



California Regional Water Quality Control Board

Central Valley Region



Alan Lloyd, Ph.D.
Agency Secretary

Robert Schneider, Chair

Arnold Schwarzenegger
Governor

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7 March 2006

CERTIFIED MAIL

7005 1160 0004 0127 5894

Mr. Scott Garawitz, General Manager
United Auburn Indian Community
Thunder Valley Casino
1200 Athens Avenue
Lincoln, CA 95648

CERTIFIED MAIL

7005 1160 0004 0127 5900

Mr. Donald Brown
HydroScience Operations, Inc.
10569 Old Placerville Road
Sacramento, CA 95827

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2006-0502; AUBURN RANCHERIA CASINO WASTEWATER QUALITY CONTROL FACILITY, PLACER COUNTY

Enclosed is an Administrative Civil Liability Complaint issued by the Assistant Executive Officer of the California Regional Water Quality Control Board, Central Valley (Regional Water Board) pursuant to California Water Code Section 13385 for violations of Waste Discharge Requirements (WDRS) Order No. 5-01-068 and WDRs Order No. R5-2005-0032 (NPDES No. CA0084697), by the United Auburn Indian Community and HydroScience Operations, Inc. The Complaint proposes an administrative civil liability in the amount of \$435,000 for non-discretionary mandatory minimum penalties for the effluent limitation violations, which have occurred at Thunder Valley Casino's wastewater treatment plant since June 2003.

Pursuant to the California Water Code Section 13323, the Discharger may either choose to pay the civil liability and waive a Regional Water Board hearing on the matter or choose to contest the complaint and proceed to a hearing before the Regional Water Board. If the Discharger chooses to waive the right to a hearing, then a duly authorized person must sign the waiver and submit it to this office, along with a check payable to the "State Water Pollution Cleanup and Abatement Account" in the full amount of the civil liability. Any waiver will not be effective until 30 days from the date of this Complaint to allow other interested persons to comment on this action. If the Regional Water Board does not receive a waiver and a check for the full amount by **31 March 2006**, then a hearing will be scheduled for the 4/5 May 2006 Regional Water Board Meeting in Sacramento. Additionally, the Assistant Executive Officer may decide to schedule the complaint for a hearing consistent with California Water Code Section 13323(b). If you intend to proceed to a hearing on this matter, you must submit written comments and evidence to the Regional Water Board, attention: Richard McHenry, by **31 March 2006**.

Persons wishing to submit comments on this action should submit written comments within 30 days from the date of this letter to the Regional Water Board, attention: Richard McHenry.

California Environmental Protection Agency



Mr. Scott Garawitz
Mr. Donald Brown

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7 March 2006

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Mr. Alex Baillie at (916) 464-4815 or Mr. Richard McHenry at (916) 464-4655.

KENNETH D. LANDAU
Assistant Executive Officer

Enclosure

cc: Regional Board Members, Rancho Cordova
Ms. Kathi Moore, U.S. Environmental Protection Agency, Region IX, San Francisco
Mr. Andrew Selleck, U.S. Environmental Protection Agency, Region IX, San Francisco
Ms. Lisa Brown, CalEPA, Sacramento
Mr. Mark Bradley, State Water Resources Control Board, Sacramento
Ms. Frances McChesney, State Water Resources Control Board, Sacramento
Mr. Phil Isorena, State Water Resources Control Board, Sacramento
Ms. Carol Oz, Department of Fish and Game, Rancho Cordova
Placer County Health Department, Auburn
Mr. Bill Jennings, Water Enforcers, Stockton
Mr. George Harris, HydroScience Engineers Inc., Sacramento

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ACL COMPLAINT NO. R5-2006-0502
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT
AND MANDATORY PENALTY
IN THE MATTER OF

UNITED AUBURN INDIAN COMMUNITY
HYDROSCIENCE OPERATIONS, INC.
AUBURN RANCHERIA CASINO WASTEWATER TREATMENT PLANT
PLACER COUNTY

This complaint is issued to the United Auburn Indian Community and HydroScience Operations, Inc. (hereafter referred to individually as United Auburn Indian Community and HydroScience Operations or jointly as Discharger) based on a finding of violations of NPDES Waste Discharge Requirements (WDR) Order No. 5-01-068, and Order No. R5-2005-0032 (NPDES No. CA0084697), pursuant to California Water Code (CWC) Section 13385, which authorizes the imposition of Administrative Civil Liability, and CWC Section 13323, which authorizes the Executive Officer to issue this complaint.

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

1. The Discharger owns and operates the Auburn Rancheria Casino Wastewater Treatment Plant (WWTP), which provides sewerage service to the Auburn Rancheria Casino. Treated domestic wastewater is discharged to an unnamed tributary of Orchard Creek, a water of the United States, and tributary to Orchard Creek, Auburn Ravine, the East Side Canal, and the Sacramento River.
2. On 16 March 2001, the Regional Water Board adopted WDR Order No. 5-01-068 to regulate discharges of waste from the WWTP. On 17 March 2005, the Regional Water Board adopted WDR Order No. R5-2005-032, revising and rescinding Order No. 5-01-068.

Water Code Requirements

3. CWC Section 13323 states, in part:

“Any executive officer of a regional board may issue a complaint to any person on whom administrative civil liability may be imposed pursuant to this article. The complaint shall allege the act or failure to act that constitutes a violation of law, the provision authorizing civil liability to be imposed pursuant to this article, and the proposed civil liability.”

4. CWC Section 13385 states, in part:

“(a) Any person who violates any of the following shall be liable civilly in accordance with this section:

(1) Section 13375 or 13376.

(2) Any waste discharge requirements...issued pursuant to this chapter...

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

5. CWC Section 13385(h) and (i) require assessment of mandatory penalties and state, in part, the following:

“(h)(1)... a mandatory penalty of three thousand dollars (\$3,000) shall be assessed for each serious violation.”

“(h)(2)... a ‘serious violation’ means any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 40 percent or more.”

“(i)(1) ... 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 [CWC] Section 13260.

(C) Files an incomplete report pursuant to [CWC] 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.”

Order Requirements

6. WDR Order No. 5-01-068 Effluent Limitations No. B. 1 include, in part, the following effluent limitations:

<u>Constituent</u>	<u>Unit</u>	<u>Monthly Average</u>	<u>7-Day Median</u>	<u>Daily Maximum</u>
Ammonia	mg/l	X ¹	---	Y ²
Total Coliform Organisms	MPN/100 ml	---	2.2 ³	23

¹Monthly Average limitations shown on Attachment X (table shows adjustments for pH and temperature)

²Daily Maximum limitations shown on Attachment Y (table shows adjustments for pH)

³Weekly median

7. WDR Order No. R5-2005-032 Effluent Limitations No. C. 1 includes, in part, the following effluent limitations:

<u>Constituent</u>	<u>Unit</u>	<u>7-Day Median</u>	<u>Instantaneous Maximum</u>
Total Coliform Organisms	MPN/100 ml	2.2 ¹	23

¹Weekly median

8. WDR Order No. 5-01-068 and Order No. R5-2005-032 require that the Discharger implement Monitoring and Reporting Programs No. 5-01-068 and No. R5-2005-032, respectively. Both Monitoring and Reporting Programs No. 5-01-068 and No. R5-2005-032 prescribe effluent monitoring and reporting requirements including, but not limited to, ammonia, and total coliform organisms.

Mandatory Penalties

9. According to the Discharger's self-monitoring reports, the Discharger committed 166 violations of the effluent limitations contained in Order No. 5-01-068 and Order No. R5-2005-032 during the period beginning 1 June 2003 and ending 31 May 2005 as detailed in Attachment A.
10. The total amount of the mandatory penalties assessed for 145 of the 166 cited effluent violations is four hundred thirty-five thousand dollars (**\$435,000**), as shown on Attachment A.
11. Issuance of this Administrative Civil Liability Complaint to enforce CWC Division 7, Chapter 5.5 is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et. seq.), in accordance with Title 14 California Code of Regulations, Enforcement Actions by Regulatory Agencies, Section 15321(a)(2).

THE UNITED AUBURN INDIAN COMMUNITY AND HYDROSCIENCE OPERATIONS INC. IS HEREBY GIVEN NOTICE THAT:

1. The Assistant Executive Officer of the Regional Water Board proposes that the Discharger be assessed an Administrative Civil Liability in the amount of **four hundred thirty-five thousand dollars (\$435,000)** which is the minimum mandatory penalty required by CWC Section 13385 for the cited effluent violations.
2. A hearing on this matter will be held at the Regional Water Board meeting scheduled on **4-5 May 2006**, unless the Discharger agrees to:
 - a. Waive the hearing and pay the proposed civil liability in full; or
 - b. Waive the right to a hearing in 90 days, and submit a settlement proposal within 30 days of the date of this complaint that includes an agreement to conduct a Supplemental Environmental Project (SEP) and also includes payment of monetary liability. The Discharger may preserve its right to a hearing pending approval of the settlement proposal.

3. If a hearing on this matter is held, the Regional Water Board will consider whether to affirm, reject, or modify the proposed Administrative Civil Liability, or whether to refer the matter to the Attorney General for recovery of judicial civil liability.
4. The Discharger may waive the right to a hearing. If you wish to waive the hearing, **within 30 days of the date of this complaint**, sign and return the waiver to the Regional Water Board's office with a check in the amount of the civil liability made payable to the "State Water Pollution Cleanup and Abatement Account." Any waiver will not be effective until 30 days from the date of this complaint to allow interested persons to comment on this action.

KENNETH D. LANDAU, Assistant Executive Officer

Date

**WAIVER OF HEARING FOR
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT**

By signing this waiver, I affirm and acknowledge the following:

1. I am duly authorized to represent the United Auburn Indian Community or HydroScience Operations, Inc (hereinafter jointly as “Discharger”) in connection with Administrative Civil Liability Complaint No. R5-2006-0502 (hereinafter the “Complaint”);
2. I am informed of the right provided by California Water Code Section 13323, subdivision (b), to a hearing within ninety (90) days of issuance of the Complaint;
3. I hereby waive the Discharger’s right to a hearing before the California Regional Water Quality Control Board, Central Valley Region, within ninety (90) days of the date of issuance of the Complaint; and
4. I certify that the Discharger will remit payment for the civil liability imposed in the amount of **four hundred thirty-five thousand dollars (\$435,000)** by check, which contains a reference to “ACL Complaint No. R5-2006-0502” and is made payable to the “*State Water Pollution Cleanup and Abatement Account.*”
5. I understand the payment of the above amount constitutes a settlement of violations alleged in the Complaint that will not become final until after a public comment period.
6. I understand that both the United Auburn Indian Community and HydroScience Operations, Inc. are named as Dischargers in this matter and are jointly and severally liable for the entire amount of administrative civil liability. Payment of the total assessed amount of \$435,000 by one or both Dischargers is required to accompany this Waiver.
7. I understand that the Assistant Executive Officer has complete discretion to modify or terminate this settlement.
8. I understand that payment of the above amount is not a substitute for compliance with applicable laws and that continuing violations of the type alleged in the Complaint may subject the Discharger to further enforcement, including additional civil liability.

(Print Name and Title)

(Signature)

(Date)

ATTACHMENT A

Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Date*	Constituent	Units	Limitation Period	Limit	Result/Average	% Over Limit	Pollutant Group	Date 180 Days Prior^	Effluent Violations in Past 180 Days	Serious** Violation?	Mandatory Fine?	Penalty
1	9-Jun-2003	Total Coliform Organisms	MPN/100 m/	Daily	23	110.0	378	OEV	11-Dec-2002	0	No	No	Startup
2	10-Jun-2003	Total Coliform Organisms	MPN/100 m/	Daily	23	170.0	639	OEV	12-Dec-2002	1	No	No	Startup
3	10-Jun-2003	Ammonia	mg/l	Daily	9.64	18.00	87	I	12-Dec-2002	2	Yes	Yes	Startup
4	11-Jun-2003	Total Coliform Organisms	MPN/100 m/	Daily	23	170.0	639	OEV	13-Dec-2002	3	No	Yes	Startup
5	26-Jun-2003	Total Coliform Organisms	MPN/100 m/	Daily	23	30.0	30	OEV	28-Dec-2002	4	No	Yes	Startup
6	26-Jun-2003	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	28-Dec-2002	5	No	Yes	Startup
7	27-Jun-2003	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	29-Dec-2002	6	No	Yes	Startup
8	28-Jun-2003	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	13.0	491	OEV	30-Dec-2002	7	No	Yes	Startup
9	29-Jun-2003	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	31-Dec-2002	8	No	Yes	Startup
10	30-Jun-2003	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	1-Jan-2003	9	No	Yes	Startup
11	30-Jun-2003	Total Coliform Organisms	MPN/100 m/	Daily	23	30.0	30	OEV	1-Jan-2003	10	No	Yes	Startup
12	1-Jul-2003	Total Coliform Organisms	MPN/100 m/	Daily	23	30.0	30	OEV	2-Jan-2003	11	No	Yes	Startup
13	1-Jul-2003	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	2-Jan-2003	12	No	Yes	Startup
14	3-Jul-2003	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	4-Jan-2003	13	No	Yes	Startup
15	2-Jul-2003	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	13.0	491	OEV	3-Jan-2003	14	No	Yes	Startup
16	3-Jul-2003	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	13.0	491	OEV	4-Jan-2003	15	No	Yes	Startup
17	4-Jul-2003	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11.0	400	OEV	5-Jan-2003	16	No	Yes	Startup
18	25-Sep-2003	Total Coliform Organisms	MPN/100 m/	Daily	23	240.0	943	OEV	29-Mar-2003	17	No	Yes	\$3,000
19	31-Oct-2003	Total Coliform Organisms	MPN/100 m/	Daily	23	110.0	378	OEV	4-May-2003	18	No	Yes	\$3,000
20	7-Jan-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	170.0	639	OEV	11-Jul-2003	2	No	No	\$0
21	24-Jun-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	40	74	OEV	27-Dec-2003	0	No	No	\$0
22	30-Jul-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2	4.0	82	OEV	1-Feb-2004	1	No	No	\$0
23	31-Jul-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4.0	82	OEV	2-Feb-2004	2	No	No	\$0
24	1-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4.0	82	OEV	3-Feb-2004	3	No	Yes	\$3,000
25	2-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4	82	OEV	4-Feb-2004	4	No	Yes	\$3,000
26	3-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4	82	OEV	5-Feb-2004	5	No	Yes	\$3,000
27	16-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4	82	OEV	18-Feb-2004	6	No	Yes	\$3,000
28	17-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4	82	OEV	19-Feb-2004	7	No	Yes	\$3,000
29	17-Aug-2004	Ammonia	mg/l	Daily	13.3	24.00	80	I	19-Feb-2004	8	Yes	Yes	\$3,000
30	18-Aug-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	30	30	OEV	20-Feb-2004	9	No	Yes	\$3,000
31	18-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4	82	OEV	20-Feb-2004	10	No	Yes	\$3,000
32	18-Aug-2004	Ammonia	mg/l	Daily	15.3	16	5	I	20-Feb-2004	11	No	Yes	\$3,000

ATTACHMENT A

Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Date*	Constituent	Units	Limitation Period	Limit	Result/Average	% Over Limit	Pollutant Group	Date 180 Days Prior^	Effluent Violations in Past 180 Days	Serious** Violation?	Mandatory Fine?	Penalty
33	19-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4	82	OEV	21-Feb-2004	12	No	Yes	\$3,000
34	20-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4	82	OEV	22-Feb-2004	13	No	Yes	\$3,000
35	21-Aug-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	30	30	OEV	23-Feb-2004	14	No	Yes	\$3,000
36	21-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11	400	OEV	23-Feb-2004	15	No	Yes	\$3,000
37	22-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11	400	OEV	24-Feb-2004	16	No	Yes	\$3,000
38	23-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11	400	OEV	25-Feb-2004	17	No	Yes	\$3,000
39	24-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4.0	82	OEV	26-Feb-2004	18	No	Yes	\$3,000
40	25-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	27-Feb-2004	19	No	Yes	\$3,000
41	25-Aug-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	27-Feb-2004	20	No	Yes	\$3,000
42	26-Aug-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	130.0	465	OEV	28-Feb-2004	21	No	Yes	\$3,000
43	26-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11.0	400	OEV	28-Feb-2004	22	No	Yes	\$3,000
44	27-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	29-Feb-2004	23	No	Yes	\$3,000
45	28-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4.0	82	OEV	1-Mar-2004	24	No	Yes	\$3,000
46	29-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4.0	82	OEV	2-Mar-2004	25	No	Yes	\$3,000
47	30-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4.0	82	OEV	3-Mar-2004	26	No	Yes	\$3,000
48	31-Aug-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	4-Mar-2004	27	No	Yes	\$3,000
49	30-Aug-2004	Ammonia	mg/l	Monthly	1.47	4.09	178	I	3-Mar-2004	28	Yes	Yes	\$3,000
50	1-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	220.0	857	OEV	5-Mar-2004	29	No	Yes	\$3,000
51	1-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	5-Mar-2004	30	No	Yes	\$3,000
52	2-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	80.0	248	OEV	6-Mar-2004	31	No	Yes	\$3,000
53	2-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	6-Mar-2004	32	No	Yes	\$3,000
54	3-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	60.0	161	OEV	7-Mar-2004	33	No	Yes	\$3,000
55	3-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11.0	400	OEV	7-Mar-2004	34	No	Yes	\$3,000
56	4-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11.0	400	OEV	8-Mar-2004	35	No	Yes	\$3,000
57	5-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	9-Mar-2004	36	No	Yes	\$3,000
58	6-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	10-Mar-2004	37	No	Yes	\$3,000
59	7-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	11-Mar-2004	38	No	Yes	\$3,000
60	8-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11.0	400	OEV	12-Mar-2004	39	No	Yes	\$3,000
61	9-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	13-Mar-2004	40	No	Yes	\$3,000
62	10-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4.0	82	OEV	14-Mar-2004	41	No	Yes	\$3,000
63	17-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	500.0	2074	OEV	21-Mar-2004	42	No	Yes	\$3,000
64	18-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	300.0	1204	OEV	22-Mar-2004	43	No	Yes	\$3,000

ATTACHMENT A

Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Date*	Constituent	Units	Limitation Period	Limit	Result/Average	% Over Limit	Pollutant Group	Date 180 Days Prior^	Effluent Violations in Past 180 Days	Serious** Violation?	Mandatory Fine?	Penalty
65	19-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	300.0	1204	OEV	23-Mar-2004	44	No	Yes	\$3,000
66	19-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	23-Mar-2004	45	No	Yes	\$3,000
67	20-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	24-Mar-2004	46	No	Yes	\$3,000
68	21-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	25-Mar-2004	47	No	Yes	\$3,000
69	22-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	900.0	3813	OEV	26-Mar-2004	48	No	Yes	\$3,000
70	22-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	300.0	13536	OEV	26-Mar-2004	49	No	Yes	\$3,000
71	23-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	300.0	13536	OEV	27-Mar-2004	50	No	Yes	\$3,000
72	23-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	240.0	943	OEV	27-Mar-2004	51	No	Yes	\$3,000
73	24-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	240.0	10809	OEV	28-Mar-2004	52	No	Yes	\$3,000
74	24-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	130.0	465	OEV	28-Mar-2004	53	No	Yes	\$3,000
75	25-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	240.0	10809	OEV	29-Mar-2004	54	No	Yes	\$3,000
76	25-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	240.0	943	OEV	29-Mar-2004	55	No	Yes	\$3,000
77	26-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	130.0	5809	OEV	30-Mar-2004	56	No	Yes	\$3,000
78	26-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	130.0	465	OEV	30-Mar-2004	57	No	Yes	\$3,000
79	27-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	130.0	5809	OEV	31-Mar-2004	58	No	Yes	\$3,000
80	28-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	130.0	5809	OEV	1-Apr-2004	59	No	Yes	\$3,000
81	28-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	1-Apr-2004	60	No	Yes	\$3,000
82	29-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	130.0	5809	OEV	2-Apr-2004	61	No	Yes	\$3,000
83	29-Sep-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	2-Apr-2004	62	No	Yes	\$3,000
84	30-Sep-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	50.0	2173	OEV	3-Apr-2004	63	No	Yes	\$3,000
85	1-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	50.0	2173	OEV	4-Apr-2004	64	No	Yes	\$3,000
86	2-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	5-Apr-2004	65	No	Yes	\$3,000
87	2-Oct-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	30.0	30	OEV	5-Apr-2004	66	No	Yes	\$3,000
88	3-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	6-Apr-2004	67	No	Yes	\$3,000
89	4-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	7-Apr-2004	68	No	Yes	\$3,000
90	5-Oct-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	300.0	1204	OEV	8-Apr-2004	69	No	Yes	\$3,000
91	6-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	9-Apr-2004	70	No	Yes	\$3,000
92	7-Oct-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	10-Apr-2004	71	No	Yes	\$3,000
93	7-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	10-Apr-2004	72	No	Yes	\$3,000
94	8-Oct-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	240.0	943	OEV	11-Apr-2004	73	No	Yes	\$3,000
95	8-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	11-Apr-2004	74	No	Yes	\$3,000
96	9-Oct-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	170.0	639	OEV	12-Apr-2004	75	No	Yes	\$3,000

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Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Date*	Constituent	Units	Limitation Period	Limit	Result/Average	% Over Limit	Pollutant Group	Date 180 Days Prior^	Effluent Violations in Past 180 Days	Serious** Violation?	Mandatory Fine?	Penalty
97	9-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	50.0	2173	OEV	12-Apr-2004	76	No	Yes	\$3,000
98	10-Oct-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	1600.0	6857	OEV	13-Apr-2004	77	No	Yes	\$3,000
99	10-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	170.0	7627	OEV	13-Apr-2004	78	No	Yes	\$3,000
100	11-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	170.0	7627	OEV	14-Apr-2004	79	No	Yes	\$3,000
101	12-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	170.0	7627	OEV	15-Apr-2004	80	No	Yes	\$3,000
102	12-Oct-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	30.0	30	OEV	15-Apr-2004	81	No	Yes	\$3,000
103	13-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	50.0	2173	OEV	16-Apr-2004	82	No	Yes	\$3,000
104	14-Oct-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	70.0	204	OEV	17-Apr-2004	83	No	Yes	\$3,000
105	14-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	70.0	3082	OEV	17-Apr-2004	84	No	Yes	\$3,000
106	15-Oct-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	70.0	204	OEV	18-Apr-2004	85	No	Yes	\$3,000
107	15-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	70.0	3082	OEV	18-Apr-2004	86	No	Yes	\$3,000
108	16-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	19-Apr-2004	87	No	Yes	\$3,000
109	17-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	20-Apr-2004	88	No	Yes	\$3,000
110	18-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	22.0	900	OEV	21-Apr-2004	89	No	Yes	\$3,000
111	19-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	13.0	491	OEV	22-Apr-2004	90	No	Yes	\$3,000
112	20-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	23-Apr-2004	91	No	Yes	\$3,000
113	21-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	13.0	491	OEV	24-Apr-2004	92	No	Yes	\$3,000
114	22-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	13.0	491	OEV	25-Apr-2004	93	No	Yes	\$3,000
115	23-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	9.0	309	OEV	26-Apr-2004	94	No	Yes	\$3,000
116	24-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	9.0	309	OEV	27-Apr-2004	95	No	Yes	\$3,000
117	25-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	7.0	218	OEV	28-Apr-2004	96	No	Yes	\$3,000
118	26-Oct-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	7.0	218	OEV	29-Apr-2004	97	No	Yes	\$3,000
119	1-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	30.0	30	OEV	4-Jun-2004	98	No	Yes	\$3,000
120	4-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	7-Jun-2004	99	No	Yes	\$3,000
121	4-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	110.0	378	OEV	7-Jun-2004	100	No	Yes	\$3,000
122	5-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	1600.0	6857	OEV	8-Jun-2004	101	No	Yes	\$3,000
123	5-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	110.0	4900	OEV	8-Jun-2004	102	No	Yes	\$3,000
124	6-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	9-Jun-2004	103	No	Yes	\$3,000
125	7-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	10-Jun-2004	104	No	Yes	\$3,000
126	8-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	11-Jun-2004	105	No	Yes	\$3,000
127	9-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	12-Jun-2004	106	No	Yes	\$3,000
128	9-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	30.0	30	OEV	12-Jun-2004	107	No	Yes	\$3,000

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Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Date*	Constituent	Units	Limitation Period	Limit	Result/Average	% Over Limit	Pollutant Group	Date 180 Days Prior^	Effluent Violations in Past 180 Days	Serious** Violation?	Mandatory Fine?	Penalty
129	10-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	13-Jun-2004	108	No	Yes	\$3,000
130	11-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	110.0	378	OEV	14-Jun-2004	109	No	Yes	\$3,000
131	11-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	14-Jun-2004	110	No	Yes	\$3,000
132	12-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	80.0	248	OEV	15-Jun-2004	111	No	Yes	\$3,000
133	12-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	17.0	673	OEV	15-Jun-2004	112	No	Yes	\$3,000
134	13-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	16-Jun-2004	113	No	Yes	\$3,000
135	14-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	17-Jun-2004	114	No	Yes	\$3,000
136	14-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	17-Jun-2004	115	No	Yes	\$3,000
137	15-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	50.0	2173	OEV	18-Jun-2004	116	No	Yes	\$3,000
138	15-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	18-Jun-2004	117	No	Yes	\$3,000
139	16-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	19-Jun-2004	118	No	Yes	\$3,000
140	16-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	50.0	2173	OEV	19-Jun-2004	119	No	Yes	\$3,000
141	17-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	50.0	2173	OEV	20-Jun-2004	120	No	Yes	\$3,000
142	18-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	50.0	2173	OEV	21-Jun-2004	121	No	Yes	\$3,000
143	19-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	22-Jun-2004	122	No	Yes	\$3,000
144	20-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11.0	400	OEV	23-Jun-2004	123	No	Yes	\$3,000
145	21-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11.0	400	OEV	24-Jun-2004	124	No	Yes	\$3,000
146	22-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	25-Jun-2004	124	No	Yes	\$3,000
147	23-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	130.0	465	OEV	26-Jun-2004	125	No	Yes	\$3,000
148	23-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	26-Jun-2004	126	No	Yes	\$3,000
149	24-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	27-Jun-2004	127	No	Yes	\$3,000
150	24-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11.0	400	OEV	27-Jun-2004	128	No	Yes	\$3,000
151	25-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	8.0	264	OEV	28-Jun-2004	129	No	Yes	\$3,000
152	26-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	4.0	82	OEV	29-Jun-2004	130	No	Yes	\$3,000
153	27-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	11.0	400	OEV	30-Jun-2004	131	No	Yes	\$3,000
154	28-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	1600.0	6857	OEV	1-Jul-2004	132	No	Yes	\$3,000
155	28-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	1-Jul-2004	133	No	Yes	\$3,000
156	29-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	2-Jul-2004	134	No	Yes	\$3,000
157	30-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	30.0	30	OEV	3-Jul-2004	135	No	Yes	\$3,000
158	30-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	3-Jul-2004	136	No	Yes	\$3,000
159	31-Dec-2004	Total Coliform Organisms	MPN/100 m/	Daily	23	50.0	117	OEV	4-Jul-2004	137	No	Yes	\$3,000
160	31-Dec-2004	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	23.0	945	OEV	4-Jul-2004	138	No	Yes	\$3,000

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Effluent Limitation Violations Requiring Mandatory Minimum Penalties

#	Violation Date*	Constituent	Units	Limitation Period	Limit	Result/Average	% Over Limit	Pollutant Group	Date 180 Days Prior^	Effluent Violations in Past 180 Days	Serious** Violation?	Mandatory Fine?	Penalty
161	1-Jan-2005	Total Coliform Organisms	MPN/100 m/	Daily	23	30.0	30	OEV	5-Jul-2004	139	No	Yes	\$3,000
162	1-Jan-2005	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	5-Jul-2004	140	No	Yes	\$3,000
163	2-Jan-2005	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	6-Jul-2004	141	No	Yes	\$3,000
164	3-Jan-2005	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	30.0	1264	OEV	7-Jul-2004	142	No	Yes	\$3,000
165	4-Jan-2005	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	13.0	491	OEV	8-Jul-2004	143	No	Yes	\$3,000
166	5-Jan-2005	Total Coliform Organisms	MPN/100 m/	7-Day	2.2	13.0	491	OEV	9-Jul-2004	144	No	Yes	\$3,000

Total Penalty: \$435,000

* Violation occurs on sample date or last date of averaging period.

** For Group I pollutants, a violation is serious when the limitation for the parameter of concern is exceeded by more than 40%.
 For Group II pollutants, a violation is serious when the limitation for the parameter of concern is exceeded by more than 20%.

^ Mandatory penalties effective 1 January 2000.

VIOLATIONS AS OF:	5/31/2005
Group 1 Serious Violations:	2
Group 2 Serious Violations:	0
Non-Serious Violations Subject to MMPs:	143
Non-Serious Violations Exempt from MMPs:	4
Startup Violations Exempt from MMPs:	17
Total Violations Subject to MMP	145

Mandatory Penalty = (2 Serious Violations + 143 Non-Serious Violations) x \$3,000 = \$435,000