

# Expedited Settlement Offer Worksheet Violations Form For Wastewater



**REGION 10**  
SEATTLE, WA 98101

LEGAL NAME AND MAILING ADDRESS OF RESPONSIBLE ENTITY		NPDES Permit Number	
1	Emmett (EJ) L. Bonner Administrator 10460 Highway 12 Orofino, Idaho 83544 <a href="mailto:rwsd.ebonner@frontier.com">rwsd.ebonner@frontier.com</a>	ID0024503	
		Permit Effective Date:	1/1/2022
		Permit Expiration Date:	12/31/2026
LOCATION AND ADDRESS OF FACILITY		EPA Contact Name:	Jason Rodriguez
2	Riverside Water and Sewer District 10460 Highway 12 Orofino, Idaho 83544	EPA Contact Title:	NPDES Enforcement Coordinator
		EPA Office:	Region 10, Seattle WA
FACILITY DESCRIPTION / CONTACT NAMES			
3	Name of Facility Contact (ESO Worksheet recipient):	Emmett (EJ) Bonner	
	Name of Authorized Official (40 CFR 122.22):	Emmett (EJ) Bonner	
	Are any findings a result of an inspection?	Yes	
	Inspection Date(s) (if applicable):	02/09/2023	
	Name of Receiving Water Body:	Clearwater River	

<b>PRIVATE ENTITY ADJUSTMENT FACTOR</b>					
4		Is the entity privately owned?	If yes, adjustment factor of 2.0 is applied.	No	1.0
<b>FLOW ADJUSTMENT FACTOR</b>					
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.	X	1.5
	C	≥0.250 mgd and <1 mgd	Adjustment factor of 3.0 is applied.		
	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.		
<b>REPEAT VIOLATOR ADJUSTMENT FACTOR</b>					
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%.	0	1.0
				<b>TOTAL ADJUSTMENT FACTOR</b>	<b>1.50</b>

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:						
	A Late but less than 30 days late					\$75 =	
	B Submitted more than 30 days late					\$113 =	
	C Not submitted					\$225 =	
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					\$75 =	
	B DMR submitted more than 30 days late					\$113 =	
	C DMR not submitted or DMR submitted with a failure to sample pollutants - conventional pollutants  (count each conventional pollutant not reported or not sampled as a violation; BOD, TSS, pH, oil and grease, e. coli, fecal coliform)					\$113 =	
	D DMR not submitted or DMR submitted with a failure to sample pollutants - toxic pollutants  (count each toxic pollutant not reported or not sampled as a violation)					\$113 =	
9	Failure to conduct self-monitoring in accordance with permit requirements, including but no 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)					\$38 =	

10	Failure to submit any other required report or notice (e.g., biosolids report, pretreatment report, industrial user notification, planned changes, anticipated noncompliance, anticipated bypass, etc.):	<p>Part II. A of the Permit requires the permittee to develop and implement an Operations and Maintenance (O&amp;M) Plan for the wastewater treatment facility. The plan must be retained on site and made available to EPA and the Nez Perce Tribe upon request.</p> <p>Part II. B of the Permit requires the permittee to develop a Quality Assurance Plan (QAP) for all monitoring required by the permit. The plan must be retained on site and made available to EPA and the Nez Perce Tribe upon request.</p> <p>Part II. E of the Permit required the permittee to develop and implement and overflow Emergency Response and Public Notification plan that identifies measures to protect public health from overflows that may endanger health and unanticipated bypasses or upsets that exceed any effluent limitation in the permit.</p>				
	A Late but less than 30 days late	The QAP, O&M Plan, and Emergency Response plans have not been developed and implemented nor were they made available to EPA			\$75 =	
	B Submitted more than 30 days late				\$113 =	
	C Not submitted		Yes	3	\$225 =	\$675
11	24-Hour Noncompliance Notice					
	A Failure to provide notice of noncompliance				\$113 =	
	B Noncompliance notice late				\$75 =	
12	5-Day Written Noncompliance Follow-up Report:					
	A Failure to provide report				\$113 =	
	B Report provided late and/or incomplete				\$75 =	
13	Noncompliance Not Required Within 24 Hours:					
	A Failure to provide report with DMR				\$38 =	
	B Report provided late and/or incomplete				\$15 =	
Subtotal Monitoring / Reporting Violations						\$675

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)					\$60	=	
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)					\$30	=	
16	Failure to identify and document corrective actions					\$30	=	
17	Failure to meet operation and maintenance requirement of the permit					\$150	=	
18	Failure to manage removed substances in accordance with the permit					\$375	=	
Subtotal Operations and Maintenance Violations								\$0

EFFLUENT LIMITATIONS		ESA eligible if violations occurred within the 12 months immediately prior to the ESA offer.						
19	Failure to meet effluent limitations:							
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)					\$75	=	
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)	Part I.B. Table 1 of the permit identifies effluent limitations and monitoring. Exceedance of E. coli for the month of January 2023. Reported a value was 579 CFU/100 mL with a limit of 406 CFU/100 mL.		Yes	1	\$113	=	\$113
C	Months with effluent exceedance less than 20% above the limit - toxic pollutants  (count each toxic pollutant separately as a violation)					\$150	=	
E	Months with effluent exceedance 20% or more above the limit - toxic pollutants  (count each toxic pollutant separately as a violation)					\$300	=	
		<b>Subtotal Effluent Limitations Violations</b>						
		<b>\$113</b>						

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)					\$60	=		
21	Failure to maintain other records required by the permit (count each month with one or more failure excluding records not maintained in #22)	Part II. A of the Permit requires the permittee to develop and implement an Operations and Maintenance (O&M) Plan for the wastewater treatment facility. The plan must be retained on site and made available to EPA and the Nez Perce Tribe upon request. Part II. B of the Permit requires the permittee to develop a Quality Assurance Plan (QAP) for all monitoring required by the permit. The plan must be retained on site and made available to EPA and the Nez Perce Tribe upon request. Part II. E of the Permit required the permittee to develop and implement and overflow Emergency Response and Public Notification plan that identifies measures to protect public health from overflows that may endanger health and unanticipated bypasses or upsets that exceed any effluent limitation in the permit.  The QAP, O&M Plan, and Emergency Response plans have not been developed and implemented nor were they made available to EPA.		Yes	18	\$38	=	\$684	
			Subtotal Records Violations						\$684

<div> <div>INDUSTRIAL WASTE</div> <div>ESA eligible if violations occurred within the 60 months immediately prior to the ESA offer.</div> </div>									
22	<div>Failure to meet industrial waste management/pretreatment requirement for POTWs without approved pretreatment programs (excluding failure to provide notice counted in #11)</div>						\$150	=	
<div> <div>ECONOMIC BENEFIT ESTIMATE</div> <div>ESA eligible if estimated economic benefit of noncompliance is less than total ESA offer.</div> </div>									
23	Enter total estimate economic benefit calculated rounded up to the nearest \$50	\$	600	ESA eligible					
Total Expedited Settlement									\$1,472