

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 | Julia Hajduk City Manager 362 North Third Avenue Stayton, OR 97383 | OR0020427 | | |
| | | Permit Effective Date: | 10/01/2021 | |
| | | Permit Expiration Date: | 8/31/2026 | |
| LOCATION AND ADDRESS OF FACILITY | | EPA Contact Name: | Katrina Chambon | |
| 2 | 950 Jetters Way Stayton, Oregon 97383 | EPA Contact Title: | Case Officer | |
| | | EPA Office: | Anchorage Operations Office | |
| FACILITY DESCRIPTION / CONTACT NAMES | | | | |
| | Name of Facility Contact (ESO Worksheet recipient): | | Julia Hajduk | |
| | Name of Authorized Official (40 CFR 122.22): | | Julia Hajduk | |
| | 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): | | North Santiam River (303(d) Listed) | |
| 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. | | |
| D | ≥1 mgd and <5 mgd | Adjustment factor of 6.0 is applied. | X | 6.0 |
| 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 | | | | 6.00 |

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: | | | | | | | |
| A | Late but less than 30 days late | | | | | \$300 | = | |
| B | Submitted more than 30 days late | | | | | \$450 | = | |
| C | Not submitted | | | | | \$900 | = | |
| 8 | Failure to submit timely discharge monitoring report (DMR) and/or DMR submitted with failure to conduct self-monitoring: | February 2023, failure to monitor for dissolved oxygen and total nitrogen, Kjeldahl. | Schedule B.3.b | | | | | |
| A | DMR late but less than 30 days late | | | | | \$300 | = | |
| B | DMR submitted more than 30 days late | | | | | \$450 | = | |
| 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) | | | 2 | | \$450 | = | \$900 |
| 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) | | | | | \$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) | | | | | \$150 | = | |
| 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 | | | | | \$300 | = | |
| B | Submitted more than 30 days late | | | | | \$450 | = | |
| C | Not submitted | | | | | \$900 | = | |
| 11 | 24-Hour Noncompliance Notice | | | | | | | |
| A | Failure to provide notice of noncompliance | | | | | \$450 | = | |
| B | Noncompliance notice late | | | | | \$300 | = | |
| 12 | 5-Day Written Noncompliance Follow-up Report: | | | | | | | |
| A | Failure to provide report | | | | | \$450 | = | |
| B | Report provided late and/or incomplete | | | | | \$300 | = | |
| 13 | Noncompliance Not Required Within 24 Hours: | | | | | | | |
| A | Failure to provide report with DMR | | | | | \$150 | = | |
| B | Report provided late and/or incomplete | | | | | \$60 | = | |
| Subtotal Monitoring / Reporting Violations | | | | | | | \$900 | |

| 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) | | | | | \$240 = | |
| 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) | | | | | \$120 = | |
| 16 | Failure to identify and document corrective actions | | | | | \$120 = | |
| 17 | Failure to meet operation and maintenance requirement of the permit | | | | | \$600 = | |
| 18 | Failure to manage removed substances in accordance with the permit | | | | | \$1,500 = | |
| 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: | March 2023, exceedance of total suspended solids (TSS) weekly average of 510 pounds per day (lb./day) and daily maximum of 680 lb./day. The results are 896 lb./day and 2,371 lb./day, respectively. March 2023, exceedance of 5-day biochemical oxygen demand (BOD ₅) weekly average of 510 lb./day and 680 lb./day. The result are 575 lb./day and 742 lb./day, respectively. March 2023, TSS percent (%) removal exceedance of 85%, result is 33% removal. March 2023, BOD ₅ % removal exceedance of 85%, result is 77.5% removal. April 2023 exceedance of TSS weekly average and daily maximum. The results are 963 lb./day and 1,847 lbs./day, respectively. April 2023 BOD ₅ exceedance of weekly average. The result is 523 lb./day. | | | | | |
| 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) | | Schedule A.1 | | 3 | \$300 = | \$900 |
| 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) | | | | 6 | \$450 = | \$2,700 |
| C | Months with effluent exceedance less than 20% above the limit - toxic pollutants (count each toxic pollutant separately as a violation) | | | | | \$600 = | |
| E | Months with effluent exceedance 20% or more above the limit - toxic pollutants (count each toxic pollutant separately as a violation) | | | | | \$1,200 = | |
| Subtotal Effluent Limitations Violations | | | | | | | \$3,600 |
| 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) | | | | | \$240 = | |
| 21 | Failure to maintain other records required by the permit (count each month with one or more failure excluding records not maintained in #22) | | | | | \$150 = | |
| 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) | | | | | \$600 = | |
| 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 | | ESA eligible | | | | |
| Total Expedited Settlement | | | | | | | \$4,500 |