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## Central Valley Regional Water Quality Control Board

2 February 2017

Michael M. Miller  
President  
Original Sixteen to One Mine, Inc.  
P.O. Box 909  
Alleghany, CA 95910

### ***NOTICE OF VIOLATION AND DRAFT RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES, ORIGINAL SIXTEEN TO ONE MINE, INC, SIXTEEN TO ONE MINE, SIERRA COUNTY***

The Original Sixteen to One Mine (Facility) is owned by Original Sixteen to One Mine, Inc. (Discharger) and is regulated by Waste Discharge Requirements (WDRs) Order R5-2015-0002 and Time Schedule Order (TSO) R5-2015-0035. As required by section 13385 of the California Water Code, the Central Valley Water Board must assess mandatory minimum penalties (MMPs) for violations of the effluent limitations contained in the WDRs.

Enclosed is a draft Record of Violations (ROV) that contains a listing of effluent limitation violations that have occurred at the Facility from 1 October 2015 through 30 September 2016. The ROV shows that the proposed MMP is **\$27,000**.

*Please note that the Central Valley Regional Board reserves the right to issue discretionary penalties in addition to mandatory penalties. A final determination will be made at a later date.*

Please review the draft ROV for accuracy and submit any comments or corrections by **27 February 2017** If you have any questions, please contact me at (916) 464-4623 or kari.holmes@waterboards.ca.gov.



KARI HOLMES, P.E  
Senior Water Resource Control Engineer  
NPDES Compliance and Enforcement Unit

Enclosure: Attachment A

**ATTACHMENT A  
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

**The Original Sixteen to One Mine**

RECORD OF VIOLATIONS (1 October 2015 – 30 September 2016) MANDATORY PENALTIES  
(Data reported under Monitoring and Reporting Program R5-2015-0002 and TSO R5-2015-0035)

	<u>Date</u>	<u>Parameter</u>	<u>Units</u>	<u>WDRs Limit</u>	<u>TSO Limit</u>	<u>Measured</u>	<u>Period</u>	<u>Remarks</u>	<u>CIWQS</u>
*	30-Apr-15	Antimony	µg/L	6	35	62.3	Monthly Average	2	998936
1	17-Dec-15	TSS	mg/L	30	NA	41	Daily Maximum	3	1003210
2	31-Dec-15	Arsenic	µg/L	10	700	883	Monthly Average	2	1008352
3	31-Dec-15	Antimony	µg/L	6	35	41.1	Monthly Average	2	1008346
4	31-Dec-15	TSS	mg/L	20	NA	41	Monthly Average	1	1003251
5	31-Dec-15	Cadmium	µg/L	0.85	30	30.2	Monthly Average	2	1008347
6	31-Dec-15	Iron	µg/L	300	2,100/ 2,500 <sup>a</sup>	1179	Annual Average	1	1008349
7	31-Jul-16	Antimony	µg/L	6	35	49.3	Monthly Average	2	1016605
8	29-Sep-16	Antimony	µg/L	12	50	60	Daily Maximum	2	1016612
9	30-Sep-16	Antimony	µg/L	6	35	60	Monthly Average	2	1016606
10	30-Sep-16	Nickel	µg/L	21	150	153	Monthly Average	2	1016611

\* Supporting violations addressed in ACLO R5-2016-0021

<sup>a</sup> Time Schedule Order (TSO) contains interim iron limitations based on both daily maximum and average monthly averaging periods. Protection from MMPs was lost for iron because the effluent concentration exceeded the TSO's daily maximum and monthly average effluent limitations in December 2015 with a sample concentration of 3,050 µg/L. The resulting violation is of the annual average effluent limitation for iron contained in the WDRs.

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 violation falls within the first three violations in a 180-day period, thus is not subject to mandatory minimum penalties. Penalties that may be assessed for this violation are discretionary. This violation is not addressed or resolved in this ROV.
4. Non-serious violation subject to mandatory minimum penalties.

<b><u>VIOLATIONS AS OF:</u></b>	<b><u>9/30/16</u></b>
Group I Serious Violations:	2
Group II Serious Violations:	7
Non-Serious Violations Not Subject to MMPs:	1
<u>Non-Serious Violations Subject to MMPs:</u>	<u>0</u>
<b>Total Violations Subject to MMPs:</b>	<b>9</b>

**Mandatory Minimum Penalty = (2 Group I Serious Violations + 7 Group II Serious Violations) x \$3,000 = \$27,000**