

Expedited Settlement Offer Worksheet Violations Form For Wastewater

Version 1 (updated April 2019)

Consult instructions regarding eligibility criteria and procedures prior to use.



REGION 10
SEATTLE, WA 98101

	LEGAL NAME AND MAILING ADDRESS OF RESPONSIBLE ENTITY		NPDES Permit Number			
1	City of Cascade PO Box 649 Cascade, ID, 83611		ID0023167			
			Permit Effective Date:	09/05/2019		
			Permit Expiration Date:	02/28/2025		
	LOCATION AND ADDRESS OF FACILITY		EPA Contact Name:	Wesley Simmons		
2	City of Cascade Publicly Owned Treatment Works 800 South Main Street Cascade, ID, 83611		EPA Contact Title:	402 Enforcement Case Officer		
			EPA Office:	Region 10, Seattle, WA		
	FACILITY DESCRIPTION / CONTACT NAMES					
			Name of Facility Contact (ESO Worksheet recipient):	Steve Yamamoto (Public Works Superintendent)		
			Name of Authorized Official (40 CFR 122.22):	Judith R Nissula (Mayor)		
			Are any findings a result of an inspection?	No		
			Inspection Date(s) (if applicable):	N/A		
3			Name of Receiving Water Body (Indicate whether 303(d) listed):	North Fork Payette River		
	PRIVATE ENTITY ADJUSTMENT FACTOR					
4	Is the entity privately owned?	If yes, adjustment factor of 2.0 is applied.	No		1.0	

FLOW ADJUSTMENT FACTOR

5	Select the appropriate average volume of flow on a day of discharge in millions of gallons per day (MGD). If a facility discharges only on a periodic basis, do <u>not</u> include days with zero flow when calculating the average flow:				
	A	<0.050 mgd (no adjustment is applied)	No adjustment factor is applied.		
	B	≥0.050 mgd and <0.250 mgd	Adjustment factor of 1.5 is applied.		
	C	≥0.250 mgd and <1 mgd	Adjustment factor of 3.0 is applied.	X	3.0
	D	≥1 mgd and <5 mgd	Adjustment factor of 6.0 is applied.		
	E	≥5 mgd and <10 mgd	Adjustment factor of 10.0 is applied.		
	F	≥10 mgd and <50 mgd	Adjustment factor of 15.0 is applied.		
	G	≥50 mgd	Adjustment factor of 20.0 is applied.		

REPEAT VIOLATOR ADJUSTMENT FACTOR

6	A	How many other state and federal formal enforcement actions has the responsible entity been subject to in the last three years? Include enforcement actions at this facility and any other facilities.	For each enforcement action, adjustment factor is increased 50%.		1.0
---	---	--	--	--	-----

TOTAL ADJUSTMENT FACTOR				3.00
--------------------------------	--	--	--	-------------

Notes: * RCA = Requires Corrective Action

		Violation(s) / Corrective Action(s)	CWA / Permit Citation	R C A*	No. of Viol- actions	Dollar Amount w/ Adjust. Factor	Total
		MONITORING / REPORTING					
		ESA eligible if violations occurred within the 24 months immediately prior to the ESA offer.					
7	Failure to submit compliance schedule report:	The permittee failed to comply with the permit's "Special Conditions" parameter related to the compliance schedule in Part 3.2, Table 11, Task No. 9, which states, "The Permittee must "Begin monitoring for required parameters for Outfall 002 in the permit." and "Permittee must provide DEQ through the IPDES E-Permitting System written notice that the facility has achieved compliance with the final effluent limits."	Part 3.2, Table 11, Task No. 9				
A	Late but less than 30 days late					\$150 =	
B	Submitted more than 30 days late					\$225 =	
C	Not submitted				1	\$450 =	\$450
8	Failure to submit timely discharge monitoring report (DMR) and/or DMR submitted with failure to conduct self-monitoring:						
A	DMR late but less than 30 days late					\$150 =	
B	DMR submitted more than 30 days late					\$225 =	

C	<p>DMR not submitted or DMR submitted with a failure to sample pollutants - conventional pollutants</p> <p>(count each conventional pollutant not reported or not sampled as a violation; BOD, TSS, pH, oil and grease, e. coli, fecal coliform)</p>	<p>The permittee failed to comply with permit parameter 2.2.3 which states, "The Permittee must submit influent, effluent, and receiving water monitoring data electronically using NetDMR, an EPA web-based tool that allows permittees to electronically submit DMRs." These failures to monitor occurred at the receiving waters' upstream (REC1-M) and downstream locations (REC2-M), and at groundwater monitoring well 001 (002-M). The Permittee failed to monitor the following parameters during the monitoring periods noted below;</p> <p>10/31/2023 Phosphorus, Total [as P] (REC1-M)</p> <p>1/31/2023 BOD, 5-day, 20 deg C (002-M) Solids, total suspended (002-M) Nitrogen, ammonia total [as N] (002-M) BOD, 5-day, percent removal (002-M) Solids, suspended percent removal (002-M)</p>	<p>Part 1.2, Table 2 and Table 3</p> <p>Part 2.1.4, Table 7 and Table 8</p> <p>Part 2.2.3</p>		21	\$225 =	\$4,725
---	--	--	---	--	----	---------	---------

	<p>D</p> <p>DMR not submitted or DMR submitted with a failure to sample pollutants - toxic pollutants</p> <p>(count each toxic pollutant not reported or not sampled as a violation)</p>	<p>12/31/2022 Temperature, water deg. Centigrade (REC1-M) Temperature, water deg. Centigrade (REC2-M) Nitrogen, Kjeldahl, total [as N] (002-M)</p> <p>10/31/2022 Temperature, water deg. Centigrade (REC1-M) Temperature, water deg. Centigrade (REC2-M)</p> <p>9/30/2022 Temperature, water deg. Centigrade (REC1-M) Temperature, water deg. Centigrade (REC2-M) E. Coli, MTEC-MF (REC2-M) Phosphorus, total [as P] (002-M)</p> <p>8/31/2022 Temperature, water deg. Centigrade (REC2-M)</p> <p>5/31/2022 Nitrogen, ammonia total [as N] (002-M) BOD, 5-day, percent removal (002-M) Solids, suspended percent removal (002-M) Phosphorus, total [as P] (002-M) Nitrite + Nitrate total [as N] (002-M)</p>					
9	<p>Failure to conduct self-monitoring in accordance with permit requirements, including but not limited to required sample type, sample location, representative sampling, meeting 40 CFR 136 or other permit requirements (count each pollutant with one or more failures)</p>						

\$225 =

\$75 =

OPERATIONS AND MAINTENANCE		ESA eligible if violations occurred within the 24 months immediately prior to the ESA offer.					
14	Failure to conduct and document self-inspections of facility (count each month with one or more missed and/or undocumented inspection)				\$120	=	
15	Failure to document all required information in self-inspections or conduct a complete inspection (count each month with one or more partially documented/completed inspection unless the month is accounted for in #15)				\$60	=	
16	Failure to identify and document corrective actions				\$60	=	
17	Failure to meet operation and maintenance requirement of the permit	Operating personnel did not hold valid licenses in wastewater treatment and collections per Permit Section 4.2.5	Section 4.2.5		1	\$300	= \$300
18	Failure to manage removed substances in accordance with the permit				\$750	=	
Subtotal Operations and Maintenance Violations							\$300
EFFLUENT LIMITATIONS		ESA eligible if violations occurred within the 12 months immediately prior to the ESA offer.					
19	Failure to meet effluent limitations:	The Permittee failed to meet effluent limits at Ground Water Monitoring Well 001, (002-M) during the following monitoring periods;					
A	Months with effluent exceedance less than 40% above the limit - conventional pollutants (count each conventional pollutant separately as a violation; BOD, TSS, pH, oil and grease, e. coli, fecal coliform)	09/30/2023 Solids suspended, percent removal effluent exceedance was < 40%	Part 1.2, Table 3		1	\$150	= \$150

B	Months with effluent exceedance 40% or more above the limit - conventional pollutants (count each conventional pollutant separately as a violation; BOD, TSS, pH, oil and grease, e. coli, fecal coliform)	02/29/2024 E. coli, MTEC-MF, percent effluent exceedance was > 40% 05/31/2023 Solids suspended, percent removal effluent exceedance was > 40% 03/31/2023 BOD 5-day, percent removal effluent exceedance was > 40%	Part 1.2, Table 3	3	\$225 =	\$675
C	Months with effluent exceedance less than 20% above the limit - toxic pollutants (count each toxic pollutant separately as a violation)				\$300 =	
E	Months with effluent exceedance 20% or more above the limit - toxic pollutants (count each toxic pollutant separately as a violation)				\$600 =	

Subtotal Effluent Limitations Violations \$825

RECORDS

ESA eligible if violations occurred within the 24 months immediately prior to the ESA offer.

20	Failure to create/maintain sampling and/or analysis records (count each month with one or more failure)	The Permittee failed to maintain a log of observations for receiving waters per Permit Section 1.2.1	Section 1.2.1	1	\$120 =	\$120
21	Failure to maintain other records required by the permit (count each month with one or more failure excluding records not maintained in #22)	The Permittee failed to maintain documentation of calibration of flowmeter on site for review	Section 4.2.10	1	\$75 =	\$75

Subtotal Records Violations \$195

INDUSTRIAL WASTE

ESA eligible if violations occurred within the 60 months immediately prior to the ESA offer.

22	Failure to meet industrial waste management/pretreatment requirement for POTWs without approved pretreatment programs (excluding failure to provide notice counted in #11)					\$300 =	
ECONOMIC BENEFIT ESTIMATE ESA eligible if estimated economic benefit of noncompliance is less than total ESA offer.							
23	Enter total estimate economic benefit calculated rounded up to the nearest \$50	\$ 2,200	ESA eligible				
Total Expedited Settlement							\$7,620