

## 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		Emida Water and Sewer Association, Inc. 160 S. Main Ave Emida , ID, 83830	ID0028487			
			Permit Effective Date:		07/01/2020	
			Permit Expiration Date:		06/30/2025	
LOCATION AND ADDRESS OF FACILITY		EPA Contact Name:		EPA Contact Title:		
2		Highway 6 and Blackwell R.R. Lane Emida, ID, 83830	Wesley Simmons		402 Enforcement Case Officer	
			Region 10, Seattle, WA			
			EPA Office:			
FACILITY DESCRIPTION / CONTACT NAMES						
3		Name of Facility Contact (ESO Worksheet recipient):		Jason Frank (Operator)		
		Name of Authorized Official (40 CFR 122.22):		Amanda Quincy (Vice President)		
		Are any findings a result of an inspection?		No		
		Inspection Date(s) (if applicable):		N/A		
		Name of Receiving Water Body (Indicate whether 303(d) listed):		Santa Creek		
PRIVATE ENTITY ADJUSTMENT FACTOR						
4		Is the entity privately owned?	If yes, adjustment factor of 2.0 is applied.			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.	X	0.0
	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.		
	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
				<b>TOTAL ADJUSTMENT FACTOR</b>	<b>1.00</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:	Section 3.1, Table 10, Row 3				
	A	Late but less than 30 days late				\$50 =	
	B	Submitted more than 30 days late			1	\$75 =	\$75
	C	Not submitted				\$150 =	
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				\$50 =	
	B	DMR submitted more than 30 days late				\$75 =	

	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)	<p>The Permittee failed to conduct the following monitoring outlined in Section 1.2, Table 2 during the following reporting period ending on</p> <p>12/31/2023: Temperature BOD, 5-Day, 20 deg. C Solids, Total Suspended Flow, in conduit or thru treatment plant</p> <p>Section 1.2, Table 2</p> <p>And</p> <p>Section 2.1.2, Table 6</p> <p>The Permittee failed to conduct the following additional effluent monitoring outlined in Section 2.1.2, Table 6 during the following reporting period ending on</p> <p>12/31/2023: Temperature, continuous</p>		5	\$75	=	\$375
	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)						
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)				\$25	=	
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.):						
	A	Late but less than 30 days late				\$50	=	
	B	Submitted more than 30 days late				\$75	=	
	C	Not submitted				\$150	=	

11	24-Hour Noncompliance Notice		The Facility failed to report noncompliance within 24 hours per part 2.2.7 of the permit after discovery of a single E. coli sample value greater than 406 #/100 ml on 2/7/2023 and 2/21/2023.	Part 2.1.2, Table 6, Footnote g. and Part 2.2.7					
	A	Failure to provide notice of noncompliance				2	\$75	=	\$150
	B	Noncompliance notice late					\$50	=	
12	5-Day Written Noncompliance Follow-up Report:								
	A	Failure to provide report					\$75	=	
	B	Report provided late and/or incomplete					\$50	=	\$0
13	Noncompliance Not Required Within 24 Hours:								
	A	Failure to provide report with DMR					\$25	=	
	B	Report provided late and/or incomplete					\$10	=	
Subtotal Monitoring / Reporting Violations								\$600	

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)					\$40	=
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)					\$20	=
16	Failure to identify and document corrective actions					\$20	=
17	Failure to meet operation and maintenance requirement of the permit					\$100	=
18	Failure to manage removed substances in accordance with the permit					\$250	=
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:	The Permittee exceeded the permit effluent limits on the following dates with corresponding exceedances;					
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)	12/31/2023 BOD, 5-day, percent removal < 40%	Section 1.2, Table 2		1	\$50	= \$50
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)	05/31/2023 Chlorine, Total residual > 40%  12/31/2023 E. coli > 40% Solids, suspended percent removal > 40%  01/31/2024 E. coli > 40%  2/29/2024 E. coli > 40%	Section 1.2, Table 2		5	\$75	= \$375

C	Months with effluent exceedance less than 20% above the limit - toxic pollutants  (count each toxic pollutant separately as a violation)				\$100 =	
E	Months with effluent exceedance 20% or more above the limit - toxic pollutants  (count each toxic pollutant separately as a violation)				\$200 =	
<b>Subtotal Effluent Limitations Violations</b>						<b>\$425</b>
<b>RECORDS</b> <span style="float: right;">ESA eligible if violations occurred within the 24 months immediately prior to the ESA offer.</span>						
20	Failure to create/maintain sampling and/or analysis records (count each month with one or more failure)				\$40 =	
21	Failure to maintain other records required by the permit (count each month with one or more failure excluding records not maintained in #22)				\$25 =	
<b>Subtotal Records Violations</b>						<b>\$0</b>
<b>INDUSTRIAL WASTE</b> <span style="float: right;">ESA eligible if violations occurred within the 60 months immediately prior to the ESA offer.</span>						
22	Failure to meet industrial waste management/pretreatment requirement for POTWs without approved pretreatment programs (excluding failure to provide notice counted in #11)				\$100 =	
<b>ECONOMIC BENEFIT ESTIMATE</b> <span style="float: right;">ESA eligible if estimated economic benefit of noncompliance is less than total ESA offer.</span>						
23	Enter total estimate economic benefit calculated rounded up to the nearest \$50	\$	450	<b>ESA eligible</b>		
<b>Total Expedited Settlement</b>						<b>\$1,025</b>