spill, estimated at 8,600 gallons, occurred in the Lakeshore community and reached the lake. Implementation of an inspection and maintenance program would prevent impacts to surface waters from pipeline failures.

Degree of Culpability: The Discharger was required to be aware of the prohibitions against discharges to surface waters included in General Order 2006-0003-DWQ, WDRs Order R5-2003-0067, and WDRs Order R5-2008-0179. The Discharger did not maintain its collection system in a manner that would prevent discharges of untreated sewage. The Discharger did not train the operators to properly respond to sewage spills.

The Central Valley Water Board finds that, after considering the above factors, that a civil liability assessment of **two hundred forty-one thousand dollars (\$241,000)** is appropriate for the violations.

57. Funds generated by civil liability assessments made pursuant to Water Code sections 13268 and 13350 are to be deposited into the Waste Discharge Permit Fund. Funds generated by civil liability assessments made pursuant to Water Code section 13385 are to be deposited into the State Water Pollution Cleanup and Abatement Account. The Board finds, in light of the above considerations, that it is reasonable that \$21,000 be directed to the Waste Discharge Permit Fund and the remainder be directed to the State Water Pollution Cleanup and Abatement Account.

THE TOWN OF DISCOVERY BAY CSD IS HEREBY GIVEN NOTICE THAT:

1. The Discharger shall be assessed an Administrative Civil Liability in the amount of **two hundred forty-one thousand dollars (\$241,000)**.
2. By **31 May 2012**, the Town of Discovery Bay Community Services District shall pay **two hundred twenty thousand dollars (\$220,000)** to the State Water Board's Cleanup and Abatement Account. Payment shall be in the form of a check made payable to the *Cleanup and Abatement Account* and shall reference this ACL Order.

By **31 May 2012**, the Town of Discovery Bay Community Services District shall also pay **twenty-one thousand dollars (\$21,000)** to the Waste Discharge Permit Fund. Payment shall be in the form of a check made payable to the *Waste Discharge Permit Fund* and shall reference this ACL Order.

The checks shall be mailed to the Central Valley Regional Board located at 11020 Sun Center Drive, Suite 200, Rancho Cordova, California.

3. Payment of the \$241,000 shall resolve the violations charged in ACL Complaint R5-2008-0627 and the other violations charged in this Order.
4. If the Discharger fails to make the payment, the Assistant Executive Officer may refer the matter to the State Attorney General for enforcement of the terms of this Order.
5. The payment of administrative civil liability in accordance with the terms of this Order is not a substitute for compliance with applicable laws, and continuing violations of the type alleged herein may subject the Discharger to further enforcement, including but not limited to additional administrative civil liability.

6. This Order is final, and shall be effective immediately 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 of this Order, except that if the thirtieth day following the date of this Order 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 Richard Loncarovich for

Kenneth D. Landau, Assistant Executive Officer

20 April 2012

DATE

Attachment A: Violation List and Total Maximum Penalty Summary

Attachment A - Violation List and Total Maximum Penalty Summary

Section	Spill Date	Order and Provision Violated	Finding # in ACLO	# of Violations or Gallons	\$/Violation	Total Maximum Penalty	
13350	17/18 July 2008	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	10-Nov-08	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	17-Dec-08	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	6-Aug-09	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	15-Aug-09	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	22/23 June 2010	Order 2006-0003-DWQ C.2 Nuisance	27	1	\$5,000	\$5,000	
	17/18 July 2008	Order 2006-0003-DWQ D.5 Reporting (reporting 39 days late)	28	39	\$5,000	\$195,000	
	17/18 July 2008	Order 2006-0003-DWQ D.7 Proper Cleanup	29	1	\$5,000	\$5,000	
		Order 2006-0003-DWQ G.3 CIWQS Collection System Questionaire	30	1	\$5,000	\$5,000	
13268		CWC 13267 Order - Deficient response and 42 days late	35	42	\$1,000	\$42,000	
13385	19-21 April 2008	Order R5-2003-0067 A.2 Unauthorized Spill Violation penalty	42	1	\$10,000	\$10,000	
	17/18 July 2008	Order R5-2003-0067 A.1 Unauthorized Spill Violation penalty	41	1	\$10,000	\$10,000	
	10-Nov-08	Order R5-2003-0067 A.1 Unauthorized Spill Violation penalty	41	1	\$10,000	\$10,000	
	17-Dec-08	Order R5-2003-0067 A.1 Unauthorized Spill Violation penalty	41	1	\$10,000	\$10,000	
	6-Aug-09	Order R5-2008-0179 III.A. Unauthorized Spill Violation penalty	45	1	\$10,000	\$10,000	
	15-Aug-09	Order R5-2008-0179 III.A. Unauthorized Spill Violation penalty	45	1	\$10,000	\$10,000	
	22/23 June 2010	Order R5-2008-0179 III.A. Unauthorized Spill Violation penalty	45	1	\$10,000	\$10,000	
	19-21 April 2008	Order R5-2003-0067 A.2 Unauthorized spill (1,670,000 gal) volume penalty	54	1,670,000	\$10/gal over 1,000 gallons	\$16,690,000	
	17/18 July 2008	Order R5-2003-0067 A.1 Unauthorized spill (94,000 gal) volume penalty	54	94,000	\$10/gal over 1,000 gallons	\$930,000	
	15-Aug-09	Order R5-2008-0179 III.A. Unauthorized spill (2,000) volume penalty	54	2,000	\$10/gal over 1,000 gallons	\$10,000	
	22/23 June 2010	Order R5-2008-0179 III.A. Unauthorized spill (16,450 gal) volume penalty	54	16,450	\$10/gal over 1,000 gallons	\$154,500	
	17/18 July 2008	Order R5-2003-0067 A.4 Nuisance Violation Penalty	44	1	\$10,000	\$10,000	
	10-Nov-08	Order R5-2003-0067 A.4 Nuisance Violation Penalty	44	1	\$10,000	\$10,000	
	17-Dec-08	Order R5-2003-0067 A.4 Nuisance Violation Penalty	44	1	\$10,000	\$10,000	
	6-Aug-09	Order R5-2008-0179 III.C Nuisance Violation Penalty	47	1	\$10,000	\$10,000	
	15-Aug-09	Order R5-2008-0179 III.C Nuisance Violation Penalty	47	1	\$10,000	\$10,000	
	22/23 June 2010	Order R5-2008-0179 III.C Nuisance Violation Penalty	47	1	\$10,000	\$10,000	
	17/18 July 2008	Order R5-2003-0067 A.3 Partially Treated or Untreated Water Spill Violation Penalty	43	1	\$10,000	\$10,000	
	10-Nov-08	Order R5-2003-0067 A.3 Partially Treated or Untreated Water Spill Violation Penalty	43	1	\$10,000	\$10,000	
	17-Dec-08	Order R5-2003-0067 A.3 Partially Treated or Untreated Water Spill Violation Penalty	43	1	\$10,000	\$10,000	
	6-Aug-09	Order R5-2008-0179 III.B. Partially Treated or Untreated Water Spill Violation Penalty	46	1	\$10,000	\$10,000	
	15-Aug-09	Order R5-2008-0179 III.B. Partially Treated or Untreated Water Spill Violation Penalty	46	1	\$10,000	\$10,000	
	22/23 June 2010	Order R5-2008-0179 III.B. Partially Treated or Untreated Water Spill Violation Penalty	46	1	\$10,000	\$10,000	
	17/18 July 2008	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000	
	6-Aug-09	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000	
	15-Aug-09	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000	
	17-Dec-08	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000	
	10-Nov-08	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000	
	22/23 June 2010	Order 2006-0003-DWQ C.1 Partially Treated or Untreated Water Spill Violation Penalty	49	1	\$10,000	\$10,000	
	17/18 July 2008	Order R5-2003-0067 B.1 Notification Penalty	48	36	\$10,000	\$360,000	
	13350 Total Maximum Penalty			\$235,000			
	13268 Total Maximum Penalty			\$42,000			
	13385 Total Maximum Penalty			\$18,394,500			
Total Maximum Penalty			\$18,671,500				