

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

FILED

December 4, 2024

8:03 A.M. PST

**U.S. EPA REGION 10
HEARING CLERK**

LEGAL NAME AND MAILING ADDRESS OF RESPONSIBLE ENTITY		NPDES Permit Number			
1	Ahsahka Water and Sewer District Stacy Hunt Board Chair P.O. Box 37 Ahsahka, Idaho, 83520	ID0025224			
		Permit Effective Date:	3/1/2021		
		Permit Expiration Date:	2/28/2026		
LOCATION AND ADDRESS OF FACILITY		EPA Contact Name:	Wesley Simmons		
2	Dworshank Fisheries Complex Ahsahka, Idaho, 83520	EPA Contact Title:	Case Officer		
		EPA Office:	Region 10, Seattle WA		
FACILITY DESCRIPTION / CONTACT NAMES					
	Name of Facility Contact (ESO Worksheet recipient):	Larry Annen, Operator			
	Name of Authorized Official (40 CFR 122.22):	Stacy Hunt, Board Chair			
	Are any findings a result of an inspection?	Yes			
	Inspection Date(s) (if applicable):	08/01/2023			
3	Name of Receiving Water Body (Indicate whether 303(d) listed):	Clearwater River (Tribal Waters)			
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.	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
				TOTAL ADJUSTMENT FACTOR		1.00

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
MONITORING / REPORTING		ESA eligible if violations occurred within the 24 months immediately prior to the ESA offer.					
7	Failure to submit compliance schedule report:	The Permittee failed to comply with the requirements in Part II, A, B, and E of the permit. Part II, "Special Conditions", requires that the Operations and Maintenance Plan (O&M), Quality Assurance Plan (QAP), and Emergency Response and Public Notification Plan be developed or updated within 180 days of the issuance of the permit and submitted to the EPA and Nez Perce Tribe.	Part II, A, B, and E				
A	Late but less than 30 days late					\$50 =	
B	Submitted more than 30 days late					\$75 =	
C	Not submitted				3	\$150 =	\$450
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)					\$75 =	
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)					\$75 =	

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						
A	Failure to provide notice of noncompliance				\$75	=	
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	=	
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							\$450

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	During the 8/1/23 site inspection, inspectors observed solid accumulation on the water surface of the Imhoff tank, algal growth in the oxidation ditch, and vegetative growth obstructing outfall 001. Each of these findings are violations of Part IV, Section E of the permit which states, "The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit."	Part IV, Section E		3	\$100 =	\$300
18	Failure to manage removed substances in accordance with the permit					\$250 =	
Subtotal Operations and Maintenance Violations							\$300
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)					\$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)					\$75	=		
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	=		
Subtotal Effluent Limitations Violations									\$0
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)					\$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)	The Permittee failed to maintain all required records on-site per Part III, section F of the permit by not having a copy of the Permit on-site at the time of the inspection.	Part III, Section F		1	\$25	=	\$25	
Subtotal Records Violations									\$25
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)					\$100	=		
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		\$	750	ESA eligible				
Total Expedited Settlement									\$775