Exhibit No.1 Discharger: EMWD

Penalty Methodology Decisions ACL Complaint No. R9-2010-0085

	Harm Factor							
Violations Sewage Spill	Harm/Potential Harm to Beneficial Uses [0-5] 3	Physical, Chemical, Biological or Thermal Characteristics [0-4] 3	Susceptibility or Abate [0 or 0	ement	Total P	Total Potential for Harm		
Sewage Spill	5	5	0			0		
Step 2: Assessme	ents for Discharge V	iolations						
Violations		Factor			Statutory or Policy			
	Potential for Harm	Deviation from Requirement [minor, moderate, major]	High Volume Discharges [yes / no]	Gallons Discharged	Total Galle Fact	on Gallon or [\$]		
Sewage Spill	6	moderate	yes	1,600,000	0.15	5	\$2.00	
		Per Day Fac	tor		I			
Violations				Statutory M		utorv Max		
	Potential for Harm	Deviation from Requirement	Total Per Day	Days of Violation		per Day [section 13xxx]		
	[0-10]	[minor, moderate, major]	Factor					
n/a	n/a	n/a	n/a	n/a	n/a		n/a	
Stop 2: Day Day A	accomente for Non	Discharge Vielstien						
Step 5. Per Day A		Discharge Violations Per Day Fac						
Violations		Deviation from		Days of Violation Statutory/ Statutory/ Adjusted Max [section 13xxx]		atutorv/		
	Potential for Harm	Requirement	Total Per Day			Adjusted Max		
	[minor, moderate, major]	[minor, moderate, major]	Factor					
n/a	n/a	n/a	n/a	n/a			n/a	
Initial Liability Fra	m Stone 1 2							
Initial Liability Fro	om Steps I - 3							
		\$480,000.00						
Step 4: Adjustmer	nts							
Step 4: Adjustmer Violations	Culpability	Cleanup and Cooperation [0.75 - 1.5]	History of Violations	Multiple Vic (Same Inc		-	isted Days Violation	
•	Culpability	Cooperation				-	•	
Violations Sewage Spill Step 5	Culpability [0.5 - 1.5] 1.3 : Total Base Liability	Cooperation [0.75 - 1.5] 0.75	Violations	(Same Inc yes Step	ident) 6: Abili	of ty to	Niolation n/a Pay /	
Violations Sewage Spill Step 5	Culpability [0.5 - 1.5] 1.3 Total Base Liability or x statutory maximum) x (Ste	Cooperation [0.75 - 1.5] 0.75	Violations	(Same Inc yes Step Cont	ident) 6: Abili inue in	of ty to Busi	Violation n/a Pay / ness	
Violations Sewage Spill Step 5	Culpability [0.5 - 1.5] 1.3 : Total Base Liability	Cooperation [0.75 - 1.5] 0.75	Violations	(Same Inc yes Step Cont	ident) 6: Abili	of ty to Busi	Violation n/a Pay / ness	
Violations Sewage Spill Step 5	Culpability [0.5 - 1.5] 1.3 Total Base Liability or x statutory maximum) x (Ste	Cooperation [0.75 - 1.5] 0.75	Violations	(Same Inc yes Step Cont	ident) 6: Abili inue in	of ty to Busi	Violation n/a Pay / ness	
Violations Sewage Spill Step 5 (Per day Facto	Culpability [0.5 - 1.5] 1.3 Total Base Liability or x statutory maximum) x (Ste	Cooperation [0.75 - 1.5] 0.75 / Amount ep 4 Adjustments)	Violations	(Same Inc yes Step Cont	6: Abili inue in , No, Partly	of ty to Busi	Violation n/a Pay / ness	
Violations Sewage Spill Step 5 (Per day Factor Step 7: Other	Culpability [0.5 - 1.5] 1.3 Total Base Liability or x statutory maximum) x (Ste \$514,800	Cooperation [0.75 - 1.5] 0.75 / Amount ep 4 Adjustments)	Violations	(Same Inc yes Step Cont [Yes	6: Abili inue in , No, Partly yes	of ty to Busi 7, Unkn	Violation n/a Pay / ness	
Violations Sewage Spill Step 5 (Per day Factor Step 7: Other Costs of Investigat	Culpability [0.5 - 1.5] 1.3 : Total Base Liability or x statutory maximum) x (Ste \$514,800 er Factors as Justice	Cooperation [0.75 - 1.5] 0.75 / Amount ap 4 Adjustments) e May Require	Violations	(Same Inc yes Step Cont [Yes	6: Abili inue in , No, Partly yes	of ty to Busi 7, Unkn	Violation n/a Pay / ness own]	
Violations Sewage Spill Step 5 (Per day Factor Step 7: Othe Costs of Investigat	Culpability [0.5 - 1.5] 1.3 Total Base Liability or x statutory maximum) x (Ste \$514,800 er Factors as Justice ion and Enforcement	Cooperation [0.75 - 1.5] 0.75 / Amount ep 4 Adjustments) e May Require Other n/a	Violations	(Same Inc yes Step Cont [Yes	6: Abili inue in No, Partly yes ECONC \$24,6	of ty to Busi , Unkn	Violation n/a Pay / ness own] Benefit	
Violations Sewage Spill Step 5 (Per day Factor Step 7: Othe Costs of Investigat	Culpability [0.5 - 1.5] 1.3 Total Base Liability or x statutory maximum) x (Ste \$514,800 er Factors as Justic ion and Enforcement	Cooperation [0.75 - 1.5] 0.75 / Amount ep 4 Adjustments) e May Require Other n/a	Violations	(Same Inc yes Step Cont [Yes Step 8:	6: Abili inue in No, Partly yes ECONC \$24,6	of ty to Busi , Unkn omic 54	Violation n/a Pay / ness own] Benefit y Amount	