

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	Brad Ryan P.O. Box 415 Skagway, Alaska 99840		AK0020010		
			Permit Effective Date:	10/1/2002	
			Permit Expiration Date:	9/7/2007 (administratively continued)	
LOCATION AND ADDRESS OF FACILITY					
2	90 Main Street Skagway, Alaska 99840		EPA Contact Name:	Nicolas Haddad	
			EPA Contact Title:	Case Officer	
			EPA Office:	ECAD	
FACILITY DESCRIPTION / CONTACT NAMES					
3			Name of Facility Contact (ESO Worksheet recipient):	Tyson Ames	
			Name of Authorized Official (40 CFR 122.22):	Brad Ryan	
			Are any findings a result of an inspection?	Yes	
			Inspection Date(s) (if applicable):	05/31/2024	
			Name of Receiving Water Body (Indicate whether 303(d) listed):	Taiya Inlet	
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
				TOTAL ADJUSTMENT FACTOR	1.50

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 =	
8	Failure to submit timely discharge monitoring report (DMR) and/or DMR submitted with failure to conduct self-monitoring:	II.C: Monitoring results shall be summarized each month on the DMR form. The reports shall be submitted monthly and are to be postmarked by the 10th day of the following month.					
	A DMR late but less than 30 days late					\$75 =	
	B DMR submitted more than 30 days late			Yes	8	\$113 =	\$900
	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)	The facility failed to submit the following DMRs by the date required by the Permit. Monitoring period ending 1/31/23, due 2/10/23, received 4/1/23 Monitoring period ending 2/28/23, due 3/10/23, received 4/25/23 Monitoring period ending 4/30/23, due 5/10/23, received 6/20/23				\$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)	Monitoring period ending 6/30/23, due 7/10/23, received 8/25/23 Monitoring period ending 8/31/23, due 9/10/23, received 10/23/23 Monitoring period ending 10/31/23, due 11/10/23, received 12/29/23 Monitoring period ending 1/31/24, due 2/10/24, received 3/27/24 Monitoring period ending 6/30/24, due 7/10/24, received 8/19/24	II.C			\$113 =	
9	Failure to conduct self-monitoring in accordance with permit requirements, including but not limited to required sample type, sample location, representative					\$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.):						
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:	<p>II.G.1: A violation of a maximum daily discharge limitation for those toxic or hazardous pollutants identified within Table 1 of Section I.A shall be reported to EPA and ADEC by telephone within 24 hours from the time the permittee becomes aware of the circumstances.</p> <p>II.G.2: A written submission shall also be provided to EPA and ADEC within five days of the time that the permittee becomes aware of the circumstances.</p> <p>The facility failed to submit 5-day written noncompliance reports for the following violations:</p> <p>October 2023 - daily maximum BOD exceedance April 2024 - daily maximum BOD exceedance July 2024 - daily maximum BOD exceedance</p>	II.G.2					
	A	Failure to provide report			Yes	3	\$113	=	\$338
	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									\$1,238

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:	I.A: The permittee shall comply with effluent limits as required by the permit. The facility exceeded effluent limits for the following parameters in the months listed: October 2023: BOD <40% exceedance February 2024: pH <40% exceedance April 2024: BOD <40% exceedance June 2024: BOD <40% exceedance July 2024: BOD <40% exceedance						
A	Months with effluent exceedance less than 40% above the limit - conventional pollutants		I.A	Yes	5	\$75	=	\$375
B	Months with effluent exceedance 40% or more above the limit - conventional pollutants					\$113	=	
C	Months with effluent exceedance less than 20% above the limit - toxic pollutants					\$150	=	
E	Months with effluent exceedance 20% or more above the limit - toxic pollutants					\$300	=	
Subtotal Effluent Limitations Violations								\$375
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		\$ 1,100			ESA eligible
Total Expedited Settlement						\$1,613