

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2008-0563

MANDATORY PENALTY
IN THE MATTER OF

CITY OF GALT
WASTEWATER TREATMENT PLANT
SACRAMENTO COUNTY

This Complaint is issued to the City of Galt, Wastewater Treatment Plant (hereafter Discharger) pursuant to California Water Code (CWC) section 13385, which authorizes the imposition of Administrative Civil Liability, CWC section 13323, which authorizes the Executive Officer to issue this Complaint, and CWC section 7, which authorizes the delegation of the Executive Officer's authority to a deputy, in this case the Assistant Executive Officer. This Complaint is based on findings that the Discharger violated provisions of Waste Discharge Requirements (WDRs) Order Nos. 97-111 and R5-2004-0001 (NPDES No. CA0081434).

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

1. The Discharger owns and operates a wastewater collection, treatment, and disposal system, and provides sewerage service for Galt. Treated wastewater is discharged to Laguna Creek, tributary to the Cosumnes River, a water of the United States.
2. On 20 June 1997, the Regional Water Board adopted WDRs Order No. 97-111 to regulate discharges of waste from the wastewater treatment plant (WWTP). On 29 January 2004, the Regional Water Board adopted WDRs Order No. R5-2004-0001, which contained new requirements and rescinded WDRs Order No. 97-111.
3. On 30 December 2004, the Regional Water Board and the City of Galt entered into a stipulated agreement to resolve matters raised in a petition before the State Water Resources Control Board, which was approved by the State Water Resources Control Board in WQO 2005-0003. The stipulation remanded Order R5-2004-0001 and vacated effluent limitations for aluminum, hexavalent chromium, copper, cyanide, lead, silver, ammonia, arsenic, iron, carbon tetrachloride, bromodichloromethane, dibromochloromethane, bis(2-ethylhexyl)phthalate, nitrate, coliform, turbidity, biological oxygen demand, and total suspended solids found in Effluent Limitations B1. of Order No. R5-2004-0001, as well as the compliance period for any such limitations found in the Provisions of the Order.
4. On 14 May 2008, the Regional Water Board sent the Discharger a draft Record of Violations. On 11 June 2008, the Discharger responded. After consideration of information submitted by the Discharger, Regional Water Board staff prepared a technical memorandum, included as Attachment B to this Complaint, and discussed in Finding No. 12 of this Complaint.

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

CWC section 13385(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.”*

CWC section 13385 (h)(2) states, *“For the purposes of this section, a ‘serious violation’ means any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 40 percent or more.”*

CWC section 13385(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.”*

6. 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.”*

7. WDRs Order No. 97-111 Effluent Limitations No. B.1., include, in part, the following: *“Effluent shall not exceed the following limits:”*

<u>Constituents</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Monthly Median</u>	<u>Daily Maximum</u>
Chlorine Residual ⁴	mg/L	--	--	--	0.02
Total Coliform Organisms	MPN/100 mL			23	230

⁴ When discharging to Laguna Creek (the Cosumnes River), Discharge No. 001

8. WDRs Order No. 97-111 Effluent Limitations B.3 requires: *“The discharge shall not have a pH less than 6.5 nor greater than 8.5.”*

9. WDRs Order No. R5-2004-0001, Effluent Limitations B.1. requires, in part: *“Effluent shall not exceed the following limits.”*

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>7-Day Median</u>	<u>Daily Average</u>	<u>Daily Maximum</u>
Settleable Solids	mL/L	0.1	--	--	--	0.2

<u>Constituent</u>	<u>Units</u>	<u>4-Day Average</u>	<u>1-Hour Average</u>	<u>30-Day Average</u>
Chlorine Residual	mg/L	0.01	0.02	--
	lb/day ²	0.25	0.50	--

² Based upon a design treatment capacity of 3.0 mgd. For reporting purposes, compliance with these limitations shall be determined as follows: measured concentration (in mg/L) * 8.345 (conversion factor) * monthly average flow rate.

10. WDRs Order No. R5-2004-0001, Effluent Limitations B.2. requires, in part: *“Effective immediately, the following ...TSS...interim effluent limitations shall be in effect...”* [Note: the end date for this limitation was removed by the 30 December 2004 Stipulation.]

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Monthly Median</u>	<u>Daily Maximum</u>
Total Suspended Solids ²	mg/L	30	45	--	60
	lb/day ³	750	1125		1500

² To be ascertained by a 24-hour composite.

³ Based upon a design treatment capacity of 3.0 mgd. For reporting purposes, compliance with these limitations shall be determined as follows: measured concentration (in mg/L) * 8.345 (conversion factor) * monthly average flow rate.

11. WDRs Order No. R5-2004-0001, Effluent Limitations B.5. requires: *“The discharge shall not have a pH less than 6.5 nor greater than 8.5.”*

12. As described in the technical memorandum mentioned in Finding No. 4, no adjustments have been made to the draft Record of Violations (all violation numbers reference those contained in the draft Notice of Violation).

- Chlorine Residual Violation 11. The Discharger claimed that there was not an effluent sampling event on 13 January 2003. The laboratory analysis for acute toxicity collected by and submitted by the Discharger showed a 0.14 mg/L chlorine residual. The violation was retained.
- Total Coliform Organisms Violation 12. The Discharger claimed that according to its records, the violation occurred on 31 January 2003 not on 30 January 2003. The Discharger’s self-monitoring report reported the violation on 30 January 2003. The violation was retained.

- Total Suspended Solids and Settleable Solids violations 22, 23, 26-48. The Discharger claimed that the effluent sampling point should have been immediately after the wastewater treatment plant rather than after the storage lagoon. The monitoring location in the WDRs follows the storage lagoon, the last unit in the treatment process. The storage lagoon stores effluent during the summer and the discharges after 1 November. Water from the reclamation and biosolids application area drains into the lagoon. The violations were retained because the samples reflected the effluent quality discharged to Laguna Creek.
13. According to the Discharger's self-monitoring reports, the Discharger committed twenty-one (21) serious Group I violations of the above effluent limitations contained in Order Nos. 97-111 and R5-2004-0001 during the period beginning 1 January 2000 and ending 31 December 2007. The violations are defined as serious because measured concentrations of Group I constituents exceeded maximum prescribed levels by more than 40 percent on these occasions. The mandatory minimum penalty for these serious violations is **sixty-three thousand dollars (\$63,000)**.
 14. According to the Discharger's self-monitoring reports, the Discharger committed six (6) serious Group II violations of the above effluent limitations contained in Order Nos. 97-111 and R5-2004-0001 during the period beginning 1 January 2000 and ending 31 December 2007. These violations are defined as serious because measured concentrations of Group II constituents exceeded maximum prescribed levels by more than 20 percent on these occasions. The mandatory minimum penalty for these serious violations is **eighteen dollars (\$18,000)**.
 15. According to the Discharger's self-monitoring reports, the Discharger committed twenty-one (21) non-serious violations of the above effluent limitations contained in Order Nos. 97-111 and R5-2004-0001 during the period beginning 1 January 2000 and ending 31 December 2007. Nine (9) of the non-serious violations are subject to mandatory penalties under CWC section 13385(i)(1) because these violations were preceded by three or more similar violations within a six-month period. The mandatory minimum penalty for these non-serious violations is **twenty-seven thousand dollars (\$27,000)**.
 16. The total amount of the mandatory penalties assessed for the cited effluent violations is **one hundred eight thousand dollars (\$108,000)**. A detailed list of the cited effluent violations is included in Attachment A, a part of this Complaint.
 17. 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 (Pub. Resources Code section 21000 et seq.), in accordance with California Code of Regulations, title 14, section 15321(a)(2).

THE CITY OF GALT WASTEWATER TREATMENT PLANT 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 **one hundred eight thousand dollars (\$108,000)**.
2. A hearing on this matter will be held at the Regional Water Board meeting scheduled on **23/24 October 2008**, unless the Discharger does either of the following by **15 September 2008**:
 - a) Waives the hearing by completing the attached form (checking off the box next to item #4) and returning it to the Regional Water Board, along with payment for the proposed civil liability of **one hundred eight thousand dollars (\$108,000)**; or
 - b) Agrees to enter into settlement discussions with the Regional Water Board and requests that any hearing on the matter be delayed by signing the enclosed waiver (checking off the box next to item #5) and returning it to the Regional Water Board.
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.

JACK E. DEL CONTE, Assistant Executive Officer

14 August 2008

Attachment A: Record of Violations
Attachment B: Technical Memorandum
BLH: 08/14/08

**WAIVER OF 90-DAY HEARING REQUIREMENT FOR
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT**

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

1. I am duly authorized to represent the City of Galt, Wastewater Treatment Plant (hereinafter "Discharger") in connection with Administrative Civil Liability Complaint No. R5-2008-0563 (hereinafter the "Complaint");
2. I am informed that California Water Code section 13323, subdivision (b), states that, "a hearing before the regional board shall be conducted within 90 days after the party has been served" with the Complaint;
3. I hereby waive any right the Discharger may have to a hearing before the California Regional Water Quality Control Board, Central Valley Region (Regional Water Board) within ninety (90) days of service of the Complaint; and
4. **(Check here if the Discharger will waive the hearing requirement and will pay the fine)**
 - a. I certify that the Discharger will remit payment for the civil liability imposed in the amount of **one hundred and eight thousand dollars (\$108,000)** by check, which contains a reference to "ACL Complaint No. R5-2008-0563" and is made payable to the "State Water Pollution Cleanup and Abatement Account." Payment must be received by the Regional Water Board by **15 September 2008** or this matter will be placed on the Regional Water Board's agenda for adoption as initially proposed in the Complaint.
 - b. I understand the payment of the above amount constitutes a settlement of the Complaint, and that any settlement will not become final until after the 30-day public notice and comment period mandated by Federal regulations (40 CFR 123.27) expires. Should the Regional Water Board receive new information or comments during this comment period, the Regional Water Board's Assistant Executive Officer may withdraw the complaint, return payment, and issue a new complaint. New information or comments include those submitted by personnel of the Regional Water Board who are not associated with the enforcement team's issuance of the Complaint.
 - c. 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.

-or-

5. **(Check here if the Discharger will waive the 90-day hearing requirement, but will not pay at the current time)** I certify that the Discharger will promptly engage the Regional Water Board staff in discussions to resolve the outstanding violation(s). By checking this box, the Discharger is not waiving its right to a hearing on this matter. I understand that this waiver is a request to delay the hearing so the Discharger and Regional Water Board staff can discuss settlement. It does not constitute the Regional Water Board's agreement to delay the hearing. A hearing on the matter may be held before the Regional Water Board if these discussions do not resolve the liability proposed in the Complaint. The Discharger agrees that this hearing may be held after the 90-day period referenced in California Water Code section 13323 has elapsed.
6. If a hearing on this matter is held, the Regional Water Board will consider whether to issue, reject, or modify the proposed Administrative Civil Liability Order, or whether to refer the matter to the Attorney General for recovery of judicial civil liability.

(Print Name and Title)

(Signature)

(Date)

**ATTACHMENT A
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2008-0563**

**City Of Galt
Wastewater Treatment Plant**

RECORD OF VIOLATIONS (1 January 2000 – 31 December 2007) MANDATORY PENALTIES
(Data reported under Monitoring and Reporting Program Nos. 97-111 and R5-2004-0001)

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measure</u> <u>d</u>	<u>Period Type</u>	<u>Remarks</u>
1	17-Apr-00	Coliform	MPN/100mL	230	900	Daily Instantaneous	3
2	7-Dec-00	pH	pH units	6.5	6.3	s	3
3	11-Jan-01	Coliform	MPN/100mL	230	300	Daily Instantaneous	3
4	5-Dec-01	pH	pH units	6.5	6.2	s	3
5	17-Dec-01	Coliform	MPN/100mL	230	2400	Daily Instantaneous	3
6	23-Jan-02	pH	pH units	6.5	5.9	s	3
7	6-Mar-02	pH	pH units	8.5	8.8	s	4
8	14-Mar-02	pH	pH units	8.5	8.8	s	4
9	20-Mar-02	pH	pH units	8.5	8.6	s	4
10	17-Apr-02	pH	pH units	8.5	8.6	s	4
11	13-Jan-03	Chlorine Residual	mg/L	0.02	0.14	Daily	2
12	30-Jan-03	Coliform	MPN/100mL	230	500	Daily	3
13	13-Mar-03	Coliform	MPN/100mL	230	2400	Daily Instantaneous	3
14	24-Mar-03	pH	pH units	6.5	6.4	s	4
15	2-Apr-03	Coliform	MPN/100mL	230	500	Daily	4
16	7-Apr-03	Chlorine Residual	mg/L	0.02	0.04	Daily	2
17	9-Apr-03	Chlorine Residual	mg/L	0.02	0.03	Daily	2
18	14-Apr-03	Chlorine Residual	mg/L	0.02	0.03	Daily Instantaneous	2
19	2-Nov-04	pH	pH units	8.5	9.9	s	3
20	9-Nov-04	pH	pH units	8.5	8.8	s	3
21	16-Nov-04	pH	pH units	8.5	9.2	s	3
22	18-Jan-05	Settleable Solids	mL/L	0.2	0.5	Daily	1
23	31-Jan-05	Settleable Solids	mL/L	0.1	0.23	Monthly	1
24	28-Nov-05	Chlorine Residual	mg/L	0.02	1	1-Hour avg	2
25	28-Nov-05	Chlorine Residual	lbs/day	0.5	17	1-Hour avg	2
26	12-Dec-06	Settleable Solids	mL/L	0.2	0.3	Daily	1
27	26-Dec-06	Settleable Solids	mL/L	0.2	0.4	Daily	1
28	30-Dec-06	Settleable Solids	mL/L	0.1	0.9	Monthly	1
29	4-Dec-07	TSS	mg/L	60	93	Daily	1
30	4-Dec-07	TSS	mg/L	45	93	Weekly	1
31	4-Dec-07	TSS	lbs/day	1500	1552	Daily	3
32	4-Dec-07	TSS	lbs/day	1125	1785	Weekly	4
33	11-Dec-07	TSS	mg/L	60	81	Daily	4

ATTACHMENT A
 ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2008-0563
 MANDATORY PENALTY
 CITY OF GALT
 WASTEWATER TREATMENT PLANT
 SACRAMENTO COUNTY

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measure</u> <u>d</u>	<u>Period Type</u>	<u>Remarks</u>
34	11-Dec-07	TSS	mg/L	45	81	Weekly	1
35	11-Dec-07	TSS	lbs/day	1125	1555	Weekly	4
36	18-Dec-07	Settleable Solids	mL/L	0.2	0.8	Daily	1
37	18-Dec-07	TSS	mg/L	60	590	Daily	1
38	18-Dec-07	TSS	mg/L	45	590	Weekly	1
39	18-Dec-07	TSS	lbs/day	1500	12309	Daily	1
40	18-Dec-07	TSS	lbs/day	1125	11324	Weekly	1
41	26-Dec-07	Settleable Solids	mL/L	0.2	0.7	Daily	1
42	26-Dec-07	TSS	mg/L	60	410	Daily	1
43	26-Dec-07	TSS	mg/L	45	410	Weekly	1
44	26-Dec-07	TSS	lbs/day	1500	6843	Daily	1
45	26-Dec-07	TSS	lbs/day	1125	7527	Weekly	1
46	31-Dec-07	Settleable Solids	mL/L	0.1	0.4	Monthly	1
47	31-Dec-07	TSS	mg/L	30	294	Monthly	1
48	31-Dec-07	TSS	lbs/day	750	5643	Monthly	1

Remarks:

1. Serious Violation: For Group I pollutants that exceed the effluent limitation by 40 percent or more.
2. Serious Violation: For Group II pollutants that exceed the effluent limitation by 20 percent or more.
3. Non-serious violations falls within the first three violations in a six-month period, thus is exempt.
4. Non-serious violation subject to mandatory penalties.

<u>VIOLATIONS AS OF:</u>	<u>12/31/2007</u>
Group I Serious Violations:	21
Group II Serious Violations:	6
Non-Serious Exempt from MPs:	12
Non-serious Violations Subject to MPs:	9
<u>Total Violations Subject to MPs:</u>	<u>36</u>

Mandatory Minimum Penalty = (27 Serious Violations + 9 Non-Serious Violations) x \$3,000 = \$108,000



California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair



Arnold
Schwarzenegger
Governor

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
Phone (916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>

Linda S. Adams
Secretary for
Environmental Protection

TO: Patricia Leary, Senior Engineer
NPDES Compliance and Enforcement

FROM: Barry Hilton, WRCE
NPDES Compliance and Enforcement

DATE: 14 August 2008

SIGNATURE: _____

SUBJECT: CITY OF GALT WASTEWATER TREATMENT FACILITY, RESPONSE TO NOV AND ASSESSMENT OF MMPS

On 14 May 2008, Regional Water Board staff sent the City of Galt (Discharger) a draft Record of Violations for the period of 1 January 2000 through 31 December 2007. The Discharger responded by letter dated 11 June 2008. The following discusses the Discharger's comments and my evaluation.

Chlorine Residual

Violation 11. The Discharger stated that there was not an effluent sampling event on 13 January 2003. The Discharger submitted a sample to Sierra Foothill Laboratory (SFL) for acute bioassay testing. SFL, an accredited laboratory, reported a 0.14 mg/L chlorine residual in the sample which exceeded the effluent daily maximum limitation of 0.02 mg/L. I retained the violation.

Total Coliform Organisms

Violation 12. The Discharger stated that, according to its records, the violation occurred on 31 January 2003, not on 30 January 2003. The self-monitoring report reported that the violation occurred on 30 January 2003. I retained the violation. This violation did not result in assessment of an MMP because it was a non-serious violation and was only the second violation during the preceding 180 days.

Total Suspended Solids and Settleable Solids

Violations 22, 23, 26-48. The Discharger claimed that the effluent sampling point should have been above the effluent storage reservoir rather than the permitted location below the storage reservoir. The Discharger did not dispute the monitoring results but claimed that the total suspended solids and settleable solids results from the reservoir did not reflect the performance of the wastewater treatment plant. The storage reservoir collects tail water runoff from the biosolids and land reclamation area, is an integral part of the treatment process, and is the last treatment unit prior to discharge. The Discharger stores effluent in the reservoir and discharges effluent subsequent to 1 November, when the violations occurred. I retained the violations because the monitoring results reflected the effluent quality at the time of discharge.

Flow

I deleted all references to flow because the effluent flow volume was not a consideration in assessing MMPs.

Summary

The total number of Group 1 violations is 21.

The total number of Group 2 violations is 6.

The total number of Group 3 violations is 21; 9 are subject to MMPs.

The ACL is \$108,000.

ATTACHMENT A
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2008-05XX

City Of Galt
Wastewater Treatment Plant

RECORD OF VIOLATIONS (1 January 2000 – 31 December 2007) MANDATORY PENALTIES
(Data reported under Monitoring and Reporting Program Nos. 97-111 and R5-2004-0001)

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measure</u> <u>d</u>	<u>Period Type</u>	<u>Flow</u> <u>Rate*</u>	<u>Remarks</u>
1	17-Apr-00	Coliform	MPN/100mL	230	900	Daily Instantaneous		3
2	7-Dec-00	pH	pH units	6.5	6.3	s		3
3	11-Jan-01	Coliform	MPN/100mL	230	300	Daily Instantaneous		3
4	5-Dec-01	pH	pH units	6.5	6.2	s		3
5	17-Dec-01	Coliform	MPN/100mL	230	2400	Daily Instantaneous		3
6	23-Jan-02	pH	pH units	6.5	5.9	s		3
7	6-Mar-02	pH	pH units	8.5	8.8	s		4
8	14-Mar-02	pH	pH units	8.5	8.8	s		4
9	20-Mar-02	pH	pH units	8.5	8.6	s		4
10	17-Apr-02	pH	pH units	8.5	8.6	s		4
11	13-Jan-03	Chlorine Residual	mg/L	0.02	0.14	Daily		2
12	30-Jan-03	Coliform	MPN/100mL	230	500	Daily		3
13	13-Mar-03	Coliform	MPN/100mL	230	2400	Daily Instantaneous		3
14	24-Mar-03	pH	pH units	6.5	6.4	s		4
15	2-Apr-03	Coliform	MPN/100mL	230	500	Daily		4
16	7-Apr-03	Chlorine Residual	mg/L	0.02	0.04	Daily		2
17	9-Apr-03	Chlorine Residual	mg/L	0.02	0.03	Daily		2
18	14-Apr-03	Chlorine Residual	mg/L	0.02	0.03	Daily Instantaneous		2
19	2-Nov-04	pH	pH units	8.5	9.9	s		3
20	9-Nov-04	pH	pH units	8.5	8.8	s		3
21	16-Nov-04	pH	pH units	8.5	9.2	s		3
22	18-Jan-05	Settleable Solids	mL/L	0.2	0.5	Daily		1
23	31-Jan-05	Settleable Solids	mL/L	0.1	0.23	Monthly		1
24	28-Nov-05	Chlorine Residual	mg/L	0.02	1	1-Hour avg		2
25	28-Nov-05	Chlorine Residual	lbs/day	0.5	17	1-Hour avg	2.04	2
26	12-Dec-06	Settleable Solids	mL/L	0.2	0.3	Daily		1
27	26-Dec-06	Settleable Solids	mL/L	0.2	0.4	Daily		1
28	30-Dec-06	Settleable Solids	mL/L	0.1	0.9	Monthly		1
29	4-Dec-07	TSS	mg/L	60	93	Daily	2	1
30	4-Dec-07	TSS	mg/L	45	93	Weekly	2.3	1
31	4-Dec-07	TSS	lbs/day	1500	1552	Daily	2	3
32	4-Dec-07	TSS	lbs/day	1125	1785	Weekly	2.3	4
33	11-Dec-07	TSS	mg/L	60	81	Daily		4
34	11-Dec-07	TSS	mg/L	45	81	Weekly		1

ATTACHMENT A
 CITY OF GALT
 WASTEWATER TREATMENT PLANT AND RECLAMATION FACILITY
 ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2008-0563

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measure</u> <u>d</u>	<u>Period Type</u>	<u>Flow</u> <u>Rate*</u>	<u>Remarks</u>
35	11-Dec-07	TSS	lbs/day	1125	1555	Weekly	2.3	4
36	18-Dec-07	Settleable Solids	mL/L	0.2	0.8	Daily		1
37	18-Dec-07	TSS	mg/L	60	590	Daily		1
38	18-Dec-07	TSS	mg/L	45	590	Weekly		1
39	18-Dec-07	TSS	lbs/day	1500	12309	Daily	2.5	1
40	18-Dec-07	TSS	lbs/day	1125	11324	Weekly	2.3	1
41	26-Dec-07	Settleable Solids	mL/L	0.2	0.7	Daily		1
42	26-Dec-07	TSS	mg/L	60	410	Daily		1
43	26-Dec-07	TSS	mg/L	45	410	Weekly		1
44	26-Dec-07	TSS	lbs/day	1500	6843	Daily	2	1
45	26-Dec-07	TSS	lbs/day	1125	7527	Weekly	2.2	1
46	31-Dec-07	Settleable Solids	mL/L	0.1	0.4	Monthly		1
47	31-Dec-07	TSS	mg/L	30	294	Monthly		1
48	31-Dec-07	TSS	lbs/day	750	5643	Monthly	2.3	1

Remarks:

1. Serious Violation: For Group I pollutants that exceed the effluent limitation by 40 percent or more.
2. Serious Violation: For Group II pollutants that exceed the effluent limitation by 20 percent or more.
3. Non-serious violations falls within the first three violations in a six-month period, thus is exempt.
4. Non-serious violation subject to mandatory penalties.
5. ~~Mass rate limitation exceedances due only to wet weather not assessed MMPs pursuant to State Water Board Order WQO 2004-0013.~~

VIOLATIONS AS OF: 12/31/2007

Group I Serious Violations:	21
Group II Serious Violations:	6
Non-Serious Exempt from MPs:	12
Non-serious Violations Subject to MPs:	9

Total Violations Subject to MPs: 36

Mandatory Minimum Penalty = (27 Serious Violations + 9 Non-Serious Violations) x \$3,000 = \$108,000

~~* Arithmetic mean of all 1-day flow rates (in MGD) while discharging to surface waters during limitation period. Values greater than the design dry weather flow rate (3.0 MGD) are considered wet weather for purposes of applying SWRCB Order WQO 2004-0013.~~