

# 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	Jack Peasley Mayor, City of Pomeroy N 80 7th Street / PO Box 370 Pomeroy, Washington 99347	WA0021164			
		Permit Effective Date:	November 1, 2018		
		Permit Expiration Date:	October 31, 2023 (admin ext)		
LOCATION AND ADDRESS OF FACILITY		EPA Contact Name:	Vanessa Oquendo		
2	City of Pomeroy Wastewater Treatment Plant 244 West Pataha Street Pomeroy, Washington 99347	EPA Contact Title:	Compliance Officer		
		EPA Office:	Region 10 - Seattle, WA		
FACILITY DESCRIPTION / CONTACT NAMES					
	Name of Facility Contact (ESO Worksheet recipient):	Mayor Jack Peasley with cc to current contracted plant operators (Samuel Sneed and Jami Favor)			
	Name of Authorized Official (40 CFR 122.22):	Mayor Jack Peasley			
	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):	Pataha Creek			
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.	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.		
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>	<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
<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:	Part S.5 of the permit and Summary of Permit Report Submittals outline the annual requirement to submit operator certification due on March 15 every year. For 2023, this certification was submitted late on May 10, 2023. Operations Manual Review Confirmation Letter submitted late on September 1, 2022 with due date of March 15, 2022. Permit Renewal Application Monitoring Data Report not submitted by October 31, 2022 (required monitoring data missing in renewal application). Wasteload Assessment due March 15, 2022 was submitted late on June 15, 2022.	Part S.5 and Summary of Permit Report Submittals			
	A	Late but less than 30 days late				\$75	=
	B	Submitted more than 30 days late			No 3	\$113	= \$338
	C	Not submitted			No 1	\$225	= \$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,							
	A	Late but less than 30 days late					\$75	=	
	B	Submitted more than 30 days late					\$113	=	
	C	Not submitted					\$225	=	
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							\$563		

EFFLUENT LIMITATIONS		ESA eligible if violations occurred within the 12 months immediately prior to the ESA offer.									
19	A	Failure to meet effluent limitations:  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)	Part S1.A and S1.B of the permit outline effluent limits for high and low treated wastewater flows that the permittee must comply with. In June 2023, the facility exceeded total suspended solids with a reported monthly average value of 18.8571 mg/L and a limit of 15 mg/L. In July 2023, the facility exceeded total suspended solids with a reported monthly average value of 19.5 mg/L and a limit of 15 mg/L. On October 18, 2023, the facility exceeded the maximum total daily ammonia with reported value of 2.4 lbs/day and a limit of 1.28 lbs/day. On November 1, 2023, the facility exceeded the maximum total daily ammonia with reported value of 1.68 lbs/day and a limit of 1.28 lbs/day.	S1.A and S1.B	No	3	\$75	=	\$225		
	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 and S1.B	No	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	=			
Subtotal Effluent Limitations Violations										\$338	
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)					\$38	=			
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)					\$150	=			
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	\$	788	ESA eligible						
Total Expedited Settlement											\$901