

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY
COMPLAINT R5-2022-0513

MANDATORY MINIMUM PENALTY
IN THE MATTER OF

ORIGINAL SIXTEEN TO ONE MINE, INC.
SIXTEEN TO ONE MINE
SIERRA COUNTY

This Administrative Civil Liability Complaint (Complaint) is issued to Original Sixteen to One Mine, Inc. (hereafter Discharger) pursuant to California Water Code (Water Code) section 13385, which authorizes the imposition of Administrative Civil Liability, Water Code section 13323, which authorizes the Executive Officer to issue this Complaint, and Water Code section 7, which authorizes the delegation of the Executive Officer's authority to a deputy, in this case the Assistant Executive Officer. This Complaint is based on allegations that the Discharger violated provisions of Waste Discharge Requirements (WDRs) Orders R5-2015-0002 and R5-2021-0037(NPDES CA0081809).

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

1. The Discharger owns and operates the Sixteen to One Mine (Facility), an underground hard rock gold mine. The Facility discharges mine drainage via the 21 Tunnel Portal to Kanaka Creek, tributary to Middle Yuba River, Yuba River, Feather River, and Sacramento River, a water of the United States in the Sacramento Hydrologic Basin.
2. Discharges from the Facility were regulated by the Central Valley Water Board under Waste Discharge Requirements (WDRs) Order R5-2015-0002 (NPDES CA0081809), which was adopted on 5 February 2015 and became effective on 16 April 2015. A minor modification letter was issued on 10 September 2015 to correct an error in the monitoring report due dates.
3. On 17 April 2015, the Board issued Time Schedule Order (TSO) R5-2015-0035 pursuant to Water Code section 13300. The TSO provided protection from mandatory minimum penalties (MMPs) for the designated constituents if the Discharger complied with the interim effluent limits in the TSO for electrical conductivity, arsenic, antimony, cadmium, copper, iron, lead, manganese, and nickel. Failure to comply with the interim effluent limits in the TSO results in the imposition of MMPs. The interim limits were in effect from 17 April 2015 to 16 April 2020.
4. On 6 April 2018, the Board amended TSO R5-2015-0035 based on new information provided by the Discharger and adopted TSO R5-2015-0035-01. TSO R5-2015-0035 cited incorrect final effluent limitations from WDRs Order R5-2015-0002. At the time that the Central Valley Water Board adopted TSO R5-2015-0035, the most recent water quality data for the Facility discharge consisted of two sampling events conducted by Central Valley Water Board staff in 2011. Interim limitations were established based on limited

dataset. Since adoption of WDRs Order R5-2015- 0002 in February 2015, the Discharger had conducted 10 quarterly effluent monitoring events. The amended TSO R5-2015-0035-01 revised the interim effluent limitations to better represent variability of the discharge from the Facility.

5. On 6 June 2021, the Board adopted WDRs R5-2021-0037, which contains new requirements and superseded Order R5-2015-0002 except for enforcement purposes. WDRs Order R5-2021-0037 become effective on 1 August 2021.

CURRENT ENFORCEMENT ACTION

6. This Complaint addresses MMPs that must be imposed for effluent violations and late reporting violations that occurred during the period from 1 January 2019 through 31 December 2021. These violations are specifically identified in Attachment A to this Complaint and are subject to MMPs per Water Code sections 13385 and 13385.1. Attachment A to this Complaint is attached hereto and incorporated herein by this reference.
7. On 24 September 2021, Central Valley Water Board staff issued a Notice of Violation (NOV) and Record of Violations (ROV) documenting alleged violations subject to MMPs to the Discharger for the monitoring period from 1 January 2019 through 31 July 2021. The ROV requested a response from the Discharger by 8 October 2021. The Discharger did not respond.
8. On 11 March 2022, Central Valley Water Board staff issued a revised ROV which alleged additional violations based on review of monitoring data through 31 December 2021. The revised ROV required the Discharger to respond by 28 March 2022. The Discharger submitted a response on 1 April 2022 contesting all the violations in the ROV.
9. On 11 August 2022, Central Valley Water Board staff issued a second revised ROV which alleged additional violations based on review of monitoring data through 31 March 2022. The revised ROV required the Discharger to respond by 26 August 2022. The Discharger did not respond.
10. Water Code section 13385, subdivisions (h) and (i), require assessment of MMPs and state, in relevant part, the following:

Water Code section 13385, subdivision (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.

Water Code section 13385, subdivision (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.

Water Code section 13385 subdivision (i)(1) states, in part:

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.

11. Water Code section 13385.1 subdivision (a)(1) states:

For the purposes of subdivision (h) of Section 13385, a “serious violation” also means a failure to file a discharge monitoring report required pursuant to Section 13383 for each complete period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in waste discharge requirements that contain effluent limitations. This paragraph applies only to violations that occur on or after January 1, 2004.

12. Water Code 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.

13. Water Code section 13385, subdivision (j) exempts certain violations from MMPs when a discharger is in compliance with an appropriately adopted TSO, and states, in relevant part:

Subdivisions (h) and (i) do not apply to any of the following:

3) A violation of an effluent limitation where the waste discharge is in compliance with either a cease-and-desist order issued pursuant to Section 13301 or a time schedule order issued pursuant to Section 13300 or 13308 if all of the following requirements are met:

C) The regional board establishes a time schedule for bringing the waste discharge into compliance with the effluent limitation that is as short as possible....For the purposes of this subdivision, the time schedule may not exceed five years in length The interim requirements shall include both of the following:

- i) Effluent limitations for the pollutant or pollutants of concern.
- ii) Actions and milestones leading to compliance with the effluent limitation.

14. WDRs Order R5-2015-0002 Effluent Limitations IV.A.1.a., includes, in part, the following effluent limitations:

- a. The Discharger shall maintain compliance with the final effluent limitations...:

Table 4. Effluent Limitation

Parameter	Units	Average Monthly	Maximum Daily
Antimony	µg/L	6.0	12
Arsenic	µg/L	10	20
Nickel	µg/L	21	43

15. WDRs Order R5-2015-0002, Effluent Limitations IV. A.1.d. include, in part, the following effluent limitation:

- d. Electrical Conductivity. For a calendar year, the annual average effluent concentration shall not exceed 900 µmhos/cm.

16. WDRs Order R5-2015-0002, Self-Monitoring Reports (SMRs), Attachment E-X.B.3., states, in part:

Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-6 Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date	Note
Quarterly	Permit Effective Date	1 January through 31 March	1 May	1
Quarterly	Permit Effective Date	1 April through 30 June	1 August	1

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date	Note
Quarterly	Permit Effective Date	1 July through 30 September	1 November	1
Quarterly	Permit Effective Date	1 October through 31 December	1 February	1

Note #1: The effective date for WDRs Order R5-2015-0002 was 16 April 2015.

17. TSO R5-2015-0035, Section 2, states in part:

The following interim effluent limitations contained in the TSO were in effect from the date of adoption to 16 April 2020. After 16 April 2020, the Discharger was required to comply with the final effluent limits contained in WDRs Order R5-2015-0002.

Parameter	Units	Interim Average Monthly Effluent Limitation	Interim Maximum Daily Effluent Limitation
Arsenic	µg/L	700	1000
Electrical Conductivity	µmhos/cm	1426	2867

18. WDRs Order R5-2021-0037, Effluent Limitations IV.A.1.a., includes, in part, the following effluent limitations:

a. The Discharger shall maintain compliance with the final effluent limitations...:

Table 4. Effluent Limitation

Parameter	Units	Average Monthly	Maximum Daily
Antimony	µg/L	5.6	11
Arsenic	µg/L	10	22
Nickel	µg/L	45	89

19. The Discharger did not submit the Third Quarter 2020 self-monitoring report. According to the Discharger, samples were collected but not analyzed by the contracted laboratory since no payment was received. The number of days for late reporting is 92 days, counting from the due date of the Third Quarter 2020 report (1 November 2020) to the due date of the Fourth Quarter 2020 report (29 December 2020). The Discharger committed three (3) serious violations for failure to submit the Third Quarter 2020 self-monitoring report required by WDRs Orders R5-2015-002. The mandatory minimum penalty for these serious violations is nine thousand dollars (**\$9,000**).

20. According to the Discharger's self-monitoring reports, the Discharger committed one (1) non-serious violation of the above effluent limitations contained in Orders R5-2015-0002. The one non-serious violation is subject to mandatory penalties under CWC section 13385, subdivision (i)(1) because these violations were preceded by three or more similar

violations within a 180-day period. The mandatory minimum penalty for this non-serious violation is **three thousand dollars (\$3,000)**.

21. Total suspended solids (TSS) is a Group I pollutant.¹ According to the Discharger's self-monitoring reports, the Discharger committed two (2) serious Group I violations subject to MMPs under Water Code section 13385, subdivision (h). The two (2) serious Group II violations are defined as serious and are subject to MMPs because the measured concentration of a Group II constituent exceeded the effluent limits in WDRs Orders R5-2015-0002 by 40 percent or more. The mandatory minimum penalty for these violations is **six thousand dollars (\$6,000)**.
22. Antimony, Arsenic, and Nickel are a Group II pollutants. According to the Discharger's self-monitoring reports, the Discharger committed thirty-six (36) serious Group II violations subject to MMPs under Water Code section 13385, subdivision (h). The thirty-six (36) serious Group II violations are defined as serious and are subject to MMPs because the measured concentration of a Group II constituent exceeded the effluent limits in WDRs Orders R5-2015-0002 and R5-2021-0037 by 20 percent or more. The mandatory minimum penalty for these violations is **one hundred eight thousand dollars (\$108,000)**.
23. Notwithstanding the issuance of this Complaint, the Central Valley Water Board retains the authority to assess additional administrative civil liability for violations not specifically alleged herein and/or for violations that may subsequently occur.
24. Issuance of this Administrative Civil Liability Complaint to enforce Water Code 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, subdivision (a)(2).

ORIGINAL SIXTEEN TO ONE MINE, INC. IS HEREBY GIVEN NOTICE THAT:

1. The Assistant Executive Officer of the Central Valley Water Board proposes that the Discharger be assessed an Administrative Civil Liability to impose MMPs in the amount of **one-hundred twenty-six thousand dollars (\$126,000)**.
2. A hearing on this matter will be held at the Central Valley Water Board meeting scheduled on **22/23 February 2023**, unless the Discharger does one of the following by the deadline established in the Hearing Procedure which will be issued at a later date and set deadlines and procedures governing this matter:
 - a) Waives the hearing by completing the attached form (checking off the box next to Option 1) and returning it to the Central Valley Water Board. In addition, submits payment for the proposed civil liability of **one-hundred twenty-six (\$126,000)**.to

¹ 40 C.F.R. § 123.45 designates Group I and Group II pollutants.

the State Water Board with a copy of the check to the Central Valley Water Board; or

- b) Requests to engage in settlement discussions by checking the box next to Option 2 on the attached form, and returning it to the Board along with a letter describing the issues to be discussed. The Central Valley Water Board must agree to the postponement; or
 - c) Requests to delay the hearing by checking off the box next to Option 3 on the attached form, and returning it to the Board along with a letter describing the proposed length of delay and the issues to be discussed. The Central Valley Water Board must agree to the postponement.
3. If a hearing on this matter is held, the Central Valley 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. If this matter proceeds to hearing, the Assistant Executive Officer reserves the right to amend the proposed amount of civil liability to conform to the evidence presented, including but not limited to, increasing the proposed amount to account for the costs of enforcement (including staff, legal and expert witness costs) incurred after the date of the issuance of this Complaint through completion of the hearing.

Original Digitally Signed by John J. Baum on
Date: 2022.11.28 17:17:41 -08'00'

JOHN J. BAUM, Assistant Executive Officer

Attachment A: Record of Violations

**WAIVER FORM
FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2022-0513**

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

I am duly authorized to represent the Original Sixteen to One Mine Inc. (hereafter Discharger) in connection with Administrative Civil Liability Complaint R5-2022-0513 (hereafter Complaint). 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. The person who has been issued a complaint may waive the right to a hearing."

 (OPTION 1: Check here if the Discharger waives the hearing requirement and will pay in full.)

- a. I hereby waive any right the Discharger may have to a hearing before the Central Valley Water Board.
- b. I certify that the Discharger will remit payment for the proposed civil liability in the full amount of **one-hundred twenty-six (\$126,000)** by check that references "ACL Complaint R5-2022-0513" made payable to the *State Water Pollution Cleanup and Abatement Account*. Payment must be received by the State Water Resources Control Board, Accounting Office, Attn: ACL Payment at PO Box 1888, Sacramento, California, 95812-1888. The Discharger must also provide a copy of the waiver form and check via email to the Central Valley Water Board (Xuan.Luo@waterboards.ca.gov).
- c. I understand the payment of the above amount constitutes a proposed settlement of the Complaint, and that any settlement will not become final until after a 30-day public notice and comment period. Should the Central Valley Water Board receive significant new information or comments during this comment period, the Central Valley Water Board's Assistant Executive Officer may withdraw the complaint, return payment, and issue a new complaint. I also understand that approval of the settlement will result in the Discharger having waived the right to contest the allegations in the Complaint and the imposition of civil liability.
- d. 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.

 (OPTION 2: Check here if the Discharger waives the 90-day hearing requirement in order to engage in settlement discussions.) I hereby waive any right the Discharger may have to a hearing before the Central Valley Water Board within 90 days after service of the complaint, but I reserve the ability to request a hearing in the future. I certify that the Discharger will promptly engage the Central Valley Water Board Prosecution Team in settlement discussions to attempt to resolve the outstanding violation(s). By checking this box, the Discharger requests that the Central Valley Water Board delay the hearing so that the Discharger and the Prosecution Team can discuss settlement. The Discharger must provide a letter describing the issues to be discussed in settlement. It remains within the discretion of the Central Valley Water Board to agree to delay the hearing. Any proposed settlement is subject to the conditions described above under "Option 1."

(OPTION 3: Check here if the Discharger waives the 90-day hearing requirement in order to extend the hearing date and/or hearing deadlines. Attach a separate sheet with the amount of additional time requested and the rationale.) I hereby waive any right the Discharger may have to a hearing before the Central Valley Water Board within 90 days after service of the complaint. By checking this box, the Discharger requests that the Central Valley Water Board delay the hearing and/or hearing deadlines so that the Discharger may have additional time to prepare for the hearing. It remains within the discretion of the Central Valley Water Board to approve the extension.

(Print Name and Title)

(Signature)

(Date)

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

RECORD OF VIOLATIONS (1 January 2019 – 31 March 2022) MANDATORY MINIMUM PENALTIES

(Data reported under Monitoring and Reporting Program R5-2015-0002, R5-2021-0037, and TSO R5-2015-0035-01)

The following table lists the alleged violations subject to mandatory minimum penalties (MMPs), pursuant to Water Code section 13385(h) and (i).

Table A. Violations Subject to Mandatory Penalties

Item	Date	Parameter	Units	Limit	Measured	Period	Violation Type	MMP Type	CIWQS
A	31-Aug-18	Total Suspended Solids	mg/L	20	25	Average Monthly	CAT 1	NCHRON	1053474
1	11-Mar-20	Total Suspended Solids	mg/L	30	730	Daily Maximum	CAT 1	SIG	1073134
2	31-Mar-20	Total Suspended Solids	mg/L	20	730	Monthly Average	CAT 1	SIG	1073135
3	19-May-20	Total Nickel	µg/L	43	134	Maximum Daily	CAT 2	SIG	1080291
4	19-May-20	Total Arsenic	µg/L	20	833	Maximum Daily	CAT 2	SIG	1080289
5	19-May-20	Total Antimony	µg/L	12	34.2	Maximum Daily	CAT 2	SIG	1080287
6	31-May-20	Total Nickel	µg/L	21	134	Monthly Average	CAT 2	SIG	1080292
7	31-May-20	Total Arsenic	µg/L	10	833	Monthly Average	CAT 2	SIG	1080290
8	31-May-20	Total Antimony	µg/L	6	34.2	Monthly Average	CAT 2	SIG	1080288
9	15-Dec-20	Total Antimony	µg/L	12	15.6	Maximum Daily	CAT 2	SIG	1087699
10	15-Dec-20	Total Arsenic	µg/L	20	1398	Maximum Daily	CAT 2	SIG	1087701
11	15-Dec-20	Total Nickel	µg/L	21	31	Monthly Average	CAT 2	SIG	1087703
12	31-Dec-20	Total Antimony	µg/L	6	16	Monthly Average	CAT 2	SIG	1087700
13	31-Dec-20	Total Arsenic	µg/L	10	1398	Monthly Average	CAT 2	SIG	1087702

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

Item	Date	Parameter	Units	Limit	Measured	Period	Violation Type	MMP Type	CIWQS
14	31-Dec-20	Electrical Conductivity	µmhos/cm	900	1423	Annual Average	OEV	CHRON	1087704
15	25-Mar-21	Total Antimony	µg/L	12	19	Maximum Daily	CAT 2	SIG	1093866
16	25-Mar-21	Total Arsenic	µg/L	20	1114	Maximum Daily	CAT 2	SIG	1093868
17	31-Mar-21	Total Nickel	µg/L	21	38	Monthly Average	CAT 2	SIG	1093870
18	31-Mar-21	Total Antimony	µg/L	6	19	Monthly Average	CAT 2	SIG	1093867
19	31-Mar-21	Total Arsenic	µg/L	10	114	Monthly Average	CAT 2	SIG	1093869
20	29-Jun-21	Total Arsenic	µg/L	20	762	Maximum Daily	CAT 2	SIG	1093878
21	29-Jun-21	Total Antimony	µg/L	12	15	Maximum Daily	CAT 2	SIG	1093876
22	30-Jun-21	Total Nickel	µg/L	21	34	Monthly Average	CAT 2	SIG	1093884
23	30-Jun-21	Total Antimony	µg/L	6	15	Monthly Average	CAT 2	SIG	1093877
24	30-Jun-21	Total Arsenic	µg/L	10	762	Monthly Average	CAT 2	SIG	1093879
25	27-Sep-21	Total Antimony	µg/L	11	33	Daily Maximum	CAT 2	SIG	1100658
26	27-Sep-21	Total Arsenic	µg/L	22	1293	Daily Maximum	CAT 2	SIG	1100659
27	27-Sep-21	Total Antimony	µg/L	5.6	33	Monthly Average	CAT 2	SIG	1100660
28	27-Sep-21	Total Arsenic	µg/L	10	1293	Monthly Average	CAT 2	SIG	1100661
29	27-Sep-21	Total Nickel	µg/L	45	86	Monthly Average	CAT 2	SIG	1100662
30	21-Dec-21	Total Antimony	µg/L	11	24	Daily Maximum	CAT 2	SIG	1100664
31	21-Dec-21	Total Arsenic	µg/L	22	240	Daily Maximum	CAT 2	SIG	1100665
32	31-Dec-21	Total Antimony	µg/L	5.6	24	Monthly Average	CAT 2	SIG	1100666
33	31-Dec-21	Total Arsenic	µg/L	10	240	Monthly Average	CAT 2	SIG	1100667

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

Item	Date	Parameter	Units	Limit	Measured	Period	Violation Type	MMP Type	CIWQS
34	31-Dec-21	Total Nickel	µg/L	45	56	Monthly Average	CAT 2	SIG	1100668
35	23-Mar-22	Antimony	µg/L	11	24	Daily Maximum	CAT 2	SIG	1106705
36	23-Mar-22	Arsenic	µg/L	22	150	Daily Maximum	CAT 2	SIG	1106707
37	31-Mar-22	Antimony	µg/L	5.6	24	Monthly Average	CAT 2	SIG	1106704
38	31-Mar-22	Arsenic	µg/L	10	150	Monthly Average	CAT 2	SIG	1106706
39	31-Mar-22	Nickel	µg/L	45	81	Monthly Average	CAT 2	SIG	1106708

Table B. Late Reporting Violations Subject to Mandatory Penalties

Item	Report	Due Date	Date Received	Days Late	No. of 30-Day Period Late	Violation Type	CIWQS
40	Third Quarter 2020	1-Nov-2020	Not submitted	92	(1 of 3)	LREP	1087705
41	Third Quarter 2020	1-Nov-2020	Not submitted	92	(2 of 3)	LREP	1087707
42	Third Quarter 2020	1-Nov-2020	Not submitted	92	(3 of 3)	LREP	1087708
43	Third Quarter 2020	1-Nov-2020	Not submitted	92	< 30 days	LREP (Not Subject to MMP)	1087709

Item Notes:

A. Supporting violation address in ACL R5-2019-0506.

Items #35-38. Per Water Code section 13385.1, one MMP is assessed for each complete 30-day period that a report is late. The number of days for late reporting is counted from the due date of the third quarter 2020 report to the due date of the fourth quarter 2020 report.

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

VIOLATIONS SUMMARY

<u>VIOLATIONS AS OF:</u>	<u>3/31/2022</u>
Group I Serious Violations:	2
Group II Serious Violations:	36
Late Reporting Violations Not Subject to MMPs:	1
Late Reporting Violations Subject to MMPs	3
Non-Serious Violations Not Subject to MMPs:	0
Non-serious Violations Subject to MMPs:	1
Total Violations Subject to MMPs:	42

Mandatory Minimum Penalty Amount for Effluent Limit Violations

(2 Group 1 Violations Subject to MMP + 36 Group II Violations Subject to MMP + 3 Late Reporting Violations Subject to MMP + 1 Non-serious Violation Subject to MMP) x \$3,000 Per Violation = \$126,000

Total Expedited Mandatory Minimum Penalty = \$126,000

Table C. Definition

Abbreviation	Description
CAT 1	Violation of effluent limitation for Group I pollutant.
CAT 2	Violation of effluent limitation for Group II pollutant
CHRON	Chronic violation as defined by Water Code section 13385 (i). Any non-serious violation that falls within a 180-day period with three preceding violations. Thus, the fourth non-serious violation that occurs within a 180-day period is subject to MMPs.
CIWQS	California Integrated Water Quality System Database. https://www.waterboards.ca.gov/water_issues/programs/ciwqs/
CTOX	Violation of chronic toxicity effluent limitation.
DREP	Deficient reporting violation. This will only result in MMPs if the report is so deficient as to make determination of compliance impossible for the reporting period.
LREP	Late Reporting violation. Every 30-Days a report is late counts as one serious late reporting violation subject to MMPs.
Measured	Reported value for the monitoring period by the Discharger.
MMP Type	Classification of the type of MMP violation.

ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES

Abbreviation	Description
Occurrence Date	Date that a violation occurred. For averaging period limitation violations, such as weekly and monthly averages, the last day of the reporting period is used such as last day of the week (Saturday) and last day of the month, respectively.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
NCHRON	Non-serious violation falls within the first three violations in a 180-day period, thus, not subject to MMP.
SIG	Serious Violation: For Group I pollutants that exceed the effluent limitation by 40 percent or more. For Group II pollutants that exceed the effluent limitation by 20 percent or more.