

FILED

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U.S. EPA REGION 10

HEARING CLERK



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		AK0053384		
1	Stephan Bradford		Permit Effective Date:		June 1, 2020	
	Executive Vice President		Permit Expiration Date:		May 31, 2025	
	Full Cycle LLC					
	PO Box 772					
		Ward Cove, Alaska 99928				
LOCATION AND ADDRESS OF FACILITY		EPA Contact Name:		Katrina Chambon		
2	7037 North Tongass Highway		EPA Contact Title:		Case Officer	
	Ketchikan, Alaska 99901		EPA Office:		Anchorage, Alaska	
FACILITY DESCRIPTION / CONTACT NAMES						
3	Name of Facility Contact (ESO Worksheet recipient):		Stephan Bradford			
	Name of Authorized Official (40 CFR 122.22):		Stephan Bradford			
	Are any findings a result of an inspection?		Yes			
	Inspection Date(s) (if applicable):		06/04/2024			
	Name of Receiving Water Body (Indicate whether 303(d) listed):		Ward Cove 303(d) listed			
PRIVATE ENTITY ADJUSTMENT FACTOR						
4	Is the entity privately owned?		If yes, adjustment factor of 2.0 is applied.		Yes	
					2.0	
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					2.00	

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					\$100	=	
	B	Submitted more than 30 days late					\$150	=	
	C	Not submitted					\$300	=	
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					\$100	=	
	B	DMR submitted more than 30 days late					\$150	=	
	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)					\$150	=	
	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)					\$150	=	
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)					\$50	=		
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					\$100	=	
	B	Submitted more than 30 days late					\$150	=	
	C	Not submitted					\$300	=	
11	24-Hour Noncompliance Notice		Failed to call the 24-hour noncompliance hotline for the exceedance of dissolved oxygen daily maximum in January 2024. Failed to call the 24-hour noncompliance hotline for the exceedance of total suspended solids daily maximum in July 2024.	Permit Part Appendix A 3.4					
	A	Failure to provide notice of noncompliance				2	\$150	=	\$300
	B	Noncompliance notice late					\$100	=	
12	5-Day Written Noncompliance Follow-up Report:		Failed to submit a 5-day written report for the exceedance dissolved oxygen daily maximum in January 2024.	Permit Part Appendix A 3.4					
	A	Failure to provide report				1	\$150	=	\$150
	B	Report provided late and/or incomplete					\$50	=	
13	Noncompliance Not Required Within 24 Hours:								
	A	Failure to provide report with DMR					\$50	=	
	B	Report provided late and/or incomplete					\$20	=	
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)						\$80	=	
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)						\$40	=	
16	Failure to identify and document corrective actions						\$40	=	
17	Failure to meet operation and maintenance requirement of the permit						\$200	=	
18	Failure to manage removed substances in accordance with the permit						\$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:	Exceedance of the pH minimum in May 2024.							
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)	The permit limit is 6.5 SU, the results is 5.8. Exceedance the monthly average and weekly average of 5-day biochemical oxygen demand in May 2024. The monthly average permit limit is equal to or less than 30 mg/L the result is 48.27 mg/L a 61% exceedance. The weekly average permit limit is equal to or less than 45 mg/L, the result is 48.27 mg/L, a 7% exceedance. Exceedance of fecal coliform daily max in June 2024. The permit limit is equal to or less than 800 #/100ml, the result is 1,680 #/100ml, a 110% exceedance. Exceedance of daily maximum total suspended solids in July 2024. The permit limit is equal to or less than 60 mg/L, the result is 70 mg/L, a 17% exceedance.	Permit Part 1.2	Yes	3		\$100	=	\$300
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)		Permit Part 1.2	Yes	2		\$150	=	\$300
C	Months with effluent exceedance less than 20% above the limit - toxic pollutants (count each toxic pollutant separately as a violation)						\$200	=	
E	Months with effluent exceedance 20% or more above the limit - toxic pollutants (count each toxic pollutant separately as a violation)						\$400	=	
Subtotal Effluent Limitations Violations									\$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)	The QAPP is missing maps indicating the location of all permit required sampling points. The QAPP is missing qualification and training of personnel. The QAPP is missing sample shipping methods, and laboratory data delivery requirements.	Permit Part 2.1	Yes	24		\$80	=	\$1,920
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 operation and maintenance plan has not been reviewed annually. The operation and maintenance plan is missing best management practices.	Permit Part 2.2	Yes	11		\$50	=	\$550
Subtotal Records Violations									\$2,470
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)						\$200	=	
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									\$3,520