

## Expedited Settlement Offer Worksheet Violations Form For Wastewater

Version 1 (updated April 2019)

*Consult instructions regarding eligibility criteria and procedures prior to use.*



<b>1</b>		<b>LEGAL NAME AND MAILING ADDRESS OF RESPONSIBLE ENTITY</b>	<b>NPDES Permit Number</b>		
		PIERCE, CITY OF P.O. BOX 356 PIERCE, ID 83546	ID0020206		
			Permit Effective Date:	06/01/2018	
			Permit Expiration Date:	05/31/2023	
<b>LOCATION AND ADDRESS OF FACILITY</b>					
<b>2</b>		15 FROMELT ROAD PIERCE, ID 83546	EPA Contact Name:	Wesley Simmons	
			EPA Contact Title:	NPDES Enforcement Officer	
			EPA Office:	R10, Seattle Wa	
<b>FACILITY DESCRIPTION / CONTACT NAMES</b>					
			<b>Name of Facility Contact (ESO Worksheet recipient):</b>	Jack Koepke (Operator)	
			<b>Name of Authorized Official (40 CFR 122.22):</b>	Greg Gerot (Mayor)	
			<b>Are any findings a result of an inspection?</b>	No	
			<b>Inspection Date(s) (if applicable):</b>	n/a	
<b>3</b>			<b>Name of Receiving Water Body (Indicate whether 303(d) listed):</b>	Orofino Creek, 303D Listed	
<b>PRIVATE ENTITY ADJUSTMENT FACTOR</b>					
<b>4</b>		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%.		1.0
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<b>TOTAL ADJUSTMENT FACTOR</b>				<b>1.50</b>
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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
		<b>MONITORING / REPORTING</b>					
		<b>ESA eligible if violations occurred within the 24 months immediately prior to the ESA offer.</b>					
7	Failure to submit compliance schedule report:	Section I, Part C, 8, b requires the Surface Water Monitoring Report to be submitted in the annual report by January 31 of the following year.					
	A Late but less than 30 days late					\$75 =	
	B Submitted more than 30 days late	The 2022 annual report was submitted late, on 3/7/2023.	Section I, Part C, 8, b		2	\$113 =	\$226
		The 2023 annual report was submitted late, on 4/4/2024					
	C Not submitted					\$225 =	
8	Failure to submit timely discharge monitoring report (DMR) and/or DMR submitted with failure to conduct self-monitoring:	Per Part III, B, and the permit's "Schedule of Submission" the Permittee must submit monitoring data by the 20th of the month following the monitoring month. The Permittee failed to submit DMRs during the following monitoring periods for the indicated parameters.					
	A DMR late but less than 30 days late	8/31/23 (1 day late) Solids, Total suspended (Raw Sewage Influent)	Part III, B and the permit's "Schedule of Submission"				
		9/30/2023 (5 days late) Solids, suspended percent removal Solids, Total suspended (Effluent Gross)			4	\$75 =	\$300
		10/31/2023 (2 days late) BOD, 5-day, 20 deg. C (Effluent Gross)					
	B DMR submitted more than 30 days late	7/31/2023 (31 days late) Solids, Total suspended (Raw Sewage Influent)			1	\$113 =	\$113

	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)	5/31/2022 (not submitted) Dissolved Oxygen N, Kjeldahl Nitrite + Nitrate (as N) Phosphorus, Total (as P) Oil and Grease Chlorine, Total Residual Solids, Total dissolved		7	\$113 =	\$791
	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)				\$113 =	
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)				\$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.):					
	A	Late but less than 30 days late				\$75 =	
	B	Submitted more than 30 days late				\$113 =	
	C	Not submitted				\$225 =	
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:					
	A	Failure to provide report				\$113 =	
	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 =	
<b>Subtotal Monitoring / Reporting Violations</b>							<b>\$1,430</b>

<b>OPERATIONS AND MAINTENANCE</b>		<b>ESA eligible if violations occurred within the 24 months immediately prior to the ESA offer.</b>						
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	=	
<b>Subtotal Operations and Maintenance Violations</b>								<b>\$0</b>

<b>EFFLUENT LIMITATIONS</b>		<b>ESA eligible if violations occurred within the 12 months immediately prior to the ESA offer.</b>							
19	Failure to meet effluent limitations:	The Permittee must meet the effluent limits per Part I, B, Table 1 of the permit. The Permittee exceeded the permit effluent limits on during the following monitoring periods with the corresponding parameter 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)						\$75	=	
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)		4/30/2023 Solids, suspended percent removal >40%	Part I, B, Table 1		2	\$113	=	\$226
		5/31/2023 Solids, suspended percent removal >40%							

C	Months with effluent exceedance less than 20% above the limit - toxic pollutants  (count each toxic pollutant separately as a violation)				\$150 =	
E	Months with effluent exceedance 20% or more above the limit - toxic pollutants  (count each toxic pollutant separately as a violation)				\$300 =	
<b>Subtotal Effluent Limitations Violations</b>						<b>\$226</b>
<b>RECORDS</b> <span style="float: right;"><b>ESA eligible if violations occurred within the 24 months immediately prior to the ESA offer.</b></span>						
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 =	
<b>Subtotal Records Violations</b>						<b>\$0</b>
<b>INDUSTRIAL WASTE</b> <span style="float: right;"><b>ESA eligible if violations occurred within the 60 months immediately prior to the ESA offer.</b></span>						
22	Failure to meet industrial waste management/pretreatment requirement for POTWs without approved pretreatment programs (excluding failure to provide notice counted in #11)				\$150 =	
<b>ECONOMIC BENEFIT ESTIMATE</b> <span style="float: right;"><b>ESA eligible if estimated economic benefit of noncompliance is less than total ESA offer.</b></span>						
23	Enter total estimate economic benefit calculated rounded up to the nearest \$50	\$	675			<b>ESA eligible</b>
<b>Total Expedited Settlement</b>						<b>\$1,656</b>