

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

1		LEGAL NAME AND MAILING ADDRESS OF RESPONSIBLE ENTITY	NPDES Permit Number		
		The City of Idaho Falls PO Box 50220 Idaho Falls, Idaho 83405	ID0021261		
			Permit Effective Date:	11/1/2012	
			Permit Expiration Date:	10/31/2017	
LOCATION AND ADDRESS OF FACILITY					
2		4055 Glen Koester Rd Idaho Falls, Idaho, 83402	EPA Contact Name:	Wesley Simmons	
			EPA Contact Title:	Case Officer	
			EPA Office:	R10	
FACILITY DESCRIPTION / CONTACT NAMES					
		Name of Facility Contact (ESO Worksheet recipient):	Carl Utter (Wastewater Superintendent)		
		Name of Authorized Official (40 CFR 122.22):	Rebecca Casper (Mayor)		
		Are any findings a result of an inspection?	No		
		Inspection Date(s) (if applicable):	N/A		
3		Name of Receiving Water Body (Indicate whether 303(d) listed):	Snake River		
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.		
	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.	X	15.0
	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
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TOTAL ADJUSTMENT FACTOR				15.00
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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					\$750 =	
	B Submitted more than 30 days late					\$1,125 =	
	C Not submitted					\$2,250 =	
8	Failure to submit timely discharge monitoring report (DMR) and/or DMR submitted with failure to conduct self-monitoring:	The Permittee failed to submit DMRs on or before the 15th of the month following the completed reporting period per Section III, B of the permit					
	A DMR late but less than 30 days late					\$750 =	
	B DMR submitted more than 30 days late					\$1,125 =	
	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)	7/31/23 Phosphate, ortho [as P]	Section III, B		1	\$1,125 =	\$1,125
	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)	6/30/2023 Chromium, hexavalent dissolved [as Cr]			1	\$1,125 =	\$1,125
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)					\$375 =	
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				\$750	=		
	B	Submitted more than 30 days late				\$1,125	=		
	C	Not submitted				\$2,250	=		
11		24-Hour Noncompliance Notice							
	A	Failure to provide notice of noncompliance				\$1,125	=		
	B	Noncompliance notice late				\$750	=		
12		5-Day Written Noncompliance Follow-up Report:	The Permittee provided a written notice of non-compliance more than five days after the permittee became aware of an event outlined in III,G,1,d , per III,G,2.						
	A	Failure to provide report				\$1,125	=		
	B	Report provided late and/or incomplete	Late submittal of 5-day notification related to daily maximum E. coli exceedance on 8/16/2024.		Section III,G,2.	1	\$750	= \$750	
13		Noncompliance Not Required Within 24 Hours:							
	A	Failure to provide report with DMR				\$375	=		
	B	Report provided late and/or incomplete				\$150	=		
Subtotal Monitoring / Reporting Violations									\$3,000

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)					\$600 =
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)					\$300 =
16	Failure to identify and document corrective actions					\$300 =
17	Failure to meet operation and maintenance requirement of the permit					\$1,500 =
18	Failure to manage removed substances in accordance with the permit					\$3,750 =
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 as outlined in Section I, B, Table 1, on the following dates with corresponding exceedances; 1/31/2024 Nitrogen, Ammonia total (as N) <40% 2/29/2024 Phosphorus, total (as P) <40%					
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)		Section I, B, Table 1	2	\$750	= \$1,500	
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)				\$1,125	=	

C	Months with effluent exceedance less than 20% above the limit - toxic pollutants (count each toxic pollutant separately as a violation)				\$1,500	=		
E	Months with effluent exceedance 20% or more above the limit - toxic pollutants (count each toxic pollutant separately as a violation)				\$3,000	=		
Subtotal Effluent Limitations Violations								\$1,500
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)				\$600	=		
21	Failure to maintain other records required by the permit (count each month with one or more failure excluding records not maintained in #22)				\$375	=		
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)				\$1,500	=		
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	\$	1,125				ESA eligible	
Total Expedited Settlement								\$4,500