

# Expedited Settlement Offer Worksheet Violations Form For Wastewater

Version 1 (updated April 2019)

*Consult instructions regarding eligibility criteria and procedures prior to use.*



LEGAL NAME AND MAILING ADDRESS OF RESPONSIBLE ENTITY		NPDES Permit Number			
1	James Fletcher Mayor, City of Cashmere 101 Woodring Street Cashmere, Washington 98815	WA0023183			
		Permit Effective Date:	June 1, 2020		
		Permit Expiration Date:	December 31, 2024		
LOCATION AND ADDRESS OF FACILITY		EPA Contact Name:	Vanessa Oquendo		
2	City of Cashmere Wastewater Treatment Plant 2 Riverfront Drive Cashmere, Washington 98815	EPA Contact Title:	Compliance Officer		
		EPA Office:	Region 10 - Seattle, WA		
FACILITY DESCRIPTION / CONTACT NAMES					
	Name of Facility Contact (ESO Worksheet recipient):	Mayor James Fletcher with cc to current plant operators (Christopher McMahon and Dorien McElroy)			
	Name of Authorized Official (40 CFR 122.22):	Mayor James Fletcher			
	Are any findings a result of an inspection?	No			
	Inspection Date(s) (if applicable):				
3	Name of Receiving Water Body (Indicate whether 303(d) listed):	Wenatchee River, RM 8.6			
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%.	0		1.0
			<b>TOTAL ADJUSTMENT FACTOR</b>		
			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
<b>MONITORING / REPORTING</b>		<b>ESA eligible if violations occurred within the 24 months immediately prior to the ESA offer.</b>					
7		Failure to submit compliance schedule report:	S3.A4.b	No	5	\$150 =	\$750
	A	Late but less than 30 days late				\$225 =	
	B	Submitted more than 30 days late				\$450 =	
	C	Not submitted					
8		Failure to submit timely discharge monitoring report (DMR) and/or DMR submitted with failure to conduct self-monitoring:	S3.A4.b				
	A	DMR late but less than 30 days late				\$150 =	
	B	DMR submitted more than 30 days late				\$225 =	
	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)				\$225 =	
	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)		Yes	2	\$225 =	\$450
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)	S2.A	No	1	\$75 =	\$75

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.):	Permit Part S5.G: Failure to submit timely O&M Manual Review Letter - submitted on 4/20/23 with due date of 1/1/22. Permit Part S4.F Failure to submit Wasteload Assessment - submitted on 4/20/23 with due date of 10/1/22	S4.F, S5.G					
	A	Late but less than 30 days late					\$150	=	
	B	Submitted more than 30 days late			No	2	\$225	=	\$450
	C	Not submitted					\$450	=	
11		24-Hour Noncompliance Notice							
	A	Failure to provide notice of noncompliance					\$225	=	
	B	Noncompliance notice late					\$150	=	
12		5-Day Written Noncompliance Follow-up Report:							
	A	Failure to provide report					\$225	=	
	B	Report provided late and/or incomplete					\$150	=	
13		Noncompliance Not Required Within 24 Hours:							
	A	Failure to provide report with DMR					\$75	=	
	B	Report provided late and/or incomplete					\$30	=	
Subtotal Monitoring / Reporting Violations					\$1,725				

EFFLUENT LIMITATIONS									
ESA eligible if violations occurred within the 12 months immediately prior to the ESA offer.									
19		Failure to meet effluent limitations:	Part S1.A of the permit outlines the effluent limits for BOD, TSS, phosphorus, pH, fecal coliform bacteria, and temperature. In July of 2023, there was insufficient TSS removal; the permit requires 85% removal and the reported value was 78.8% (missing 7.5% removal). In July of 2023, the facility exceeded total phosphorus with a reported value of 1.4022 kg/day and a limit of 0.64 kg/day 119% exceedance). 3/1/24 - Exceeded weekly average TSS with reported value of 69.5 mg/L and limit of 45 mg/L (54% exceedance). 3/1/24 - Exceeded monthly average TSS with reported value of 32.25 mg/L and limit of 30 mg/L (7.5% exceedance). 3/1/24 - Exceeded weekly geometric mean for fecal coliform with reported value of 2419/100ml and limit of 200/100ml (1,110% exceedance). 3/1/24 - Exceeded average monthly BOD5 with reported value of 43.25mg/L (44% exceedance) and limit of 30mg/L. 3/1/24 - Exceeded weekly average BOD5 with reported value of 79mg/L and limit of 45mg/L (76%). 3/1/24 - Exceeded average monthly total phosphorus with reported value of 2.51125kg/day and limit of 0.64kg/day (292% exceedance).						
	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)		S1.A	No	2	\$150	=	\$300
	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)		S1.A	No	4	\$225	=	\$900
	C	Months with effluent exceedance less than 20% above the limit - toxic pollutants  (count each toxic pollutant separately as a violation)		S1.A			\$300	=	
	E	Months with effluent exceedance 20% or more above the limit - toxic pollutants  (count each toxic pollutant separately as a violation)		S1.A	No	2	\$600	=	\$1,200
Subtotal Effluent Limitations Violations								\$2,400	
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)				\$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)				\$75	=		
Subtotal Records Violations								\$0	
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	\$	3,875	ESA eligible				