

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2012-0552

ADMINISTRATIVE CIVIL LIABILITY  
AND MANDATORY PENALTY  
IN THE MATTER OF

DONNER SUMMIT PUBLIC UTILITY DISTRICT  
WASTEWATER TREATMENT PLANT  
NEVADA COUNTY

This Order is issued to the Donner Summit Public Utility District (hereafter Discharger) pursuant to California Water Code (CWC) section 13385, which authorizes the imposition of Administrative Civil Liability (ACL). This Order is based on findings that the Discharger violated provisions of Waste Discharge Requirements (WDRs) Orders R5-2002-0088 and R5-2009-0034 (NPDES No. CA0081621).

The Assistant Executive Officer of the Central Valley Regional Water Quality Control Board (Central Valley Water Board or Board) finds the following:

1. The Discharger owns and operates a wastewater collection, treatment, and disposal system (WWTP), and provides sewerage service to the Norden and Soda Springs areas, the Sugar Bowl and Soda Springs Ski Resorts, the Serene Lakes Subdivision, and the Sierra Lakes County Water District. During the months of October through July, treated wastewater is discharged to the South Yuba River, a water of the United States.
2. On 6 June 2002, the Central Valley Water Board issued Waste Discharge Requirements (WDRs) Order R5-2002-0088 to regulate discharges of waste from the WWTP. On the same date, the Board issued Cease and Desist Order (CDO) R5-2002-0089. The CDO required the Discharger to comply with the effluent limitations for ammonia and nitrate by 1 April 2007.
3. On 24 April 2009, effective 13 June 2009, the Central Valley Water Board issued WDRs Order R5-2009-0034, which contained new requirements and rescinded Order R5-2002-0088. On the same date, the Board issued CDO R5-2009-0035. The CDO provides a time schedule for compliance with the final effluent limits for ammonia, nitrate, copper, cyanide, dichlorobromomethane, aldrin, alpha BHC, manganese, silver, and zinc, and provides interim effluent limitations for these same constituents. Because CDO R5-2002-0089 already provided exemption from mandatory minimum penalties for a five year period for nitrate, CDO R5-2009-0034 does not exempt violations of the final effluent limit for nitrate from mandatory minimum penalties. This Order considers the protection from mandatory minimum penalties for the nine other constituents provided by CDO R5-2009-0034.

**Mandatory Penalties**

4. On 26 November 2008, the Assistant Executive Officer issued Administrative Civil Liability Complaint (ALC) R5-2008-0626 for both discretionary civil liability and

mandatory penalties for effluent limitation violations from 1 January 2007 to 30 September 2008. The liability is in the amount of \$49,000, of which \$24,000 is in mandatory penalties and \$25,000 is in discretionary penalties.

5. This Order settles ACLC R5-2008-0626, and adds the mandatory minimum penalties (MMPs) accrued from 1 October 2008 through 29 February 2012, as specifically identified on Attachment A to this Order as subject to MMPs. On 14 July 2010, Central Valley Water Board staff issued the Discharger a Notice of Violation and draft Record of Violations (ROV) for the period of 1 July 2008 through 31 May 2010. On 25 August 2010, the Discharger agreed with the draft ROV, submitted a proposal and schedule for a compliance project to correct the violations that are subject to mandatory penalties, requested that the mandatory penalty be applied toward the cost of the compliance project, and agreed to pay the discretionary penalty. This Order extends the period of record through 29 February 2012.
6. CWC sections 13385 subdivisions (h) and (i) require assessment of mandatory penalties and state, in part, the following:

CWC section 13385 subdivision (h)(1) states:

Notwithstanding any other provision of this division, and except as provided in subdivisions (j), (k), and (l), a mandatory minimum penalty of three thousand dollars (\$3,000) shall be assessed for each serious violation.

CWC section 13385 subdivision (h)(2) states:

For the purposes of this section, a "serious violation" means any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 40 percent or more.

CWC section 13385 subdivision (i)(1) states:

Notwithstanding any other provision of this division, and except as provided in subdivisions (j), (k), and (l), a mandatory minimum penalty of three thousand dollars (\$3,000) shall be assessed for each violation whenever the person does any of the following four or more times in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations:

- A) Violates a waste discharge requirement effluent limitation.
- B) Fails to file a report pursuant to Section 13260.
- C) Files an incomplete report pursuant to Section 13260.
- D) Violates a toxicity effluent limitation contained in the applicable waste discharge requirements where the waste discharge requirements do not contain pollutant-specific effluent limitations for toxic pollutants.

7. CWC section 13323 states, in part:

Any executive officer of a regional board may issue a complaint to any person on whom administrative civil liability may be imposed pursuant to this article. The complaint shall allege the act or failure to act that constitutes a violation of law, the provision authorizing civil liability to be imposed pursuant to this article, and the proposed civil liability.

8. WDRs Order R5-2002-0088 Effluent Limitations B.1., include, in part, the following effluent limitations:

<u>Constituents</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>7-Day Median<sup>6</sup></u>	<u>Daily Max</u>	<u>1-Hour Average</u>	<u>Instant. Min</u>	<u>Instant. Max</u>
pH	standard units	--	--	--	--	--	6.5	8.0
Ammonia <sup>5</sup>	mg/L	Attachment C	--	--	--	Attachment D		
Nitrate(N)	mg/L	10	15	--	30	--		
	lbs/day <sup>3</sup>	43	--	--	--	--		
Total Coliform	MPN/100 mL	--	--	2.2	23	--		

<sup>3</sup> Based upon a design treatment capacity of 0.52 mgd (x mg/L x 8.345 x 0.52 mgd = y lbs/day).

<sup>5</sup> Attachments C and D, based on ambient criteria are attachments to the permit.

<sup>6</sup> 7-day median is based on the previous seven daily sample results. The total coliform organisms concentration shall not exceed 23 MPN/100 mL more than once in any 30-day period. No sample shall exceed a concentration of 240 MPN/100 mL.

9. WDRs Order R5-2009-0034 Effluent Limitations and Discharge Specifications IV.A.1., include, in part, the following final effluent limitations:

<u>Constituents</u>	<u>Units</u>	<u>Instant. Min</u>	<u>Instant. Max</u>
pH	standard units	6.5	8.0
Silver	µg/L	--	0.23

e. **Total Coliform Organisms.** Effluent total coliform organisms shall not exceed:  
iii. 240 MPN/100 mL, at any time.

10. According to the Discharger's self-monitoring reports, the Discharger committed eight (8) serious Group I violations of the above effluent limitations contained in Orders R5-2002-0088 and R5-2009-0034 during the period beginning 1 January 2007 and ending 29 February 2012. These violations are defined as serious because measured concentrations of Group I constituents exceeded maximum prescribed levels by more than 40 percent on these occasions. The mandatory minimum penalty for these serious violations is **twenty-four thousand dollars (\$24,000)**.

11. According to the Discharger's self-monitoring reports, the Discharger committed one (1) serious Group II violation of the above effluent limitations contained in Orders R5-2002-0088 and R5-2009-0034 during the period beginning 1 January 2007 and ending 29 February 2012. This violation is defined as serious because measured concentrations of Group II constituents exceeded maximum prescribed levels by more

than 20 percent on these occasions. The mandatory minimum penalty for this serious violation is **three thousand dollars (\$3,000)**.

12. According to the Discharger's self-monitoring reports, the Discharger committed seven (7) non-serious violations of the above effluent limitations contained in Orders R5-2002-0088 and R5-2009-0034 during the period beginning 1 January 2007 and ending 29 February 2012. Four (4) of the non-serious violations are subject to mandatory penalties under CWC section 13385(i)(1) because these violations were preceded by three or more similar violations within a six-month period. The mandatory minimum penalty for these non-serious violations is **twelve thousand dollars (\$12,000)**.
13. The total amount of the mandatory penalties assessed for the cited effluent violations is **thirty-nine thousand dollars (\$39,000)**. A detailed list of the cited effluent violations is included in Attachment A, a part of this Order. This Order addresses administrative civil liability for violations that are specifically identified in Attachment A as subject to mandatory minimum penalties.
14. On 10 September 2008, the Executive Director of the State Water Board confirmed an earlier determination that the Discharger's wastewater treatment plant is a publicly owned treatment works serving a small community within the meaning of CWC section 13385(k)(2).
15. CWC section 13385 (k) states:
  - (1) In lieu of assessing all or a portion of the mandatory minimum penalties pursuant to subdivisions (h) and (i) against a publicly owned treatment works serving a small community, the state board or the regional board may elect to require the publicly owned treatment works to spend an equivalent amount towards the completion of a compliance project proposed by the publicly owned treatment works, if the state board or the regional board finds all of the following:
    - (A) The compliance project is designed to correct the violations within five years.
    - (B) The compliance project is in accordance with the enforcement policy of the state board, excluding any provision in the policy that is inconsistent with this section.
    - (C) The publicly owned treatment works has prepared a financing plan to complete the compliance project.
  - (2) For the purposes of this subdivision, "a publicly owned treatment works serving a small community" means a publicly owned treatment works serving a population of 10,000 persons or fewer or a rural county, with a financial hardship as determined by the state board after considering such factors as median income of the residents, rate of unemployment, or low population density in the service area of the publicly owned treatment works.
16. On 8 September 2010, the Discharger submitted information regarding a proposed project to comply with the new WDRs. The estimated project cost is \$21.49 million. The

Discharger will construct additional flow equalization storage, a membrane bioreactor process, heat and recirculation pumps to “warm” the sewage, ultra-violet disinfection, new screens at the head works, and chemical addition to assist with the denitrification process. The project will allow full compliance with CDO R5-2009-0035 by the required date of 23 April 2014. All of these improvements will address the ammonia, coliform, nitrate, silver, and pH violations listed in this Order. This Order allows the Discharger to apply its \$39,000 mandatory penalty toward the first portion of the project, specifically, the completion of the detailed design.

17. The Central Valley Water Board finds that the Compliance Project has been designed to correct the violations that led to the issuance of this Administrative Civil Liability Order within five years, and that the Compliance Project is in accordance with the enforcement policy of the State Water Board. The Discharger has prepared a financing plan to complete the project. The Discharger will expend on the Compliance Project an amount in excess of the mandatory minimum penalty that is required by CWC sections 13385(h) and (i), excluding grants.

#### **Discretionary Penalty**

18. CDO R5-2002-0089 Item 2 allowed the Discharger until 1 April 2007 to comply with the effluent limitations for ammonia and nitrate contained in WDRs Order R5-2002-0088. The Discharger upgraded its WWTP in order to comply with the new limitations; however, the facility has experienced difficulty denitrifying nitrate to nitrogen, and violated the effluent limitations for nitrate, as shown in Attachment A.
19. WDRs Order R5-2002-0088 Receiving Water Limitations G. state, in part:

Receiving Water Limitations are based upon water quality objectives contained in the Basin Plan. As such, they are a required part of this permit. The discharge shall not cause the following in the receiving water:

  5. Fungi, slimes, or other objectionable objects.
20. On 30 June 2008, Central Valley Water Board staff investigated a citizen complaint regarding algae growth and bio-stimulation in the headwaters of the South Yuba River. Staff found that the treated effluent from the Donner Summit WWTP added nitrate, organic nitrogen, phosphorous, and orthophosphate to the South Yuba River. These nutrients are known to promote algal growth. Staff found significant algal growth below the effluent discharge point, in violation of Receiving Water Limitation G.5.
21. On 8 August 2008, Central Valley Water Board staff issued a Notice of Violation (NOV) to the Discharger. The NOV cited the violations in Findings 18 and 19, and required the Discharger to respond to the violations by 8 September 2008.
22. The Discharger responded to the NOV in a letter dated 4 September 2008. The Discharger did not provide information to refute the status of violations described in the

inspection report. The Discharger's consultant made the following finding in a report dated 11 July 2008, based on an investigation conducted on 2 July 2008:

Based on the field observations, it is a reasonable conclusion that the DSPUD effluent discharge was at least a major contributing factor to a reportedly rare, highly unusual, transient growth of filamentous green algae in the South Yuba River in June 2008 in the reach from the DSPUD effluent discharge point, downstream through the Towle Mountain Estates area, but not as far downstream as Kingvale. The filamentous biofilm tracks fairly well to the effluent discharge point,... (page 5).

23. Central Valley Water Board staff are unable to verify if the algal growth has occurred previously or if it was unique to the year 2008. The report submitted for June 2008 only stated:

Regional Board representative on site on 6/30/08. Samples were taken at R-1 and R-2. Regional Board staff had comments regarding what they believed to be excessive algae growth at R-2.

Board staff believe that, since the WWTP is not capable of removing nitrate from the effluent to meet the final effluent limitations, algae growth and bio-stimulation are likely to have occurred in the past. If this did happen, the Discharger failed to take note and report this condition in its monthly reports.

24. WDRs Order R5-2002-0088 Discharge Prohibitions A.3. states:

Neither the discharge nor its treatment shall create a nuisance as defined in Section 13050 of the California Water Code.

25. In June and July 2008, Central Valley Water Board staff received complaints from several residents of the area. The complaints were in regard to the eutrophication in the South Yuba River downstream of the WWTP effluent discharge point. The citizen reaction supports that the incident caused a condition of nuisance in the receiving water.

### **Calculation of Discretionary Penalty**

26. CWC section 13385(a) states, in part:

Any person who violates any of the following shall be liable civilly in accordance with this section:

- (1) Section 13375 or 13376.
- (2) Any waste discharge requirements...issued pursuant to this chapter...
- (5) Any requirements of Section 301, 302, 306, 307, 308, 318, 401, or 405 of the Clean Water Act, as amended.

27. CWC section 13385(c) states:

Civil liability may be imposed administratively by the state board or a regional board pursuant to Article 2.5 (commencing with Section 13323) of Chapter 5 in an amount not to exceed the sum of both of the following.

- (1) Ten thousand dollars (\$10,000) for each day in which the violation occurs.
- (2) Where there is a discharge, any portion of which is not susceptible to cleanup or is not cleaned up, and the volume discharged but not cleaned up exceeds 1,000 gallons, an additional liability not to exceed ten dollars (\$10) multiplied by the number of gallons by which the volume discharged but not cleaned up exceeds 1,000 gallons.

28. CWC section 13385(e) states:

In determining the amount of any liability imposed under this section, the regional board, the state board, or the superior court, as the case may be, shall take into account the nature, circumstances, extent, and gravity of the violation or violations, whether the discharge is susceptible to cleanup or abatement, the degree of toxicity of the discharge, and, with respect to the violator, the ability to pay, the effect on its ability to continue its business, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic benefit or savings, if any, resulting from the violation, and other matters that justice may require. At a minimum, liability shall be assessed at a level that recovers the economic benefits, if any, derived from the acts that constitute the violation.

29. The violations of Effluent Limitations B.1. for ammonia and nitrate are subject to mandatory minimum penalties pursuant to CWC section 13385(h) and (i). However, due to the severity of these violations, and the related receiving water violations, an additional penalty has been imposed in the amount of **twenty-five thousand dollars (\$25,000)**. This discretionary penalty considers the factors in CWC section 13385(e) and the State Water Board's 2002 Water Quality Enforcement Policy (dated February 2002). The penalty methodology in the State Water Board's May 20, 2010 Water Quality Enforcement Policy was not utilized because the ACLC was issued prior to its effective date.

30. Pursuant to CWC section 13385(c), the maximum liability amount is calculated as \$10,000 per violation per day, plus an additional \$10 for each gallon released to surface waters in excess of 1,000 gallons for each day of violation, as follows:

Month	Violation	# of Days in Month Violations Occurred	Penalty, at \$10,000 per day
Jun 2007	Nitrate-N	30	\$300,000
Jul 2007	Nitrate-N	31	\$310,000
Oct 2007	Nitrate-N	31	\$310,000
Nov 2007	Nitrate-N	30	\$300,000
Dec 2007	Ammonia-N	1	\$10,000
Dec 2007	Nitrate-N	31	\$310,000
Jun 2008	Nitrate-N	<u>30</u>	<u>\$300,000</u>
		Total:	\$1,840,000

During the time period in which the violations occurred, the facility discharged an average of 173,098 gallons per day (gpd). Therefore, the maximum penalty is  $[(173,098 \text{ gpd} - 1,000 \text{ gpd}) \times 183 \text{ days} \times \$10/\text{gallon}] + \$1,840,000 = \mathbf{\$316,779,340}$ .

31. Pursuant to CWC section 13385(e), administrative civil liability at a minimum must be equivalent to the economic benefit that the Discharger derived from the acts that constituted the violation. The Discharger's facility does not perform well enough to comply with the nitrate effluent limitations and therefore the Discharger has gained an economic benefit by delaying implementing an engineering solution. The economic benefit is considered to be the deferred cost of implementing the project; more specifically, the delay in paying the interest on a loan to complete the work. While the cost to complete additional upgrades to comply with the nitrate effluent limit is unknown, staff determined that the delayed cost for a \$500,000 State Revolving Fund loan over the period of noncompliance would be approximately \$21,000. This is estimated to be the economic benefit, and therefore, the discretionary penalty is below the economic benefit.
32. This Order constitutes a settlement of the violations herein mentioned. Notice of this settlement was published on the Central Valley Water Board's website and was provided to all interested parties. The 30-day public notice and comment period mandated by Federal regulations (40 CFR 123.27) has expired.
33. On 23 April 2009, the Central Valley Water Board delegated the authority to issue Administrative Civil Liability Orders, where the matter is not contested by the Discharger, to the Executive Officer, or to an Assistant Executive Officer when the Executive Officer is serving as head of the Board's Prosecution Team (Resolution R5-2009-0027). Pamela Creedon is serving as the head of the Board's Prosecution Team for this matter, and therefore Assistant Executive Officer Kenneth Landau has the authority to issue this Order.
34. Issuance of this Administrative Civil Liability Order to enforce CWC Division 7, Chapter 5.5 is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code section 21000 et seq.), in accordance with California Code of Regulations, title 14, section 15321(a)(2).

**DONNER SUMMIT PUBLIC UTILITY DISTRICT IS HEREBY GIVEN NOTICE THAT:**

1. The Discharger shall be assessed an Administrative Civil Liability in the amount of **sixty-four thousand dollars (\$64,000)** which includes **thirty-nine thousand dollars (\$39,000)** in mandatory penalties and **twenty-five thousand dollars (\$25,000)** in discretionary penalties assessed under CWC section 13385(c). The amount of the proposed liability other than the mandatory penalty portion is based upon a review of the factors cited in CWC section 13385 and the State Water Board's 2002 Water Quality Enforcement Policy.

2. The **twenty-five thousand dollar (\$25,000)** discretionary penalty is due and payable by **1 September 2012**. The payment shall be in the form of a check made payable to the *State Water Pollution Cleanup and Abatement Account* and shall be remitted to the Central Valley Water Board, 11020 Sun Center Drive Suite A, Rancho Cordova, CA 95670. The check shall have the ACL Order number written upon it.
3. The **thirty-nine thousand dollar (\$39,000)** mandatory minimum penalty shall be deemed satisfied by the Central Valley Water Board if the Discharger completes its detailed design of the project described in Finding 16 by **28 September 2012** and submits documentation by **26 October 2012** that the design is completed, is ready to go out to bid, and that the cost of design work exceeds the mandatory minimum penalty.
4. Payment of the \$25,000 and submittal of the compliance project documentation shall resolve the violations charged in ACL Complaint R5-2008-0626 and the additional violations charged in this Order.

The Assistant Executive Officer may extend the deadlines contained in this Order if the Discharger demonstrates that unforeseeable contingencies have created delays, provided that the Discharger continues to undertake all appropriate measures to meet the deadlines. The Discharger shall make any deadline extension request in writing at least 30 days prior to the deadline. The Discharger must obtain written approval from the Assistant Executive Officer for any significant departure from the project described in Finding No. 16 and the time schedule shown above. Failure to obtain written approval for any significant departures may result in the assessment of the full amount of the suspended mandatory minimum penalty.

If in the judgment of the Assistant Executive Officer, the Discharger fails to complete the compliance project by the due date listed above (including any extensions approved by the Assistant Executive Officer), or fails to complete the compliance project in accordance with the description in Finding No. 16 and by the time schedule above (without first obtaining Central Valley Water Board approval), the Assistant Executive Officer may demand payment of the suspended liability that reflects the portion of the compliance project that has not been satisfactorily completed. Payment must be made within 30 days of such a demand. If the Discharger is required to pay the suspended liability, the Discharger is not relieved of its independent obligation to take necessary actions to achieve compliance.

Should the Discharger fail to take any of the above actions, the Assistant Executive Officer may refer the matter to the State Attorney General for enforcement of the terms of this Order.

This Order is final upon signature.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date that this Order becomes final, except that if the thirtieth day following the date that this Order becomes final falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next

business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

*Original signed by*

\_\_\_\_\_  
KENNETH D. LANDAU, Assistant Executive Officer

\_\_\_\_\_  
11 July 2012

DATE

Attachment A: Record of Violations

**Attachment A**  
**ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2012-0552**

**Donner Summit PUD**  
**Wastewater Treatment Plant**

RECORD OF VIOLATIONS (1 January 2007 – 29 February 2012) MANDATORY PENALTIES  
(Data reported under Monitoring and Reporting Programs R5-2002-0088 and R5-2009-0034)

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measured</u>	<u>Period</u>	<u>Remarks</u>	<u>CIWQS</u>
<i>WDRs Order R5-2002-0088 in effect</i>								
1	30-Jun-07	Nitrate-N	mg/L	10	17.4	Monthly Avg	1	839332
2	31-Jul-07	Nitrate-N	mg/L	10	20.9	Monthly Avg	1	839333
3	31-Oct-07	Nitrate-N	mg/L	10	41	Monthly Avg	1	839334
4	30-Nov-07	Nitrate-N	mg/L	10	24.7	Monthly Avg	1	839335
5	27-Dec-07	Ammonia	mg/L	6.8	10.2	1-Hour Avg	1	839336
6	31-Dec-07	Nitrate-N	mg/L	10	34	Monthly Avg	1	839337
7	31-Dec-07	Nitrate-N	lbs/day	43	53.9	Monthly Avg	4	839338
8	30-Jun-08	Nitrate-N	mg/L	10	18.8	Monthly Avg	1	778681
9	3-Nov-08	Coliform	MPN/100 mL	23	>1600.0	Daily Max	3	810332
10	30-Nov-08	Nitrate	mg/L	10	21.0	Monthly Avg	1	810333
11	31-Jan-09	Ammonia	mg/L	6.94	8.8	Monthly Avg	3	810334
12	2-Feb-09	Ammonia	mg/L	13.3	14.5	1-hour Avg	4	816433
13	9-May-09	pH	SU	6.5	6.2	Instant. Min	4	827859
<i>WDRs Order R5-2009-0034 in effect</i>								
14	2-Jul-09	Coliform	MPN/100 mL	240	350	Instant. Max	4	845319
15	26-Dec-10	Silver	µg/L	0.23	1.3	Instant. Max	2	890062
16	30-Dec-10	pH	SU	8.9	8.0	Instant. Max	3	890070

Remarks:

1. Serious Violation: For Group 1 pollutants that exceed the effluent limitation by 40 percent or more.
2. Serious Violation: For Group 2 pollutants that exceed the effluent limitation by 20 percent or more.
3. Non-serious violation falls within the first three violations in a six-month period, thus is exempt.
4. Non-serious violation subject to mandatory penalties.

**VIOLATIONS through 2/29/2012**

Group I Serious Violations:	8
Group II Serious Violations:	1
Non-Serious Exempt from MPs:	3
Non-serious Violations Subject to MPs:	4
<b>Total Violations Subject to MPs:</b>	<b><u>13</u></b>

**Mandatory Minimum Penalty = (9 serious Violation + 4 Non-Serious Violations) x \$3,000 = \$39,000**