

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R5-2003-0167

IN THE MATTER OF
· CITY OF COLFAX
WASTEWATER TREATMENT PLANT
PLACER COUNTY

This Order issued by the California Regional Water Quality Control Board, Central Valley Region, (Regional Board) assesses Mandatory Penalties pursuant to California Water Code Section 13385 and is issued to the City of Colfax (hereafter Discharger) based on a finding of violations of Waste Discharger Requirements Order Nos. 95-058 and 5-01-180 (NPDES No. CA0079529). Imposition of Administrative Civil Liability (ACL) is authorized pursuant to California Water Code Section 13385.

The Regional Board finds, with respect to the Discharger's acts or failures to act, the following:

1. California Water Code Section 13385(h)(1) requires the Regional Board to assess a mandatory penalty of three thousand dollars (\$3,000) for the first serious violation in any six-month period.
2. California Water Code Section 13385(i)(1) requires the Regional Board to assess a mandatory penalty of three thousand dollars (\$3,000) for each violation, not counting the first violation, if the discharger commits two or more serious violations in any six-month period.
3. California Water Code Section 13385 states, in part, the following:

§ 13385(h)(2)(A) For the purpose of this section, a serious violation means any waste discharge that exceeds the effluent limitations 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.

4. California Water Code Section 13385(i)(2) requires the Regional Board to assess a mandatory penalty of three thousand dollars (\$3,000) for each violation, not counting the first three violations, if the discharger does any of the following four or more times in any six-month period:
 - a. Exceeds 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. Exceeds a toxicity discharge limitation where the waste discharge requirements do not contain pollutant-specific effluent limitations for toxic pollutants.

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5. California Water Code Section 13385(k) states, in part, the following: *In lieu of assessing all or a portion of the mandatory minimum penalties pursuant to subdivisions (h) and (i) against a POTW serving a small community, as defined by subdivision (b) of Section 79084, the state board or the regional board may elect to require the POTW to spend an equivalent amount toward the completion of a compliance project proposed by the POTW, if the state or regional board finds all of the following: (1) The compliance project is designed to correct the violations within five years, (2) The compliance project is in accordance with the enforcement policy of the state board, (3) The POTW has demonstrated that it has sufficient funding to complete the compliance project.*
6. California Water Code Section 79084(b) states, in part, the following: *For the purposes of this article, "small community" means a municipality with a population of 10,000 persons or less, a rural county, or a reasonably isolated and divisible segment of a larger municipality where the population of the segment is 10,000 persons or less, with a financial hardship as determined by the board.*
7. The Water Quality Enforcement Policy, adopted by the State Water Resources Control Board on 19 February 2002 states, in part, the following: *It is the policy of the SWRCB that "financial hardship" means that the median annual household income for the community is less than 80% of the California median annual household income. It is the policy of the SWRCB that "median annual household income" means the median annual household income of the community based on the most recent census data or a local survey approved by the SWRCB...The SWRCB will maintain a current list of designated small communities with a financial hardship.*
8. On 24 March 1995, the Regional Board adopted Waste Discharge Requirements Order No. 95-058 (NPDES No. CA0079529), for the City of Colfax, to regulate discharges of waste from the City of Colfax's Wastewater Treatment Plant.
9. Order No. 95-058 includes the following effluent limitations:

"Effluent Limitations:

1. Effluent shall not exceed the following limits:

<u>Constituents</u>	<u>Units</u>	<u>30-Day Average</u>	<u>7-Day Average</u>	<u>30-Day Median</u>	<u>Daily Maximum</u>
Total Suspended Solids	mg/l	10	15	--	25
Total Coliform	MPN/100	--	--	23	500
Organisms	ml				
Chlorine Residual	mg/l	--	--	--	0.02

2. The discharge shall not have a pH less than 6.5 nor greater than 8.5."

10. According to discharger self-monitoring reports, the Discharger exceeded the 30-day average effluent limitation contained in Order No. 95-058 for total suspended solids three times during a six-month period. All three violations require a mandatory penalty under Section 13385(i)(2) of the California Water Code. Violations requiring a penalty are the June 2000, September 2000, and October 2000 30-day average total suspended solids effluent limitation violations.

The amount of the mandatory penalty for these violations is \$9,000.

11. According to discharger self-monitoring reports, the Discharger exceeded the 30-day median effluent limitation contained in Order No. 95-058 for total coliform organisms three times during a six-month period.

Of the three 30-day median effluent limitation violations, two require a mandatory penalty under Section 13385(i)(2) of the California Water Code. Violations requiring a penalty are the February 2000 and May 2000 30-day median total coliform organisms effluent limitation violations.

The amount of the mandatory penalty for these violations is \$6,000.

12. According to discharger self-monitoring reports, the Discharger committed twenty-three serious violations of the daily maximum total chlorine residual effluent limitations contained in Order No. 95-058 during the year 2000.

Total chlorine residual is listed as a Group II pollutant in Title 40 of the Code of Federal Regulations. The City of Colfax's Wastewater Treatment Plant discharged effluent that exceeded the daily maximum total chlorine residual effluent limitations by more than 20 percent as shown in Attachment A.

The amount of the mandatory penalty for these violations is \$69,000.

13. According to discharger self-monitoring reports, the Discharger exceeded the pH effluent limitation contained in Order No. 95-058 eleven times during a six-month period. All eleven pH effluent limitation violations require a mandatory penalty under Section 13385(i)(2) of the California Water Code. Violations requiring a penalty are summarized in Attachment A.

The amount of the mandatory penalty for these violations is \$33,000.

14. On 14 June 2001, the Regional Board adopted Waste Discharge Requirements Order No. 5-01-180 (NPDES No. CA0079529), for the City of Colfax, to regulate discharges of waste from the City of Colfax's Wastewater Treatment Plant. Order No. 5-01-180 rescinded Order No. 95-058.

15. Order No. 5-01-180 includes the following effluent limitations:

"Effluent Limitations:

1a. Effluent shall not exceed the following limits:

<u>Constituents</u>	<u>Units</u>	<u>Monthly Average</u>	<u>7-Day Average</u>	<u>Daily Maximum</u>
BOD	mg/l	10	15	25
	lbs/day ¹	16.7	25	41.7
Total Suspended Solids	mg/l	10	15	25
	lbs/day ¹	16.7	25	41.7

¹ Based upon a treatment capacity of 0.2 mgd ($x \text{ mg/l} \times 8.345 \times 0.2 \text{ mgd} = y \text{ lbs/day}$)

1b. Effluent shall not exceed the following limits until **14 June 2006**:

<u>Constituents</u>	<u>Units</u>	<u>Monthly Median</u>	<u>Daily Maximum</u>
Total Coliform Organisms	MPN/100 ml	23	500
Chlorine Residual	mg/l	--	0.02"

16. According to discharger self-monitoring reports, the Discharger committed sixty serious violations of the daily maximum total chlorine residual effluent limitation contained in Order No. 5-01-180 during the year 2001 through 2003.

Total chlorine residual is listed as a Group II pollutant in Title 40 of the Code of Federal Regulations. The City of Colfax's Wastewater Treatment Plant discharged effluent that exceeded the daily maximum total chlorine residual effluent limitations by more than 20 percent as shown in Attachment A.

The amount of the mandatory penalty for these violations is \$180,000.

17. According to discharger self-monitoring reports, the Discharger committed one serious violation of the monthly average and one serious violation of the seven-day average BOD effluent limitations contained in Order No. 5-01-180 during the year 2002.

BOD is listed as a Group I pollutant in Title 40 of the Code of Federal Regulations. The City of Colfax's Wastewater Treatment Plant discharged effluent that exceeded the monthly average and seven-day average BOD effluent limitations by more than 40 percent as shown in Attachment A.

The amount of the mandatory penalty for these violations is \$6,000.

18. According to discharger self-monitoring reports, the Discharger exceeded the seven-day average BOD effluent limitation contained in Order No. 5-01-180 two times during a six-month period.

Of the two seven-day average BOD effluent limitation violations, one is considered serious violation and required mandatory penalties under Section 13385(h)(2)(A) of the California Water Code, as stated in Finding 17 of this Complaint. The remaining violation requires a mandatory penalty under Section 13385(i)(2) of the California Water Code. The violation requiring a penalty is the 8 August 2002 to 14 August 2002 seven-day average BOD effluent limitation violation.

The amount of the mandatory penalty for this violation is \$3,000.

19. According to discharger self-monitoring reports, the Discharger committed one serious violation of the monthly average and one serious violation of the seven-day average total suspended solids effluent limitations contained in Order No. 5-01-180 during the year 2001 and 2002.

Total suspended solids is listed as a Group I pollutant in Title 40 of the Code of Federal Regulations. The City of Colfax's Wastewater Treatment Plant discharged effluent that exceeded the monthly average and seven-day average total suspended solids effluent limitations by more than 40 percent as shown in Attachment A.

The amount of the mandatory penalty for these violations is \$6,000.

20. According to discharger self-monitoring reports, the Discharger exceeded the monthly average and the daily maximum total suspended solids concentration-based effluent limitations contained in Order No. 5-01-180 three times and one time, respectively, and the monthly average and the daily maximum total suspended solids mass-based effluent limitations contained in Order No. 5-01-180 two times and one time, respectively, during a six-month period.

Of the three monthly average total suspended solids concentration-based effluent limitation violations, one is considered serious violation and required mandatory penalties under Section 13385(h)(2)(A) of the California Water Code, as stated in Finding 19 of this Complaint. The remaining violations require a mandatory penalty under Section 13385(i)(2) of the California Water Code. Violations requiring a penalty are the October 2001 and November 2001 monthly average total suspended solids concentration-based effluent limitation violations.

The daily maximum total suspended solids concentration-based effluent limitation violation requires a mandatory penalty under Section 13385(i)(2) of the California Water Code. The violation requiring a penalty is the 16 December 2002 daily maximum concentration-based effluent limitation violation.

Both monthly average total suspended solids mass-based effluent limitation violations require a mandatory penalty under Section 13385(i)(2) of the California Water Code. Violations requiring a penalty are the October 2001 and November 2001 monthly average total suspended solids mass-based effluent limitation violations.

The daily maximum total suspended solids mass-based effluent limitation violation requires a mandatory penalty under Section 13385(i)(2) of the California Water Code. The violation requiring a penalty is the 16 December 2002 daily maximum mass-based effluent limitation violation.

The amount of the mandatory penalty for these violations is \$18,000.

21. According to discharger self-monitoring reports, the Discharger exceeded six daily maximum and three monthly median effluent limitations contained in Order No. 5-01-180 for total coliform organism during the year 2001 through 2003.

Of the six daily maximum total coliform organism effluent limitation violations, four require a mandatory penalty under Section 13385(i)(2) of the California Water Code. Violations requiring a penalty are the 20 December 2002, 30 December 2002, 10 January 2003, and 14 March 2003 daily maximum total coliform organisms effluent limitation violations.

All three monthly median total coliform organism effluent limitation violations require a mandatory penalty under Section 13385(i)(2) of the California Water Code. Violations requiring a penalty are the January 2003, February 2003, and March 2003 monthly median total coliform organisms effluent limitation violations.

The amount of the mandatory penalty for these violations is \$21,000.

22. The total amount of mandatory penalty is \$351,000.
23. The City of Colfax owns and operates a publicly owned treatment works (POTW) and is included in the State Water Resources Control Board's State Revolving Fund Priority List. Therefore, in accordance with California Water Code Section 13385(k), the Regional Board may require the City to complete a compliance project.
24. In accordance with California Water Code Section 13385(k), the compliance project must be designed to correct the violations within five years. Compliance with discharge

limitations and requirements of the compliance schedule in the NPDES permit and Cease and Desist Order would comply with California Water Code Section 13385(k).

25. Order No. 5-01-180 includes a time schedule to assure compliance with tertiary treatment requirements or complete land disposal and associated Effluent Limitations. The City has submitted an Engineered Report containing an alternative analysis to achieve compliance with permit requirements.
26. Issuance of this Order to enforce WDR Order Nos. 95-058 and 5-01-180 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 Section 15321(a)(2).

IT IS HEREBY ORDERED THAT:


1. The City of Colfax be assessed an Administrative Civil Liability in the amount of \$351,000 and that in lieu of the Administrative Civil Liability the Regional Board will allow the Discharger to spend \$351,000 toward the completion of a project to achieve compliance with WDR, Order No. 5-01-180, and Cease and Desist Order No. 5-01-181. In accordance with Waste Discharge Requirements Order No. 5-01-180 and Cease and Desist Order No. 5-01-181, the Discharger is required to achieve full compliance with WDR Order No. 5-01-180 by 14 June 2006.
2. The City of Colfax shall comply with the following time schedule:
 - a. Submit Plan for Compliance Project by **1 April 2004**.
 - b. Submit Financial Assurance Plan by **1 September 2004**.
 - c. Complete Projects and Achieve Full Compliance by **14 June 2006**.

Upon completion of the project to achieve compliance with Waste Discharge Requirements and no later than **14 August 2006**, the Discharger shall submit verification of the actual amount of money spent by the Discharger toward completion of the compliance project.

3. If in the judgment of the Executive Officer, the Discharger fails to complete the project described herein or fails to complete the project according to the specified time schedule, the amount of the mandatory minimum penalty must be paid within 30 days of notification by the Executive Officer of such failure.
4. The Executive Officer may, at his discretion if reasonable conditions warrant, extend the Full Compliance time schedule in No. 2 above by to 6 months.

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I, THOMAS R. PINKOS, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 5 December 2003.

for 

THOMAS R. PINKOS, Executive Officer

MANDATORY PENALTY ADMINISTRATIVE CIVIL LIABILITY
CITY OF COLFAX
WASTEWATER TREATMENT PLANT
PLACER COUNTY

Effluent Limitation Violations:

Order No. 95-058

#	Violation Dates *	Constituents	Units	Limitation Period	Limit	Result/ Average	% Over Limit	Pollutant Group	Date 180 Days Prior **	Effluent Violations in Past 180 Days	Serious Violation***?	Penalty
1	1/5/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	>0.02	>20	II	1/1/00	0	Yes	\$3,000
2	Jan-00	Total Coliform Organisms	MPN/100ml	30-Day Median	23	28.5	24	OEV	1/1/00	1	N/A	\$0
3	2/10/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	>0.02	>20	II	1/1/00	2	Yes	\$3,000
4	Feb-00	Total Coliform Organisms	MPN/100ml	30-Day Median	23	110	378	OEV	1/1/00	3	N/A	\$3,000
5	3/15/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	>0.02	>20	II	1/1/00	4	Yes	\$3,000
6	3/22/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	>0.02	>20	II	1/1/00	5	Yes	\$3,000
7	3/29/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	>0.02	>20	II	1/1/00	6	Yes	\$3,000
8	4/5/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	>0.02	>20	II	1/1/00	7	Yes	\$3,000
9	4/12/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	>0.02	>20	II	1/1/00	8	Yes	\$3,000
10	4/19/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	>0.02	>20	II	1/1/00	9	Yes	\$3,000
11	4/26/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	>0.02	>20	II	1/1/00	10	Yes	\$3,000
12	May-00	Total Coliform Organisms	MPN/100ml	30-Day Median	23	110	378	OEV	1/1/00	11	N/A	\$3,000
13	6/21/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.2	900	II	1/1/00	12	Yes	\$3,000
14	6/28/00	pH	pH Unit	Daily Average	6.5-8.5	6.0	N/A	OEV	1/1/00	13	N/A	\$3,000
15	Jun-00	Total Suspended Solids	mg/l	Monthly Average	10	11	10	I	1/1/00	14	No	\$3,000
16	7/5/00	pH	pH Unit	Daily Average	6.5-8.5	6.4	N/A	OEV	1/7/00	15	N/A	\$3,000
17	7/26/00	pH	pH Unit	Daily Average	6.5-8.5	6.3	N/A	OEV	1/28/00	15	N/A	\$3,000
18	8/2/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.6	2,900	II	2/4/00	15	Yes	\$3,000
19	8/2/00	pH	pH Unit	Daily Average	6.5-8.5	6.4	N/A	OEV	2/4/00	16	N/A	\$3,000
20	8/9/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.5	2,400	II	2/11/00	17	Yes	\$3,000
21	8/16/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.75	8,650	II	2/18/00	18	Yes	\$3,000
22	8/22/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.8	3,900	II	2/24/00	19	Yes	\$3,000
23	8/30/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.75	8,650	II	3/3/00	20	Yes	\$3,000
24	9/6/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.5	7,400	II	3/10/00	19	Yes	\$3,000
25	9/13/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.0	4,900	II	3/17/00	20	Yes	\$3,000
26	9/20/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.5	2,400	II	3/24/00	20	Yes	\$3,000
27	9/20/00	pH	pH Unit	Daily Average	6.5-8.5	6.3	N/A	OEV	3/24/00	21	N/A	\$3,000
28	9/26/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.5	2,400	II	3/30/00	21	Yes	\$3,000
29	Sep-00	Total Suspended Solids	mg/l	Monthly Average	10	12	20	I	4/1/00	21	No	\$3,000
30	10/4/00	pH	pH Unit	Daily Average	6.5-8.5	6.4	N/A	OEV	4/7/00	22	N/A	\$3,000
31	10/4/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.75	8,650	II	4/7/00	23	Yes	\$3,000
32	10/11/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.4	6,900	II	4/14/00	23	Yes	\$3,000
33	10/18/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.5	7,400	II	4/21/00	23	Yes	\$3,000
34	10/24/00	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.0	4,900	II	4/27/00	23	Yes	\$3,000
35	Oct-00	Total Suspended Solids	mg/l	Monthly Average	10	12	20	I	5/1/00	23	No	\$3,000
36	11/1/00	pH	pH Unit	Daily Average	6.5-8.5	6.4	N/A	OEV	5/5/00	24	N/A	\$3,000
37	11/15/00	pH	pH Unit	Daily Average	6.5-8.5	6.2	N/A	OEV	5/19/00	25	N/A	\$3,000
38	11/21/00	pH	pH Unit	Daily Average	6.5-8.5	6.3	N/A	OEV	5/25/00	26	N/A	\$3,000
39	11/29/00	pH	pH Unit	Daily Average	6.5-8.5	6.4	N/A	OEV	6/2/00	27	N/A	\$3,000
40	12/27/00	pH	pH Unit	Daily Average	6.5-8.5	6.4	N/A	OEV	6/30/00	26	N/A	\$3,000

MANDATORY PENALTY ADMINISTRATIVE CIVIL LIABILITY
 CITY OF COLFAX
 WASTEWATER TREATMENT PLANT
 PLACER COUNTY

Effluent Limitation Violations:

Order No. 5-01-180

#	Violation Dates *	Constituents	Units	Limitation Period	Limit	Result/ Average	% Over Limit	Pollutant Group	Date 180 Days Prior **	Effluent Violations in Past 180 Days	Serious Violation*** ?	Penalty
1	8/15/01	Total Coliform Organisms	MPN/100 ml	Daily Maximum	500	900	80	OEV	2/16/01	0	N/A	\$0
2	10/1/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.0	4,900	II	4/4/01	1	Yes	\$3,000
3	10/2/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.0	4,900	II	4/5/01	2	Yes	\$3,000
4	10/3/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	1.0	4,900	II	4/6/01	3	Yes	\$3,000
5	10/4/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/7/01	4	Yes	\$3,000
6	10/5/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/8/01	5	Yes	\$3,000
7	10/6/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/9/01	6	Yes	\$3,000
8	10/7/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/10/01	7	Yes	\$3,000
9	10/8/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/11/01	8	Yes	\$3,000
10	10/9/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/12/01	9	Yes	\$3,000
11	10/10/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/13/01	10	Yes	\$3,000
12	10/17/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/20/01	11	Yes	\$3,000
13	10/18/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/21/01	12	Yes	\$3,000
14	10/19/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/22/01	13	Yes	\$3,000
15	10/20/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/23/01	14	Yes	\$3,000
16	10/21/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/24/01	15	Yes	\$3,000
17	10/22/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/25/01	16	Yes	\$3,000
18	10/23/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/26/01	17	Yes	\$3,000
19	10/24/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/27/01	18	Yes	\$3,000
20	10/25/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/28/01	19	Yes	\$3,000
21	10/26/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/29/01	20	Yes	\$3,000
22	10/27/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	4/30/01	21	Yes	\$3,000
23	10/28/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/1/01	22	Yes	\$3,000
24	10/29/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/2/01	23	Yes	\$3,000
25	10/30/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/3/01	24	Yes	\$3,000
26	10/31/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/4/01	25	Yes	\$3,000
27	Oct-01	Total Suspended Solids	mg/l	Monthly Average	10	12	20	I	5/4/01	26	No	\$3,000
28	Oct-01	Total Suspended Solids	lbs/day	Monthly Average	16.7	17	1.8	I	5/4/01	27	No	\$3,000
29	11/1/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/5/01	28	Yes	\$3,000
30	11/3/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/7/01	29	Yes	\$3,000
31	11/4/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/8/01	30	Yes	\$3,000
32	11/5/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/9/01	31	Yes	\$3,000
33	11/6/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/10/01	32	Yes	\$3,000
34	11/7/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/11/01	33	Yes	\$3,000
35	11/8/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/12/01	34	Yes	\$3,000
36	11/9/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/13/01	35	Yes	\$3,000
37	11/10/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/14/01	36	Yes	\$3,000
38	11/11/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/15/01	37	Yes	\$3,000
39	11/12/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/16/01	38	Yes	\$3,000
40	11/13/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/17/01	39	Yes	\$3,000
41	11/14/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/14/01	40	Yes	\$3,000

MANDATORY PENALTY ADMINISTRATIVE CIVIL LIABILITY
 CITY OF COLFAX
 WASTEWATER TREATMENT PLANT
 PLACER COUNTY
Effluent Limitation Violations:

Order No. 5-01-180

#	Violation Dates *	Constituents	Units	Limitation Period	Limit	Result/ Average	% Over Limit	Pollutant Group	Date 180 Days Prior **	Effluent Violations in Past 180 Days	Serious Violation***?	Penalty
42	11/15/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/15/01	41	Yes	\$3,000
43	11/16/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/16/01	42	Yes	\$3,000
44	11/17/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/17/01	43	Yes	\$3,000
45	11/18/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/18/01	44	Yes	\$3,000
46	11/19/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/19/01	45	Yes	\$3,000
47	11/20/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/20/01	46	Yes	\$3,000
48	11/21/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/21/01	47	Yes	\$3,000
49	11/22/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/22/01	48	Yes	\$3,000
50	11/23/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/23/01	49	Yes	\$3,000
51	11/24/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/24/01	50	Yes	\$3,000
52	11/25/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/25/01	51	Yes	\$3,000
53	11/26/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/26/01	52	Yes	\$3,000
54	11/27/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/27/01	53	Yes	\$3,000
55	11/28/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/28/01	54	Yes	\$3,000
56	11/29/01	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.1	400	II	5/29/01	55	Yes	\$3,000
57	Nov-01	Total Suspended Solids	mg/l	Monthly Average	10	12	20	I	5/30/01	56	No	\$3,000
58	Nov-01	Total Suspended Solids	lbs/day	Monthly Average	16.7	17	1.8	I	5/30/01	57	No	\$3,000
59	7/1/02	Total Coliform Organisms	MPN/100 ml	Daily Maximum	500	900	80	OEVI	1/1/02	0	N/A	\$0
60	8/1/02	BOD	mg/l	Daily Maximum	25	31	24	I	2/1/02	1	No	\$0
61	8/1/02-8/7/02	BOD	mg/l	7-Day Average	15	31	107	I	2/1/02	2	Yes	\$3,000
62	8/8/02-8/14/02	BOD	mg/l	7-Day Average	15	20	33	I	2/8/02	3	No	\$3,000
63	Aug-02	BOD	mg/l	Monthly Average	10	25.5	155	I	2/28/02	4	Yes	\$3,000
64	12/16/02	Total Suspended Solids	mg/l	Daily Maximum	25	30	20	I	6/16/02	5	No	\$3,000
65	12/16/02	Total Suspended Solids	lbs/day	Daily Maximum	41.7	50.8	22	I	6/16/02	6	No	\$3,000
66	12/15/02-12/21/02	Total Suspended Solids	mg/l	7-Day Average	15	30	100	I	6/15/02	7	Yes	\$3,000
67	12/20/02	Total Coliform Organisms	MPN/100 ml	Daily Maximum	500	1,600	220	OEVI	6/20/02	8	N/A	\$3,000
68	12/30/02	Total Coliform Organisms	MPN/100 ml	Daily Maximum	500	900	80	OEVI	6/30/02	9	N/A	\$3,000
69	Dec-02	Total Suspended Solids	mg/l	Monthly Average	10	20	100	I	6/30/02	10	Yes	\$3,000
70	1/10/03	Total Coliform Organisms	MPN/100 ml	Daily Maximum	500	1,600	220	OEVI	7/10/02	10	N/A	\$3,000
71	1/14/03	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.5	2,400	II	7/14/02	11	Yes	\$3,000
72	Jan-03	Total Coliform Organisms	MPN/100 ml	30-Day Median	23	110	378	OEVI	7/30/02	12	N/A	\$3,000
73	2/11/03	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.05	150	II	8/11/02	11	Yes	\$3,000
74	2/12/03	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.15	650	II	8/12/02	12	Yes	\$3,000
75	Feb-03	Total Coliform Organisms	MPN/100 ml	30-Day Median	23	120	422	OEVI	8/28/02	12	N/A	\$3,000
76	3/1/03	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.25	1,150	II	8/29/02	13	Yes	\$3,000
77	3/3/03	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.15	650	II	9/2/02	13	Yes	\$3,000
78	3/8/03	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.6	2,900	II	9/7/02	14	Yes	\$3,000
79	3/9/03	Total Chlorine Residual	mg/l	Daily Maximum	0.02	0.5	2,400	II	9/8/02	15	Yes	\$3,000
80	3/14/03	Total Coliform Organisms	MPN/100 ml	Daily Maximum	500	1,600	220	OEVI	9/13/02	16	N/A	\$3,000
81	Mar-03	Total Coliform Organisms	MPN/100 ml	30-Day Median	23	170	639	OEVI	9/30/02	17	N/A	\$3,000

Total Penalty = \$351,000

MANDATORY PENALTY ADMINISTRATIVE CIVIL LIABILITY
CITY OF COLFAX
WASTEWATER TREATMENT PLANT
PLACER COUNTY

OEV Other Effluent Violation

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

** Mandatory penalties effective 1 January 2000.

*** 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%.
A violation is chronic when effluent limitations have been exceeded three or more times in the 180 days immediately preceding the violation in question.