

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

In the matter of:)
)
City of Santa Clarita) **Order R4-2008-0046-M**
Drainage Benefit Assessment)
Areas 6 and 18 for) **Settlement Agreement and Stipulation for**
Administrative Civil Liability) **Order; Order**
)

Section I: Introduction

This Settlement Agreement and Stipulation for Order (“Stipulated Order”) is issued in reference to an adjudicative proceeding initiated by the issuance of Administrative Civil Liability Complaint R4-2008-0046-M, dated December 17, 2010 (the “Complaint”). The parties to this proceeding are the Los Angeles Regional Water Quality Control Board (“Regional Water Board”) Prosecution Team, and the City of Santa Clarita (“City” or “Settling Respondents”)(collectively the “Parties”).

Section II: Recitals

1. The City operates and maintains a number of subsurface drainage facilities located within special districts known as Drainage Benefit Assessment Areas (DBAA). The subsurface drainage facilities of DBAA 6 and 18 consist of dewatering systems to maintain slope stability in the area surrounding the Shangri-La housing community in the City of Santa Clarita. The systems consist of two pump stations and several observation wells within the two DBAAs. The effluent from the dewatering operations is discharged via two outfalls; Discharge Serial Nos. 001 and 002. Discharge Serial No. 001 from Pump Station No. 1 discharges up to 3,000 gallons per day (gpd) of groundwater collected from DBAA No. 6. Discharge Serial No. 002 from Pump Station No. 2 discharges up to 67,000 gpd of groundwater collected from DBAA No. 18.
2. On November 4, 1996, the Regional Board adopted Order 96-079 titled *Waste Discharge Requirements for City of Santa Clarita (Drainage Benefit Assessment Areas No. 6 and 18, Canyon Country)*. Order 96-079 expired on July 9, 2003. On July 10, 2003, the Regional Board adopted Order R4-2003-0099. Order R4-2003-0099 serves as the Permittee’s National Pollutant Discharge Elimination System (NPDES) Permit number CA0061638. Order R4-2003-0099 prescribes waste discharge requirements to the Permittee for the discharge of effluent from groundwater dewatering systems. Order R4-2003-0099 expired on June 10, 2008; however, the Permit has been administratively extended.

3. On July 10, 2003, the Regional Water Board also adopted Time Schedule Order (TSO) R4-2003-0100. TSO R4-2003-0100 prescribed interim effluent limitations for chloride, TDS, nitrite plus NO₂ + NO₃, and sulfate discharges that were less stringent than the limits set forth in Order R4-2003-0099. TSO R4-2003-0100 expired on June 10, 2008.
4. On March 7, 2007, the Regional Water Board adopted Order R4-2007-0016 amending Order R4-2003-0099 to increase the discharge flow rate from 60,000 gpd at Discharge Serial No. 002 to 67,000 gpd. This increase in the discharge flow rate from Discharge Serial No. 002 also changed the mass-based effluent limitations which are calculated based on maximum daily flow.
5. The Complaint describes an administrative civil liability totaling \$816,000 in mandatory minimum penalties (MMPs) for alleged violations of Order R4-2003-0099 and R4-2007-0016 and TSO R4-2003-0100. These alleged violations are specifically identified in the Complaint as being subject to MMPs and are reiterated in Attachment B of this Stipulated Order. Attachment B is incorporated herein by reference.
6. The Parties have engaged in discussions concerning the Regional Water Board Prosecution Team's allegations and agree to settle the matter without administrative action or resorting to civil litigation by presenting this Stipulated Order to the Regional Water Board, or its delegee, for adoption as an order by settlement pursuant to Government Code section 11415.60. The Regional Water Board Prosecution Team believes that this resolution is fair and reasonable and fulfills its requirement to impose MMPs under the Water Code. Therefore, no further action is warranted.
7. To resolve by consent and without further administrative proceedings, the Parties have agreed to the imposition of EIGHT HUNDRED SIXTEEN THOUSAND DOLLARS (\$816,000.00) in MMPs against the City for alleged violations of the Water Code and Regional Water Board Order R4-2003-0099 and R4-2007-0016 and TSO R4-2003-0100, as set forth in the Complaint and Attachment B. The City shall pay THREE HUNDRED NINETY NINE THOUSAND DOLLARS (\$399,000.00) to the State Water Resources Control Board Cleanup and Abatement Account. That payment is due no later than 30 days following the Regional Water Board executing this Stipulated Order. The remaining FOUR HUNDRED SEVENTEEN THOUSAND DOLLARS (\$417,000.00) in penalties ("SEP Amount") shall be deposited in full in an escrow account held by a neutral third party, that has been agreed upon by the Parties as memorialized in Attachment C, for the benefit of the Los Angeles County Sanitation Districts in support of a Supplemental Environmental Project ("SEP") for the Upper Santa Clara River Watershed Chloride Reduction Project ("Chloride Reduction Project"). The SEP outlined in Attachment A shall be incorporated into the Stipulated Order and satisfies the provisions of the State Water Resources Control Board Policy on Supplemental Environmental Projects.

8. The City shall deposit the SEP Amount to the escrow account no later than 30 days following the Regional Water Board executing this Stipulated Order. Failure to deposit the full SEP Amount to the escrow account no later than 30 days following the execution of this Stipulated Order will result in the full amount of \$816,000 being immediately due and payable to the State Water Resources Control Board for deposit into the Cleanup and Abatement Account.

Section III: Stipulations

The Parties incorporate Paragraphs 1 through 8 by this reference, as if set forth fully herein, and stipulate to the entry of this Order as set forth below, and recommend that the Regional Water Board issue this Stipulated Order to effectuate the settlement:

9. This Stipulated Order is entered into by the Parties to resolve by consent and without further administrative proceedings alleged violations of Regional Water Board Orders R4-2003-0099 and R4-2007-0016 and TSO R4-2003-0100 as set forth in the Complaint and Attachment B.

10. **Administrative Civil Liability:** The City hereby agrees to the imposition of an administrative civil liability totaling EIGHT HUNDRED SIXTEEN THOUSAND DOLLARS (\$816,000.00). Within thirty (30) days of the effective date of this Stipulated Order, the City agrees to remit, by check, THREE HUNDRED NINETY NINE THOUSAND DOLLARS (\$399,000.00) as set forth in Paragraph 7 of Section II herein payable to the *State Water Pollution Cleanup and Abatement Account*, and shall indicate on the check the number of this Stipulated Order. The City shall send the original signed check to Mr. Samuel Unger, Executive Officer, Regional Water Quality Control Board, 320 West Fourth Street, Suite 200, Los Angeles, California 90013, and shall send a copy to Mr. David M. Boyers, Office of Enforcement, State Water Resources Control Board, 1001 "I" Street, 16th Floor, Sacramento, California 95814. Further, the City agrees to deposit FOUR HUNDRED SEVENTEEN THOUSAND DOLLARS (\$417,000.00) in the escrow account, as described in Attachment C, for the benefit of the Los Angeles County Sanitation District in support of the SEP no later than 30 days following the Regional Water Board executing this Stipulated Order.

11. **Compliance with Applicable Laws:** The City understands that payment of administrative civil liability in accordance with the terms of this Stipulated Order is not a substitute for compliance with applicable laws, and that continuing violations of the type alleged in the Complaint may subject the City to further enforcement, including additional administrative civil liability.

12. **Party Contacts for Communications related to this Stipulated Order:**

For the Los Angeles Regional Water Board:

Mr. Samuel Unger
Executive Officer
Regional Water Quality Control Board
Los Angeles Region
320 West Fourth Street, Suite 200
Los Angeles, California 90013
(213) 576-6605
sunger@waterboards.ca.gov

Mr. David M. Boyers
Office of Enforcement
State Water Resources Control Board
1001 "I" Street, 16th Floor
Sacramento, California 95814
(916) 341-5276
dboyers@waterboards.ca.gov

For the City of Santa Clarita:

Mr. Kenneth R. Pulskamp
City of Santa Clarita
23920 Valencia Boulevard, Suite 300
Santa Clarita, California 91355
kpulskamp@santa-clarita.com

Mr. Joseph Montes
Santa Clarita City Attorney
Burke, Williams & Sorensen LLP
444 South Flower Street, Suite 2400
Los Angeles, California 90071
JMontes@bwslaw.com

13. **Attorney's Fees and Costs:** Each Party shall bear all attorneys' fees and costs arising from the Party's own counsel in connection with the matters set forth herein.

14. **Matters Addressed by Stipulation:** Upon the Regional Water Board's adoption, this Stipulated Order represents a final and binding resolution and settlement of the violations alleged in the Complaint, and all claims, violations or causes of action that could have been asserted against the owner or operator as of the effective date of this Stipulated Order based on the specific facts alleged in the Complaint or this Stipulated

Order ("Covered Matters"). The provisions of this Paragraph are expressly conditioned on the full payment of the administrative civil liability, in accordance with Paragraph 7. In consideration of the City's compliance with this Stipulated Order, the Prosecution Team hereby agrees not to initiate any other administrative or judicial enforcement actions against the City for the violations alleged in the Complaint.

15. **Public Notice:** The City understands that this Stipulated Order will be noticed for a 30-day public review and comment period prior to consideration by the Regional Water Board, or its delegee. If significant new information is received that reasonably affects the propriety of presenting this Stipulated Order to the Regional Water Board, or its delegee, for adoption, the Executive Officer may unilaterally declare this Stipulated Order void and decide not to present it to the Regional Water Board, or its delegee. The City agrees that they may not rescind or otherwise withdraw their approval of this proposed Stipulated Order.

16. **Publicity:** Should the City or its agents or contractors publicize one or more elements of the SEP, they shall state in a prominent manner that the project is being undertaken as part of the settlement of an enforcement action by the Regional Water Board against the City.

17. **Addressing Objections Raised During Public Comment Period:** The Parties agree that the procedure contemplated for the Regional Water Board's adoption of the settlement by the Parties and review by the public, as reflected in this Stipulated Order, will be adequate. In the event procedural objections are raised prior to the Stipulated Order becoming effective, the Parties agree to meet and confer concerning any such objections, and may agree to revise or adjust the procedure as necessary or advisable under the circumstances.

18. **No Waiver of Right to Enforce:** The failure of the Prosecution Staff or Regional Water Board to enforce any provision of this Stipulated Order shall in no way be deemed a waiver of such provision, or in any way affect the validity of the Order. The failure of the Prosecution Staff or Regional Water Board to enforce any such provision shall not preclude it from later enforcing the same or any other provision of this Stipulated Order.

19. **Interpretation:** This Stipulated Order shall be construed as if the Parties prepared it jointly. Any uncertainty or ambiguity shall not be interpreted against any one Party. The City is represented by counsel in this matter.

20. **Modification:** This Stipulated Order shall not be modified by any of the Parties by oral representation made before or after its execution. All modifications must be in writing, signed by all Parties, and approved by the Regional Water Board.

21. **If Order Does Not Take Effect:** In the event that this Stipulated Order does not take effect because it is not approved by the Regional Water Board, or its delegee, or is

vacated in whole or in part by the State Water Resources Control Board or a court, the Parties acknowledge that they expect to proceed to a contested evidentiary hearing before the Regional Water Board to determine whether to assess administrative civil liabilities for the underlying alleged violations, unless the Parties agree otherwise. The Parties agree that all oral and written statements and agreements made during the course of settlement discussions will not be admissible as evidence in the hearing. Notwithstanding objections on the admissibility of settlement discussions as evidence in a hearing, the Parties agree to waive any and all objections based on settlement communications in this matter, including, but not limited to:

- a. Objections related to prejudice or bias of any of the Regional Water Board members or their advisors and any other objections that are premised in whole or in part on the fact that the Regional Water Board members or their advisors were exposed to some of the material facts and the Parties' settlement positions as a consequence of reviewing the Stipulation and/or the Order, and therefore may have formed impressions or conclusions prior to any contested evidentiary hearing on the Complaint in this matter; or
- b. Laches or delay or other equitable defenses based on the time period for administrative or judicial review to the extent this period has been extended by these settlement proceedings.

22. **No Admission of Liability:** In settling this matter, the City does not admit to any of the violations alleged in the Complaint; however, the City agrees that in the event of any future enforcement actions by the Regional Water Board, the Stipulated Order may be used as evidence of a prior enforcement action consistent with Water Code section 13385(e) or Water Code section 13327.

23. **Waiver of Hearing:** The City has been informed of the rights provided by Water Code section 13323, subdivision (b), and hereby waives its right to a hearing before the Regional Water Board prior to the adoption of the Stipulated Order.

24. **Waiver of Right to Petition:** The City hereby waives its right to petition the Regional Water Board's adoption of the Stipulated Order for review by the State Water Resources Control Board, and further waives its rights, if any, to appeal the same to a California Superior Court and/or any California appellate level court.

25. **Covenant Not to Sue:** The City agrees to a covenant not to sue or pursue any administrative or civil claim(s) against any State Agency or the State of California, their officers, Board Members, employees, representatives, agents, or attorneys arising out of or relating to any Covered Matter.

26. **Regional Water Board is Not Liable:** Neither the Regional Water Board members nor the Regional Water Board staff, attorneys, or representatives shall be liable for any injury or damage to persons or property resulting from acts or omissions by the City, their directors, officers, employees, agents, representatives or contractors in carrying out activities pursuant to this Stipulated Order.

27. **Authority to Bind:** Each person executing this Stipulated Order in a representative capacity represents and warrants that he or she is authorized to execute this Stipulated Order on behalf of and to bind the entity on whose behalf he or she executes the Order.

28. **No Third Party Beneficiaries.** This Stipulated Order is not intended to confer any rights or obligations on any third party or parties, and no third party or parties shall have any right of action under this Stipulated Order for any cause whatsoever.

29. **Effective Date:** This Stipulated Order shall be effective and binding on the Parties upon the date the Regional Water Board, or its delegee, enters the Order.

30. **Counterpart Signatures:** This Stipulated Order may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one document.

IT IS SO STIPULATED.

California Regional Water Quality Control Board Prosecution Team
Los Angeles Region

By: Samuel Unger
Samuel Unger, Executive Officer

Date: Jan. 27, 2012

The City of Santa Clarita

By: Kenneth R. Pulskamp
Kenneth R. Pulskamp, City Manager

Date: 1/3/12

Section IV: Order of the Regional Water Board

- 31. The Regional Water Board incorporates Paragraphs 1 through 30 by this reference as if set forth fully herein.
- 32. The Parties believe that settlement of this matter is in the best interest of the People of the State. Therefore, to settle the Complaint, the City hereby agrees to comply with the terms and conditions of this Order.
- 33. The terms of the foregoing Stipulation are fully incorporated herein and made part of this Order of the Regional Water Board.
- 34. This Stipulated Order is severable; should any provision be found invalid the remainder shall remain in full force and effect.
- 35. This is an action to enforce the laws and regulations administered by the Regional Water Board. The Regional Water Board finds that issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, sections 21000 et seq.), in accordance with section 15321(a)(2), Title 14, of the California Code of Regulations.
- 36. The Regional Water Board is authorized to refer this matter directly to the Attorney General for enforcement if the City fails to perform any of its obligations under the Stipulated Order.
- 37. Fulfillment of the City's obligations under the Stipulated Order constitutes full and final satisfaction of any and all liability for each claim in the Complaint in accordance with the terms of the Stipulated Order.

Pursuant to CWC section 13323 and Government Code section 11415.60, **IT IS HEREBY ORDERED** on behalf of the California Los Angeles Regional Water Quality Control Board.

[Executing Delegee of the Regional Water Board]

Date: _____

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The Regional Water Board Prosecution Team and the City of Santa Clarita ("City" or "Settling Respondent")(collectively "Parties") agree to the following as referenced in Paragraphs 7 and 8 in the Stipulated ACL Order. The parties agree that this resolution includes a supplemental environmental project (SEP) as provided for as follows:

A. Definitions

"Cleanup and Abatement Account" – the State Water Pollution Cleanup and Abatement Account.

"Designated Water Board Representative" – the representative from the Regional Water Board responsible for oversight of the supplemental environmental project (SEP). The contact information for this representative is as follows:

Mr. Samuel Unger
Executive Officer
Regional Water Quality Control Board
Los Angeles Region
320 West Fourth Street, Suite 200
Los Angeles, CA 90013
(213) 576-6605
sunger@waterboards.ca.gov

"Enforcement Coordinator" – The person on the Regional Water Board staff who is responsible for enforcement coordination.

"Implementing Party" – An independent third party(ies) with whom the Settling Respondent has contracted or otherwise engaged to implement the SEP.

"Milestone Requirement" – A requirement with an established time schedule for meeting/ascertaining certain identified measurements of completed work.

"SEP Completion Date" – The date in which the SEP will be completed in its entirety.

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B. Administrative Civil Liability and Costs Of Enforcement

1. Total Administrative Civil Liability

The City shall be subject to administrative civil liability in the total amount of EIGHT HUNDRED SIXTEEN THOUSAND DOLLARS (\$816,000.00). The administrative civil liability included a payment, by check, of THREE HUNDRED NINTEY NINE THOUSAND DOLLARS (\$399,000.00) payable to the *State Water Pollution Cleanup and Abatement* Account. The administrative civil liability also includes the cost of a SEP in the amount of FOUR HUNDRED SEVENTEEN THOUSAND DOLLARS (\$417,000.00). The cost of the SEP will be referred to as the "SEP Amount" and will be treated as a Suspended Administrative Civil Liability.

2. Payment

Payment of the administrative civil liability shall be made in the manner described in Paragraphs 7, 8, and 10 of the Stipulated ACL Order.

C. Description of the SEP

An advanced treatment facility for the purpose of reducing concentration and loads of chloride discharged to the Santa Clara River from the Valencia Water Reclamation Plant (WRP) will be constructed. The City proposes to contribute the SEP Amount above and beyond the developer conditioned contributions to increase the total capacity of this treatment facility. The construction of the facility must be completed by May 4, 2015, and the City's financial contribution, to be paid from the escrow account, must be made by May 18, 2015.

The advanced treatment facility will decrease the chloride content of the WRP discharge. This project provides a direct connection to both the watershed in which the City's permit violations occurred and most importantly, will reduce salt input to the watershed, which corresponds to the primary water quality exceedance by the City-permitted discharge.

1. Background

The Santa Clara River is regarded as the largest natural river system in Southern California. The Santa Clara River flows approximately 84 miles from its headwaters near Acton, in the San Gabriel Mountains, westward through Los Angeles and Ventura counties to its delta between the cities of Ventura and Oxnard. The 45-mile-long portion of the Santa Clara River and its tributaries within Los Angeles County is referred to as the "Upper Santa Clara River watershed" while the portion in Ventura County is referred to as the "Lower Santa Clara River watershed."

The Upper Santa Clara River watershed, where the project is located, consists of approximately 680 square miles of mostly rugged topography and natural land. Urban development is concentrated in the City of Santa Clarita and the town of Acton. Surface flows are ephemeral in Reaches 7 (between Bouquet Canyon Creek and Lang Gauging Station) and 8 (above Lang Gauging Station) and are perennial for the majority of Reaches 5 (from Blue Cut to The Old Road) and 6 (from The Old Road to Bouquet Canyon Creek).

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The beneficial use designations for the Upper Santa Clara River include: Industrial Service Supply (IND), Industrial Process Supply (PROC), Agricultural Supply (AGR), Groundwater Recharge (GWR), Freshwater Replenishment (FRSH), Water Contact Recreation (REC-1), Non-Contact Water Recreation (REC2), Warm Freshwater Habitat (WARM), Wildlife Habitat (WILD), Preservation of Biological Habitats (BIOL), and Wetland Habitat (WET).

The Santa Clara River has been listed as a 303(d) impaired water body for chloride, and a Total Maximum Daily Load (TMDL) has been completed with a Basin Plan amendment. Studies (LARWQCB Chloride TMDL Staff Report, 2008) have indicated that much of the chloride loading to the Upper Santa Clara River watershed occurs through discharge from Sanitation District Water Reclamation Plants (WRPs), and for this reason, the LACSD has worked to understand the sources of chloride loading to the sanitation districts system and is proactively trying to reduce those sources of chloride loading that are within their control. The LACSD has been largely successful in reducing chloride concentration in WRP discharge. The most sensitive beneficial use that drives the chloride limits, based on these Stakeholder-directed studies (TMDL Staff Report, 2008), is downstream AGR. As part of the TMDL process, a number of studies were performed aimed at understanding future impacts of multiple scenarios that could be implemented by the LACSD or the water supply purveyors for the Santa Clarita Valley (Upper Santa Clarita Water Purveyors).

The Santa Clarita Valley Sanitation District has committed to producing a Wastewater Facilities Plan and Environmental Impact Report by December 31, 2012, for facilities to comply with the Basin Plan. As a condition of approval for the Newhall Ranch Project, the Army Corps of Engineers' has imposed a permit requirement on Newhall Land to construct a limited capacity reverse-osmosis system. This advanced treatment facility must be built prior to construction of the first 6,000 residential units and is projected to manage approximately 350,000 gallons of waste water per day originating from the Newhall Ranch Development to the Valencia WRP.

The City proposes to contribute \$417,000 above and beyond the developer conditioned contribution to increase the total capacity of this treatment facility.

2. Project Overview:

The SEP will take place within the Upper Santa Clara River Watershed but will benefit the entire Santa Clara River Watershed downstream of the WRP discharge locations by reducing chloride input to surface and groundwater within the watershed.

The City proposes to contribute \$417,000 above and beyond the developer-conditioned contribution to increase the total capacity of a temporary or potentially permanent chloride-advanced treatment facility at the Valencia WRP. Once Newhall Land enters a contract with the Santa Clarita Valley Sanitation District for it to construct and operate the proposed advanced treatment facility, the City will execute a Memorandum of Agreement that will cover requirements for financial assistance, required timelines, and progress reports.

The SEP will, through partial financing of an advanced treatment facility for the Valencia WRP, result in improved water quality for the Santa Clara River. The goal of the project will be to provide an above-and-beyond contribution to production of a treatment plant

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capable of reducing total chloride loading from the Sanitation Districts facility to the Santa Clara River.

In July of 2011, the Santa Clarita Valley Sanitation District Board authorized preparation of a Facilities Plan, Environmental Impact Report, and Design of Facilities to comply with Final Effluent Chloride Objective of 100 mg/L at the Valencia WRP. It is anticipated that the project which is partially funded by this SEP will be built in advance of the larger treatment system but will nevertheless compliment these efforts.

3. Project Goals

The City aims to have a significant and long-term beneficial impact on Santa Clara River water quality by removing chloride mass loading. By implementing the SEP, the City hopes to achieve improved surface and groundwater quality for the Santa Clara River watershed. Implementing the SEP will accomplish the following goals: Pollution Prevention and contribute to Watershed Management.

a) Pollution Prevention

The primary goal of the SEP will be to further reduce chloride loading and concentration in the Santa Clara River. Ancillary benefits of the treatment facility will be a reduction in all constituent loading and concentrations from the Valencia WRP. The treatment facility will not be chloride specific and will therefore reduce the loading and concentration of all chemical constituents in discharge from the WRP.

b) Watershed Management

By assisting the LACSD with measurable reduction in WRP discharge chloride loads and concentrations, the City's effort will have direct impacts on the extent of future watershed salt management requirements.

4. Water Quality Benefits of the SEP

The SEP will have direct impacts on water quality by reducing chloride loading and concentrations from the Valencia WRP. The Santa Clara River chloride TMDL requires specific water-quality objectives be reached for the river. This project will have direct benefits and will assist the LACSD in their efforts to meet these objectives.

The City's financial support for construction of a treatment facility will provide an additional 10,500 gallons per day of WRP discharge treated down to 6 mg/l, accounting for approximately 4,000 pounds per year of chloride removal from the wastewater treatment plant discharge. Once the treated water is blended, the City's contribution will increase the annual capacity of this advanced treatment facility in a manner equating to an additional 190 sewage units discharging at levels of 98 mg/l.

This chloride mass reduction will have immediate and direct water-quality benefits for the Santa Clara River. Those benefits include assisting in meeting downstream water-quality objectives of the most stringent Beneficial Uses (AGR), as well as reducing chloride loads to groundwater within the critical Santa Clara Groundwater Basin.

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5. Public Benefits of the SEP

Reducing chloride loading and concentrations in the WRP discharge will assist in ensuring Santa Clara River meets all beneficial uses as determined by the Regional Water Board. In addition, by reducing chloride loading to the Upper Santa Clara River watershed, groundwater quality, which is used for potable water supply, will improve and therefore improve potable water supply water quality. Because this groundwater used for potable water supply is the primary source of chloride to the WRP, reducing the chloride concentration will start a cycle of continuing chloride reduction.

6. Include documented support by one or more of the following

a) Other Agencies:

Stephen R. Maguin, Chief Engineer and General Manager of the Los Angeles County Sanitation District, provided a letter of support for this project.

Matt Carpenter, Director of Environmental Resources for Newhall Land, provided a letter of support for this project.

b) Compliance with the California Environmental Quality Act:

The City proposes to provide supplemental funding for construction of chloride treatment process (RO). CEQA compliance will be the responsibility of the actual construction entity, as will all environmental analysis and permitting. As part of any agreement the City enters into, annual reporting will include the status of CEQA compliance.

7. Key personnel involved with the project

Dennis Luppens, Special District Administrator
Kevin Tonoian, Administrative Services/Information Technology Services Manager

8. Financing the SEP

- a) Thirty (30) days following the Regional Water Board executing the Stipulated Order, the SEP Amount of \$417,000 shall be deposited in an escrow account held by a neutral third party agreed upon by the Parties for the benefit of LACSD in support of the SEP project.
- b) Escrow account activity is anticipated to entail one deposit of the SEP Amount in full within thirty (30) days following the Regional Water Board's execution of the Stipulated Order, and one draw down upon satisfying the conditions of the SEP. The City will draw down the SEP Amount in the escrow account for use by LACSD, the State Water Resources Control Board Water Pollution Cleanup and Abatement Account, or an apportioned amount to both of these entities.
- c) The City shall be responsible for any fees associated with establishing and servicing the escrow account.

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- d) Any interest accrued as a result of the escrow account shall be disbursed in the following order of priority:
 - i. Accrued interest in an amount equal to any costs incurred by the City to service the escrow account from the account's origination to the date of closure shall be due and payable to the City;
 - ii. Any remaining interest accrued above and beyond the costs incurred by the City to service the escrow account will be due and payable to the State Water Pollution Cleanup and Abatement Account.
- e) The City agrees that after successful completion of the SEP, any funds remaining in the escrow account will revert to the State Water Pollution Cleanup and Abatement Account.
- f) The City agrees, if the proposed SEP is not implemented for any reason, the SEP Amount of \$417,000 held in the escrow account shall revert to the State Water Pollution Cleanup and Abatement Account.

9. Project Completion Deadlines

- a) Construction Deadline: The construction of the treatment facility must be completed by May 4, 2015, the deadline for the implementation of Compliance Measures in Resolution No. R4-2008-012, Revision of the TMDL in the Upper Santa Clara River (Chloride TMDL). Should modification to the deadline for implementation of the Chloride TMDL occur, the construction deadline shall be similarly modified to coincide with deadline for implementation.
- b) Expenditure Deadline: The City must demonstrate that the SEP Amount of \$417,000 in the escrow account has been utilized for the construction and/or start-up costs of a treatment facility by May 18, 2015. Should modification to the deadline for implementation of the Chloride TMDL occur, the expenditure deadline shall be similarly modified to coincide with deadline for implementation plus 14 days.
- c) In the event that both of the above conditions are not met, the entire \$417,000 will become due and payable to the State Water Pollution Cleanup and Abatement Account, regardless of whether any portion of that amount has been actually expended on construction and/or start-up costs.

10. Project Implementation and Milestone Deadlines

- | | |
|---------------|---|
| December-2012 | First annual update to the RB on status of City's agreement and treatment facility progress. |
| December-2013 | Second annual update to the RB on status of City's agreement and treatment facility progress. |
| December-2014 | Third annual update to the RB on status of City's agreement and treatment facility progress and confirmation of predicted construction completion date. |

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May 4, 2015
May 18, 2015

Construction of treatment facility.
Final report detailing start-up of the facility and
confirmation of transfer of funds.

11. Project Implementation Plan

The initial impediment to project implementation will be establishing and negotiating the terms of an agreement with the constructor entity. Once an agreement has been reached, the only remaining impediment will be the construction schedule for the treatment facility. The City will have little control over issues that may arise to delay construction but will work with the organizations involved to provide assistance as needed.

12. Criteria to Assess SEP Success

Ultimately, the primary success criteria will be a reduction in the discharge of chloride mass and concentration by the WRPs to the Santa Clara River. The City will obtain final design specifications for the treatment facility in order to calculate likely chloride reduction capability of the treatment facility for reporting to the Regional Water Board as part of a final report once the plant is operating.

13. Maintenance Plan Beyond the SEP-funded Period

The SEP will not require maintenance by the City beyond the project period. The operation and maintenance of the treatment facility will be the responsibility of the public or private entity ultimately responsible for operation of the advanced treatment facility. Operation of the treatment facility will provide continuing chloride reduction of Valencia WRP discharge on either an interim basis until such time as a permanent WRP facility is completed or for the life of the plant if the City ultimately contributes to the construction of a permanent WRP facility.

D. Representations and Agreements Regarding SEPS

a) Agreement of Third-Party to Accept SEP Funds and Implement SEP

A Memorandum of Agreement, or similar vehicle, between the City and the Implementing Parties details the respective obligations and responsibilities of the City and the construction entity or successor public agency. The primary responsibility of the City will be to provide an additional \$417,000 in funding for the treatment facility. The City will be tracking the progress of the construction of the facility in order to determine that target dates will be met.

E. Publicity Associated with SEP

Whenever the City or its agents or subcontractors or the Implementing Parties publicize one or more elements of the SEP, they shall state in a **prominent manner** that the project is being undertaken as part of the settlement of an enforcement action by the Regional Water Board against the City.

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F. Submittal of Progress Reports

The City will provide annual progress reports, as well as a final report, to the Regional Water Board, on progress towards meeting construction and start-up of the plant. The final report will detail operational capacity of the plant and the proportion for which the funding is responsible. Because the City is providing funding without technical input toward design or construction, the City will not have control of overall progress.

At a minimum, the reports should include a list of all activity on the SEP for each reporting period and the proposed work for the following year. Reports are due no later than the end of January, following the completion of the reporting year, in accordance with the schedule shown below. The City shall submit progress reports on the SEP until the project is completed, and the SEP contribution is fully expended or otherwise approved by the Regional Board Executive Officer.

<u>Reporting Period</u>	<u>Report Due Date</u>
October 2011-December 2012	January 31, 2013
December 2012-December 2013	January 31, 2014
December 2013-December 2014	January 31, 2015
December 2014-May 2015	July 1, 2015

The City and/or the Implementing Party(ies) shall permit inspection of the SEP by the Regional Water Board staff at any time without notice.

G. Audits and Certification of Environmental Project

1. Certification of Expenditures

As part of the City's annual audit by the independent auditing firm, Marcum & Stonefield, the City will audit implementation of the SEP funds. On or before May 18, 2015, the City shall submit a certified statement by responsible corporate officials representing the City and the Implementing Parties documenting the expenditures by the City and the Implementing Parties during the completion period for the SEP. The expenditures may be external payments to outside vendors or contractors implementing the SEP. In making such certification, the official may rely upon normal company project tracking systems that capture employee time expenditures and external payments to outside vendors such as environmental and information technology contractors or consultants. The City shall provide any additional information requested by the Regional Water Board staff which is reasonably necessary to verify the City's SEP expenditures.

2. Certification of Performance of Work

On or before May 18, 2015, the City and the Implementing Parties on behalf of the City shall submit a report, submitted under penalty of perjury, stating that the SEP has been completed in accordance with the terms of this Stipulated Order. Such documentation may include photographs, invoices, receipts, certifications, and other materials reasonably necessary for the Regional Water Board to evaluate the completion of the SEP and the costs incurred by the City and the Implementing Parties.

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3. Certification that Work Performed on SEP Met or Exceeded Requirements of CEQA and Other Environmental Laws

On or before May 18, 2015, the City and the Implementing Parties on behalf of the City shall submit documentation, under penalty of perjury, stating that the SEP meets or exceeds the requirements of CEQA, if applicable, and or other environmental laws. The City and the Implementing Parties shall, before the SEP implementation date, consult with other interested State Agencies regarding potential impacts of the SEP. Other interested State Agencies include, but are not limited to, the California Department of Fish and Game. To ensure compliance with CEQA where necessary, the City and the Implementing Parties shall provide the Water Board with the following documents from the lead agency:

- a) Categorical or statutory exemptions;
- b) Negative Declaration if there are no "significant" impacts;
- c) Mitigated Negative Declaration if there are potential "significant" impacts but revisions to the project have been made or may be made to avoid or mitigate those potential significant impacts;
- d) Environmental Impact Report (EIR) if there are "significant" impacts.

4. Third Party Audit

If the Designated Regional Water Board Representative obtains information that causes the representative to reasonably believe that the City or Implementing Parties has not expended money in the amounts claimed by the City or Implementing Parties, or has not adequately completed any of the work in the SEP Workplan, the Designated Regional Water Board Representative may require, and the City shall submit, at its sole cost, a report prepared by an independent third party(ies) acceptable to the Regional Water Board staff providing such party(ies)'s professional opinion that the City or Implementing Parties has expended money in the amounts claimed by the City. In the event of such an audit, the City or Implementing Parties agree that they will provide the third-party auditor with access to all documents which the auditor requests. Such information shall be provided to the Designated Regional Water Board Representative within three (3) months of the completion of the City's SEP obligations. The audit need not address any costs incurred by the Regional Water Board for oversight.

I. Regional Board Acceptance of Completed SEP

Upon the City's satisfaction of its obligations under this Stipulated Order, the completion of the SEP and any audits, the Designated Regional Water Board Representative, with notice to the regional Enforcement Coordinator, shall request that the Regional Water Board issue a "Satisfaction of Order". The issuance of the Satisfaction of Order shall terminate any further obligations of the City or Implementing Parties under this Stipulated Order.

L. Regional Water Board is Not Liable

Neither the Regional Water Board members nor the Regional Water Board staff, attorneys, or representatives shall be liable for any injury or damage to persons or property resulting from acts or omissions by the City or Implementing Party(ies) its

ATTACHMENT A

directors, officers, employees, agents, representatives or contractors in carrying out activities pursuant to this Stipulated Order, nor shall the Regional Water Board, its members or staff be held as parties to or guarantors of any contract entered into by the City, its directors, officers, employees, agents, representatives or contractors in carrying out activities pursuant to this Stipulated Order.

The City or Implementing Parties covenant not to sue or pursue any administrative or civil claim or claims against any State Agency or the State of California, or their officers, employees, representatives, agents, or attorneys arising out of or relating to any matter expressly addressed by the ACL, this Stipulated Order or the SEP.

ATTACHMENT B- VIOLATION SUMMARY

Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
09/30/03	1	3 rd Quarter 2003	Daily Maximum	Chloride	270	250*	mg/L	1	8	Chronic	(i)(1)	\$0
12/09/03	2	4 th Quarter 2003	Daily Maximum	Chloride	387	250*	mg/L	1	55	Serious	(h)(1)	\$3,000
12/09/03	2	4 th Quarter 2003	Daily Maximum	Chloride	203	131*	lbs/day	1	55	Serious	(h)(1)	\$3,000
12/09/03	2	4 th Quarter 2003	Daily Maximum	Sulfate	160	100*	lbs/day	1	60	Serious	(h)(1)	\$3,000
12/09/03	2	4 th Quarter 2003	Daily Maximum	Sulfate	305	190*	mg/L	1	61	Serious	(h)(1)	\$3,000
01/29/04	1	1 st Quarter 2004	Daily Maximum	Chloride	277	250*	mg/L	1	11	Chronic	(i)(1)	\$3,000
02/23/04	1	1 st Quarter 2004	Daily Maximum	Chloride	269	250*	mg/L	1	8	Chronic	(i)(1)	\$3,000
03/10/04	1	1 st Quarter 2004	Daily Maximum	Chloride	278	250*	mg/L	1	11	Chronic	(i)(1)	\$3,000
04/15/04	1	2 nd Quarter 2004	Daily Maximum	Chloride	264	250*	mg/L	1	6	Chronic	(i)(1)	\$3,000
05/13/04	1	2 nd Quarter 2004	Daily Maximum	Chloride	282	250*	mg/L	1	13	Chronic	(i)(1)	\$3,000
07/01/04	1	3 rd Quarter 2004	Daily Maximum	Chloride	276	250*	mg/L	1	10	Chronic	(i)(1)	\$3,000
08/03/04	1	3 rd Quarter 2004	Daily Maximum	Chloride	260	250*	mg/L	1	4	Chronic	(i)(1)	\$3,000
09/07/04	1	3 rd Quarter 2004	Daily Maximum	Chloride	258	250*	mg/L	1	3	Chronic	(i)(1)	\$3,000
10/05/04	1	4 th Quarter 2004	Daily Maximum	Chloride	297	250*	mg/L	1	19	Chronic	(i)(1)	\$3,000
11/05/04	1	4 th Quarter 2004	Daily Maximum	Chloride	306	250*	mg/L	1	22	Chronic	(i)(1)	\$3,000
12/14/04	1	4 th Quarter 2004	Daily Maximum	Chloride	276	250*	mg/L	1	10	Chronic	(i)(1)	\$3,000
12/14/04	1	4 th Quarter 2004	Daily Maximum	Nitrate + Nitrite as N	8	5	mg/L	1	60	Serious	(h)(1)	\$3,000
02/25/05	1	1 st Quarter 2005	Daily Maximum	Chloride	293	250*	mg/L	1	17	Chronic	(i)(1)	\$3,000
03/29/05	1	1 st Quarter 2005	Daily Maximum	Chloride	309	250*	mg/L	1	24	Chronic	(i)(1)	\$3,000
04/27/05	1	2 nd Quarter 2005	Daily Maximum	Chloride	256	250*	mg/L	1	2	Chronic	(i)(1)	\$3,000
04/27/05	2	2 nd Quarter 2005	Daily Maximum	Nitrate + Nitrite as N	9.6	8.3**	lbs/day	1	16	Chronic	(i)(1)	\$3,000
04/27/05	2	2 nd Quarter 2005	Daily Maximum	Nitrate + Nitrite as N	14	12*	mg/L	1	17	Chronic	(i)(1)	\$3,000
05/25/05	1	2 nd Quarter 2005	Daily Maximum	Chloride	254	250*	mg/L	1	2	Chronic	(i)(1)	\$3,000
06/28/05	1	2 nd Quarter 2005	Daily Maximum	Nitrate + Nitrite as N	10	5	mg/L	1	100	Serious	(h)(1)	\$3,000
07/21/05	1	3 rd Quarter 2005	Daily Maximum	Chloride	267	250*	mg/L	1	7	Chronic	(i)(1)	\$3,000
07/21/05	2	3 rd Quarter 2005	Daily Maximum	Chloride	188	175**	lbs/day	1	7	Chronic	(i)(1)	\$3,000
07/21/05	2	3 rd Quarter 2005	Daily Maximum	Chloride	269	250*	mg/L	1	8	Chronic	(i)(1)	\$3,000
07/21/05	1	3 rd Quarter 2005	Daily Maximum	Sulfate	213	190*	mg/L	1	12	Chronic	(i)(1)	\$3,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT B- VIOLATION SUMMARY

Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
07/21/05	2	3 rd Quarter 2005	Daily Maximum	Sulfate	150	133**	lbs/day	1	13	Chronic	(i)(1)	\$3,000
07/21/05	2	3 rd Quarter 2005	Daily Maximum	Sulfate	215	190*	mg/L	1	13	Chronic	(i)(1)	\$3,000
08/15/05	1	3 rd Quarter 2005	Daily Maximum	Chloride	296	250*	mg/L	1	18	Chronic	(i)(1)	\$3,000
08/18/05	1	3 rd Quarter 2005	Daily Maximum	Sulfate	191	190*	mg/L	1	1	Chronic	(i)(1)	\$3,000
09/28/05	1	3 rd Quarter 2005	Daily Maximum	Chloride	290	250*	mg/L	1	16	Chronic	(i)(1)	\$3,000
10/20/05	2	4 th Quarter 2005	Daily Maximum	Nitrate + Nitrite as N	7.2	6.9**	lbs/day	1	4	Chronic	(i)(1)	\$3,000
10/20/05	2	4 th Quarter 2005	Daily Maximum	Nitrate + Nitrite as N	13	12*	mg/L	1	8	Chronic	(i)(1)	\$3,000
10/20/05	1	4 th Quarter 2005	Daily Maximum	Sulfate	218	190*	mg/L	1	15	Chronic	(i)(1)	\$3,000
10/20/05	1	4 th Quarter 2005	Daily Maximum	Chloride	295	250*	mg/L	1	18	Chronic	(i)(1)	\$3,000
11/28/05	1	4 th Quarter 2005	Daily Maximum	Chloride	273	250*	mg/L	1	9	Chronic	(i)(1)	\$3,000
12/21/05	2	4 th Quarter 2005	Daily Maximum	Nitrate + Nitrite as N	6.8	6.0*	lbs/day	1	13	Chronic	(i)(1)	\$3,000
12/21/05	2	4 th Quarter 2005	Daily Maximum	Nitrate + Nitrite as N	14	12*	mg/L	1	17	Chronic	(i)(1)	\$3,000
01/23/06	1	1 st Quarter 2006	Daily Maximum	Chloride	278	250*	mg/L	1	11	Chronic	(i)(1)	\$3,000
02/24/06	1	1 st Quarter 2006	Daily Maximum	Chloride	274	250*	mg/L	1	10	Chronic	(i)(1)	\$3,000
03/29/06	1	1 st Quarter 2006	Daily Maximum	Chloride	283	250*	mg/L	1	13	Chronic	(i)(1)	\$3,000
04/26/06	2	2 nd Quarter 2006	Daily Maximum	Sulfate	203	190*	mg/L	1	7	Chronic	(i)(1)	\$3,000
04/26/06	2	2 nd Quarter 2006	Daily Maximum	Chloride	279	250*	mg/L	1	12	Chronic	(i)(1)	\$3,000
04/26/06	1	2 nd Quarter 2006	Daily Maximum	Sulfate	261	190*	mg/L	1	37	Chronic	(i)(1)	\$3,000
04/26/06	1	2 nd Quarter 2006	Daily Maximum	Chloride	431	250*	mg/L	1	72	Serious	(h)(1)	\$3,000
05/19/06	1	2 nd Quarter 2006	Daily Maximum	Chloride	267	250*	mg/L	1	7	Chronic	(i)(1)	\$3,000
06/30/06	1	2 nd Quarter 2006	Daily Maximum	Chloride	278	250*	mg/L	1	11	Chronic	(i)(1)	\$3,000
07/28/06	1	3 rd Quarter 2006	Daily Maximum	Chloride	283	250*	mg/L	1	13	Chronic	(i)(1)	\$3,000
09/26/06	1	3 rd Quarter 2006	Daily Maximum	Chloride	281	250*	mg/L	1	12	Chronic	(i)(1)	\$3,000
10/24/06	1	4 th Quarter 2006	Daily Maximum	Chloride	306	250*	mg/L	1	22	Chronic	(i)(1)	\$3,000
12/27/06	1	4 th Quarter 2006	Daily Maximum	Chloride	295	250*	mg/L	1	18	Chronic	(i)(1)	\$3,000
01/26/07	1	1 st Quarter 2007	Daily Maximum	Chloride	298	250*	mg/L	1	19	Chronic	(i)(1)	\$3,000
02/23/07	1	1 st Quarter 2007	Daily Maximum	Chloride	301	250*	mg/L	1	20	Chronic	(i)(1)	\$3,000
02/23/07	1	1 st Quarter 2007	Daily Maximum	Mercury	0.43	0.14	ug/L	1	207	Serious	(h)(1)	\$3,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT B- VIOLATION SUMMARY

Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
02/23/07	1	1 st Quarter 2007	Monthly Average	Mercury	0.43	0.05	ug/L	1	760	Serious	(h)(1)	\$3,000
03/14/07	1	1 st Quarter 2007	Daily Maximum	Chloride	280	250*	mg/L	1	12	Chronic	(i)(1)	\$3,000
04/20/07	1	2 nd Quarter 2007	Daily Maximum	Chloride	288	250*	mg/L	1	15	Chronic	(i)(1)	\$3,000
05/18/07	1	2 nd Quarter 2007	Daily Maximum	Chloride	309	250*	mg/L	1	24	Chronic	(i)(1)	\$3,000
06/14/07	1	2 nd Quarter 2007	Daily Maximum	Chloride	305	250*	mg/L	1	22	Chronic	(i)(1)	\$3,000
09/27/07	1	3 rd Quarter 2007	Daily Maximum	Chloride	280	250*	mg/L	1	12	Chronic	(i)(1)	\$3,000
10/19/07	1	4 th Quarter 2007	Daily Maximum	Chloride	279	250*	mg/L	1	12	Chronic	(i)(1)	\$3,000
11/19/07	1	4 th Quarter 2007	Daily Maximum	Chloride	291	250*	mg/L	1	16	Chronic	(i)(1)	\$3,000
12/12/07	1	4 th Quarter 2007	Daily Maximum	Chloride	280	250*	mg/L	1	12	Chronic	(i)(1)	\$3,000
01/29/08	1	1 st Quarter 2008	Daily Maximum	Sulfate	201	190*	mg/L	1	6	Chronic	(i)(1)	\$3,000
01/29/08	1	1 st Quarter 2008	Daily Maximum	Chloride	284	250*	mg/L	1	14	Chronic	(i)(1)	\$3,000
01/29/08	1	1 st Quarter 2008	Instantaneous	pH	8.6	6.5-8.5	pH units	NA	NA	Chronic	(i)(1)	\$3,000
02/22/08	1	1 st Quarter 2008	Daily Maximum	Sulfate	196	190*	mg/L	1	3	Chronic	(i)(1)	\$3,000
02/22/08	1	1 st Quarter 2008	Daily Maximum	Chloride	285	250*	mg/L	1	14	Chronic	(i)(1)	\$3,000
03/21/08	1	1 st Quarter 2008	Daily Maximum	Chloride	265	250*	mg/L	1	6	Chronic	(i)(1)	\$3,000
04/18/08	2	2 nd Quarter 2008	Daily Maximum	Sulfate	196	190	mg/L	1	3	Chronic	(i)(1)	\$3,000
04/18/08	1	2 nd Quarter 2008	Daily Maximum	Sulfate	263	190*	mg/L	1	38	Chronic	(i)(1)	\$3,000
04/18/08	1	2 nd Quarter 2008	Daily Maximum	Chloride	404	250*	mg/L	1	62	Serious	(h)(1)	\$3,000
05/19/08	1	2 nd Quarter 2008	Daily Maximum	Sulfate	207	190*	mg/L	1	9	Chronic	(i)(1)	\$3,000
05/19/08	1	2 nd Quarter 2008	Daily Maximum	Chloride	317	250*	mg/L	1	27	Chronic	(i)(1)	\$3,000
06/23/08	1	2 nd Quarter 2008	Daily Maximum	Sulfate	194	150	mg/L	1	29	Chronic	(i)(1)	\$3,000
06/23/08	1	2 nd Quarter 2008	Daily Maximum	Chloride	311	100	mg/L	1	211	Serious	(h)(1)	\$3,000
07/25/08	2	3 rd Quarter 2008	Daily Maximum	TDS	876	800	mg/L	1	10	Chronic	(i)(1)	\$3,000
07/25/08	1	3 rd Quarter 2008	Daily Maximum	Sulfate	190	150	mg/L	1	27	Chronic	(i)(1)	\$3,000
07/25/08	2	3 rd Quarter 2008	Daily Maximum	Nitrate + Nitrite as N	4.0	2.8	lbs/day	1	43	Serious	(h)(1)	\$3,000
07/25/08	1	3 rd Quarter 2008	Daily Maximum	TDS	1,264	800	mg/L	1	58	Serious	(h)(1)	\$3,000
07/25/08	2	3 rd Quarter 2008	Daily Maximum	Nitrate + Nitrite as N	8	5	mg/L	1	60	Serious	(h)(1)	\$3,000
07/25/08	2	3 rd Quarter 2008	Daily Maximum	Chloride	93	56	lbs/day	1	66	Serious	(h)(1)	\$3,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT B- VIOLATION SUMMARY
Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
07/25/08	2	3 rd Quarter 2008	Daily Maximum	Chloride	188	100	mg/L	1	88	Serious	(h)(1)	\$3,000
07/25/08	1	3 rd Quarter 2008	Daily Maximum	Chloride	306	100	mg/L	1	206	Serious	(h)(1)	\$3,000
08/25/08	2	3 rd Quarter 2008	Daily Maximum	TDS	908	800	mg/L	1	14	Chronic	(i)(1)	\$3,000
08/25/08	2	3 rd Quarter 2008	Daily Maximum	Nitrate + Nitrite as N	3.3	2.8	lbs/day	1	18	Chronic	(i)(1)	\$3,000
08/25/08	1	3 rd Quarter 2008	Daily Maximum	Sulfate	187	150	mg/L	1	25	Chronic	(i)(1)	\$3,000
08/25/08	2	3 rd Quarter 2008	Daily Maximum	Nitrate + Nitrite as N	7	5	mg/L	1	40	Serious	(h)(1)	\$3,000
08/25/08	2	3 rd Quarter 2008	Daily Maximum	Chloride	83	56	lbs/day	1	48	Serious	(h)(1)	\$3,000
08/25/08	1	3 rd Quarter 2008	Daily Maximum	TDS	1,228	800	mg/L	1	54	Serious	(h)(1)	\$3,000
08/25/08	2	3 rd Quarter 2008	Daily Maximum	Chloride	175	100	mg/L	1	75	Serious	(h)(1)	\$3,000
08/25/08	1	3 rd Quarter 2008	Daily Maximum	Chloride	296	100	mg/L	1	196	Serious	(h)(1)	\$3,000
09/29/08	2	3 rd Quarter 2008	Daily Maximum	Sulfate	155	150	mg/L	1	3	Chronic	(i)(1)	\$3,000
09/29/08	2	3 rd Quarter 2008	Daily Maximum	TDS	964	800	mg/L	1	21	Chronic	(i)(1)	\$3,000
09/29/08	2	3 rd Quarter 2008	Daily Maximum	Nitrate + Nitrite as N	3.6	2.8	lbs/day	1	29	Chronic	(i)(1)	\$3,000
09/29/08	1	3 rd Quarter 2008	Daily Maximum	Sulfate	197	150	mg/L	1	31	Chronic	(i)(1)	\$3,000
09/29/08	2	3 rd Quarter 2008	Daily Maximum	Chloride	86	56	lbs/day	1	54	Serious	(h)(1)	\$3,000
09/29/08	2	3 rd Quarter 2008	Daily Maximum	Nitrate + Nitrite as N	8	5	mg/L	1	60	Serious	(h)(1)	\$3,000
09/29/08	1	3 rd Quarter 2008	Daily Maximum	TDS	1,316	800	mg/L	1	65	Serious	(h)(1)	\$3,000
09/29/08	2	3 rd Quarter 2008	Daily Maximum	Chloride	189	100	mg/L	1	89	Serious	(h)(1)	\$3,000
09/29/08	1	3 rd Quarter 2008	Daily Maximum	Chloride	307	100	mg/L	1	207	Serious	(h)(1)	\$3,000
10/31/08	2	4 th Quarter 2008	Daily Maximum	Sulfate	151	150	mg/L	1	1	Chronic	(i)(1)	\$3,000
10/31/08	2	4 th Quarter 2008	Daily Maximum	TDS	896	800	mg/L	1	12	Chronic	(i)(1)	\$3,000
10/31/08	1	4 th Quarter 2008	Daily Maximum	Sulfate	187	150	mg/L	1	25	Chronic	(i)(1)	\$3,000
10/31/08	2	4 th Quarter 2008	Daily Maximum	Nitrate + Nitrite as N	3.7	2.8	lbs/day	1	32	Chronic	(i)(1)	\$3,000
10/31/08	1	4 th Quarter 2008	Daily Maximum	TDS	1,152	800	mg/L	1	44	Serious	(h)(1)	\$3,000
10/31/08	2	4 th Quarter 2008	Daily Maximum	Chloride	81	56	lbs/day	1	45	Serious	(h)(1)	\$3,000
10/31/08	2	4 th Quarter 2008	Daily Maximum	Nitrate + Nitrite as N	8.6	5	mg/L	1	72	Serious	(h)(1)	\$3,000
10/31/08	2	4 th Quarter 2008	Daily Maximum	Chloride	189	100	mg/L	1	89	Serious	(h)(1)	\$3,000
10/31/08	1	4 th Quarter 2008	Daily Maximum	Chloride	302	100	mg/L	1	202	Serious	(h)(1)	\$3,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT B- VIOLATION SUMMARY

Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
11/26/08	2	4 th Quarter 2008	Daily Maximum	Sulfate	165	150	mg/L	1	10	Chronic	(i)(1)	\$3,000
11/26/08	2	4 th Quarter 2008	Daily Maximum	TDS	884	800	mg/L	1	11	Chronic	(i)(1)	\$3,000
11/26/08	1	4 th Quarter 2008	Daily Maximum	Sulfate	177	150	mg/L	1	18	Chronic	(i)(1)	\$3,000
11/26/08	1	4 th Quarter 2008	Daily Maximum	TDS	1,120	800	mg/L	1	40	Serious	(h)(1)	\$3,000
11/26/08	2	4 th Quarter 2008	Daily Maximum	Chloride	83	56	lbs/day	1	48	Serious	(h)(1)	\$3,000
11/26/08	2	4 th Quarter 2008	Daily Maximum	Chloride	195	100	mg/L	1	95	Serious	(h)(1)	\$3,000
11/26/08	1	4 th Quarter 2008	Daily Maximum	Chloride	294	100	mg/L	1	194	Serious	(h)(1)	\$3,000
12/17/08	2	4 th Quarter 2008	Daily Maximum	Sulfate	170	150	mg/L	1	13	Chronic	(i)(1)	\$3,000
12/17/08	2	4 th Quarter 2008	Daily Maximum	TDS	916	800	mg/L	1	15	Chronic	(i)(1)	\$3,000
12/17/08	2	4 th Quarter 2008	Daily Maximum	Nitrate + Nitrite as N	5.98	5	mg/L	1	20	Chronic	(i)(1)	\$3,000
12/17/08	1	4 th Quarter 2008	Daily Maximum	Sulfate	216	150	mg/L	1	44	Serious	(h)(1)	\$3,000
12/17/08	2	4 th Quarter 2008	Daily Maximum	Chloride	88	56	lbs/day	1	57	Serious	(h)(1)	\$3,000
12/17/08	1	4 th Quarter 2008	Daily Maximum	TDS	1,360	800	mg/L	1	70	Serious	(h)(1)	\$3,000
12/17/08	2	4 th Quarter 2008	Daily Maximum	Chloride	208	100	mg/L	1	108	Serious	(h)(1)	\$3,000
12/17/08	1	4 th Quarter 2008	Daily Maximum	Chloride	346	100	mg/L	1	246	Serious	(h)(1)	\$3,000
01/29/09	2	1 st Quarter 2009	Daily Maximum	TDS	844	800	mg/L	1	6	Chronic	(i)(1)	\$3,000
01/29/09	1	1 st Quarter 2009	Daily Maximum	Sulfate	191	150	mg/L	1	27	Chronic	(i)(1)	\$3,000
01/29/09	2	1 st Quarter 2009	Daily Maximum	Chloride	80	56	lbs/day	1	43	Serious	(h)(1)	\$3,000
01/29/09	2	1 st Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	4.0	2.8	lbs/day	1	43	Serious	(h)(1)	\$3,000
01/29/09	1	1 st Quarter 2009	Daily Maximum	TDS	1,236	800	mg/L	1	55	Serious	(h)(1)	\$3,000
01/29/09	2	1 st Quarter 2009	Daily Maximum	Chloride	191	100	mg/L	1	91	Serious	(h)(1)	\$3,000
01/29/09	2	1 st Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	9.56	5	mg/L	1	91	Serious	(h)(1)	\$3,000
01/29/09	1	1 st Quarter 2009	Daily Maximum	Chloride	298	100	mg/L	1	198	Serious	(h)(1)	\$3,000
02/24/09	2	1 st Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	2.88	2.8	lbs/day	1	3	Chronic	(i)(1)	\$3,000
02/24/09	2	1 st Quarter 2009	Daily Maximum	TDS	836	800	mg/L	1	5	Chronic	(i)(1)	\$3,000
02/24/09	1	1 st Quarter 2009	Daily Maximum	Sulfate	192	150	mg/L	1	28	Chronic	(i)(1)	\$3,000
02/24/09	2	1 st Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	6.55	5	mg/L	1	31	Chronic	(i)(1)	\$3,000
02/24/09	2	1 st Quarter 2009	Daily Maximum	Chloride	81	56	lbs/day	1	45	Serious	(h)(1)	\$3,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT B- VIOLATION SUMMARY

Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
02/24/09	1	1 st Quarter 2009	Daily Maximum	TDS	1,180	800	mg/L	1	48	Serious	(h)(1)	\$3,000
02/24/09	2	1 st Quarter 2009	Daily Maximum	Chloride	184	100	mg/L	1	84	Serious	(h)(1)	\$3,000
02/24/09	1	1 st Quarter 2009	Daily Maximum	Chloride	294	100	mg/L	1	194	Serious	(h)(1)	\$3,000
03/19/09	2	1 st Quarter 2009	Daily Maximum	TDS	928	800	mg/L	1	16	Chronic	(i)(1)	\$3,000
03/19/09	2	1 st Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	3.53	2.8	lbs/day	1	26	Chronic	(i)(1)	\$3,000
03/19/09	1	1 st Quarter 2009	Daily Maximum	Sulfate	197	150	mg/L	1	31	Chronic	(i)(1)	\$3,000
03/19/09	2	1 st Quarter 2009	Daily Maximum	Chloride	80	56	lbs/day	1	43	Serious	(h)(1)	\$3,000
03/19/09	1	1 st Quarter 2009	Daily Maximum	TDS	1,244	800	mg/L	1	56	Serious	(h)(1)	\$3,000
03/19/09	2	1 st Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	7.81	5	mg/L	1	56	Serious	(h)(1)	\$3,000
03/19/09	2	1 st Quarter 2009	Daily Maximum	Chloride	176	100	mg/L	1	76	Serious	(h)(1)	\$3,000
03/19/09	1	1 st Quarter 2009	Daily Maximum	Chloride	292	100	mg/L	1	192	Serious	(h)(1)	\$3,000
04/09/09	2	2 nd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	3.28	2.8	lbs/day	1	17	Chronic	(i)(1)	\$3,000
04/09/09	2	2 nd Quarter 2009	Daily Maximum	TDS	952	800	mg/L	1	19	Chronic	(i)(1)	\$3,000
04/09/09	1	2 nd Quarter 2009	Daily Maximum	TDS	1,124	800	mg/L	1	41	Serious	(h)(1)	\$3,000
04/09/09	2	2 nd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	7.33	5	mg/L	1	47	Serious	(h)(1)	\$3,000
04/09/09	1	2 nd Quarter 2009	Daily Maximum	Sulfate	232	150	mg/L	1	55	Chronic	(i)(1)	\$3,000
04/09/09	2	2 nd Quarter 2009	Daily Maximum	Chloride	88	56	lbs/day	1	57	Serious	(h)(1)	\$3,000
04/09/09	2	2 nd Quarter 2009	Daily Maximum	Chloride	196	100	mg/L	1	96	Serious	(h)(1)	\$3,000
04/09/09	1	2 nd Quarter 2009	Daily Maximum	Chloride	304	100	mg/L	1	204	Serious	(h)(1)	\$3,000
05/29/09	1	2 nd Quarter 2009	Daily Maximum	Sulfate	171	150	mg/L	1	14	Chronic	(i)(1)	\$3,000
05/29/09	2	2 nd Quarter 2009	Daily Maximum	TDS	936	800	mg/L	1	17	Chronic	(i)(1)	\$3,000
05/29/09	2	2 nd Quarter 2009	Daily Maximum	Sulfate	177	150	mg/L	1	18	Chronic	(i)(1)	\$3,000
05/29/09	2	2 nd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	3.80	2.8	lbs/day	1	36	Chronic	(i)(1)	\$3,000
05/29/09	1	2 nd Quarter 2009	Daily Maximum	TDS	1,156	800	mg/L	1	45	Serious	(h)(1)	\$3,000
05/29/09	2	2 nd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	8.79	5	mg/L	1	76	Serious	(h)(1)	\$3,000
05/29/09	2	2 nd Quarter 2009	Daily Maximum	Chloride	104	56	lbs/day	1	86	Serious	(h)(1)	\$3,000
05/29/09	2	2 nd Quarter 2009	Daily Maximum	Chloride	241	100	mg/L	1	141	Serious	(h)(1)	\$3,000
05/29/09	1	2 nd Quarter 2009	Daily Maximum	Chloride	279	100	mg/L	1	179	Serious	(h)(1)	\$3,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT B- VIOLATION SUMMARY

Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
06/26/09	2	2 nd Quarter 2009	Daily Maximum	TDS	934	800	mg/L	1	17	Chronic	(i)(1)	\$3,000
06/26/09	1	2 nd Quarter 2009	Daily Maximum	Sulfate	196	150	mg/L	1	31	Chronic	(i)(1)	\$3,000
06/26/09	2	2 nd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	3.73	2.8	lbs/day	1	33	Chronic	(i)(1)	\$3,000
06/26/09	2	2 nd Quarter 2009	Daily Maximum	Chloride	78	56	lbs/day	1	39	Chronic	(i)(1)	\$3,000
06/26/09	1	2 nd Quarter 2009	Daily Maximum	TDS	1,242	800	mg/L	1	55	Serious	(h)(1)	\$3,000
06/26/09	2	2 nd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	9.02	5	mg/L	1	80	Serious	(h)(1)	\$3,000
06/26/09	2	2 nd Quarter 2009	Daily Maximum	Chloride	189	100	mg/L	1	89	Serious	(h)(1)	\$3,000
06/26/09	1	2 nd Quarter 2009	Daily Maximum	Chloride	299	100	mg/L	1	199	Serious	(h)(1)	\$3,000
07/24/09	2	3 rd Quarter 2009	Daily Maximum	TDS	956	800	mg/L	1	20	Chronic	(i)(1)	\$3,000
07/24/09	1	3 rd Quarter 2009	Daily Maximum	Sulfate	192	150	mg/L	1	28	Chronic	(i)(1)	\$3,000
07/24/09	2	3 rd Quarter 2009	Daily Maximum	Chloride	83	56	lbs/day	1	48	Serious	(h)(1)	\$3,000
07/24/09	2	3 rd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	4.3	2.8	lbs/day	1	54	Serious	(h)(1)	\$3,000
07/24/09	1	3 rd Quarter 2009	Daily Maximum	TDS	1,248	800	mg/L	1	56	Serious	(h)(1)	\$3,000
07/24/09	2	3 rd Quarter 2009	Daily Maximum	Chloride	192	100	mg/L	1	92	Serious	(h)(1)	\$3,000
07/24/09	2	3 rd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	10	5	mg/L	1	100	Serious	(h)(1)	\$3,000
07/24/09	1	3 rd Quarter 2009	Daily Maximum	Chloride	304	100	mg/L	1	204	Serious	(h)(1)	\$3,000
08/21/09	2	3 rd Quarter 2009	Daily Maximum	Sulfate	155	150	mg/L	1	3	Chronic	(i)(1)	\$3,000
08/21/09	2	3 rd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	3.16	2.8	lbs/day	1	13	Chronic	(i)(1)	\$3,000
08/21/09	2	3 rd Quarter 2009	Daily Maximum	TDS	1,004	800	mg/L	1	26	Chronic	(i)(1)	\$3,000
08/21/09	2	3 rd Quarter 2009	Daily Maximum	Chloride	84	56	lbs/day	1	50	Serious	(h)(1)	\$3,000
08/21/09	2	3 rd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	7.74	5	mg/L	1	55	Serious	(h)(1)	\$3,000
08/21/09	1	3 rd Quarter 2009	Daily Maximum	Sulfate	248	150	mg/L	1	65	Serious	(h)(1)	\$3,000
08/21/09	1	3 rd Quarter 2009	Daily Maximum	TDS	1,368	800	mg/L	1	71	Serious	(h)(1)	\$3,000
08/21/09	2	3 rd Quarter 2009	Daily Maximum	Chloride	205	100	mg/L	1	105	Serious	(h)(1)	\$3,000
08/21/09	1	3 rd Quarter 2009	Daily Maximum	Chloride	353	100	mg/L	1	253	Serious	(h)(1)	\$3,000
09/08/09	2	3 rd Quarter 2009	Daily Maximum	TDS	900	800	mg/L	1	13	Chronic	(i)(1)	\$3,000
09/08/09	2	3 rd Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	6.4	5	mg/L	1	28	Chronic	(i)(1)	\$3,000
09/08/09	1	3 rd Quarter 2009	Daily Maximum	Sulfate	206	150	mg/L	1	37	Chronic	(i)(1)	\$3,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT B- VIOLATION SUMMARY

Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
09/08/09	2	3 rd Quarter 2009	Daily Maximum	Chloride	80	56	lbs/day	1	43	Serious	(h)(1)	\$3,000
09/08/09	1	3 rd Quarter 2009	Daily Maximum	TDS	1,272	800	mg/L	1	59	Serious	(h)(1)	\$3,000
09/08/09	2	3 rd Quarter 2009	Daily Maximum	Chloride	198	100	mg/L	1	98	Serious	(h)(1)	\$3,000
09/08/09	1	3 rd Quarter 2009	Daily Maximum	Chloride	330	100	mg/L	1	230	Serious	(h)(1)	\$3,000
10/16/09	2	4 th Quarter 2009	Daily Maximum	Sulfate	153	150	mg/L	1	2	Chronic	(i)(1)	\$3,000
10/16/09	2	4 th Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	2.92	2.8	lbs/day	1	4	Chronic	(i)(1)	\$3,000
10/16/09	2	4 th Quarter 2009	Daily Maximum	TDS	948	800	mg/L	1	19	Chronic	(i)(1)	\$3,000
10/16/09	2	4 th Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	6.85	5	mg/L	1	37	Chronic	(i)(1)	\$3,000
10/16/09	1	4 th Quarter 2009	Daily Maximum	Sulfate	233	150	mg/L	1	55	Serious	(h)(1)	\$3,000
10/16/09	1	4 th Quarter 2009	Daily Maximum	TDS	1,336	800	mg/L	1	67	Serious	(h)(1)	\$3,000
10/16/09	2	4 th Quarter 2009	Daily Maximum	Chloride	94	56	lbs/day	1	68	Serious	(h)(1)	\$3,000
10/16/09	2	4 th Quarter 2009	Daily Maximum	Chloride	221	100	mg/L	1	121	Serious	(h)(1)	\$3,000
10/16/09	1	4 th Quarter 2009	Daily Maximum	Chloride	391	100	mg/L	1	291	Serious	(h)(1)	\$3,000
11/13/09	2	4 th Quarter 2009	Daily Maximum	TDS	880	800	mg/L	1	10	Chronic	(i)(1)	\$3,000
11/13/09	1	4 th Quarter 2009	Daily Maximum	Sulfate	184	150	mg/L	1	23	Chronic	(i)(1)	\$3,000
11/13/09	1	4 th Quarter 2009	Daily Maximum	TDS	1,148	800	mg/L	1	44	Serious	(h)(1)	\$3,000
11/13/09	2	4 th Quarter 2009	Daily Maximum	Chloride	81	56	lbs/day	1	45	Serious	(h)(1)	\$3,000
11/13/09	2	4 th Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	4.68	2.8	lbs/day	1	67	Serious	(h)(1)	\$3,000
11/13/09	2	4 th Quarter 2009	Daily Maximum	Chloride	193	100	mg/L	1	93	Serious	(h)(1)	\$3,000
11/13/09	2	4 th Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	11.2	5	mg/L	1	124	Serious	(h)(1)	\$3,000
11/13/09	1	4 th Quarter 2009	Daily Maximum	Chloride	277	100	mg/L	1	177	Serious	(h)(1)	\$3,000
12/11/09	2	4 th Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	2.91	2.8	lbs/day	1	4	Chronic	(i)(1)	\$3,000
12/11/09	1	4 th Quarter 2009	Daily Maximum	Sulfate	174	150	mg/L	1	16	Chronic	(i)(1)	\$3,000
12/11/09	2	4 th Quarter 2009	Daily Maximum	TDS	968	800	mg/L	1	21	Chronic	(i)(1)	\$3,000
12/11/09	2	4 th Quarter 2009	Daily Maximum	Chloride	77	56	lbs/day	1	38	Chronic	(i)(1)	\$3,000
12/11/09	2	4 th Quarter 2009	Daily Maximum	Nitrate + Nitrite as N	7.22	5	mg/L	1	44	Serious	(h)(1)	\$3,000
12/11/09	1	4 th Quarter 2009	Daily Maximum	TDS	1,256	800	mg/L	1	57	Serious	(h)(1)	\$3,000
12/11/09	2	4 th Quarter 2009	Daily Maximum	Chloride	191	100	mg/L	1	91	Serious	(h)(1)	\$3,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT B- VIOLATION SUMMARY

Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
12/11/09	1	4 th Quarter 2009	Daily Maximum	Chloride	299	100	mg/L	1	199	Serious	(h)(1)	\$3,000
01/28/10	2	1 st Quarter 2010	Daily Maximum	Sulfate	163	150	mg/L	1	9	Chronic	(i)(1)	\$3,000
01/28/10	2	1 st Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	3.05	2.8	lbs/day	1	9	Chronic	(i)(1)	\$3,000
01/28/10	2	1 st Quarter 2010	Daily Maximum	TDS	940	800	mg/L	1	18	Chronic	(i)(1)	\$3,000
01/28/10	2	1 st Quarter 2010	Daily Maximum	Chloride	70	56	lbs/day	1	25	Chronic	(i)(1)	\$3,000
01/28/10	1	1 st Quarter 2010	Daily Maximum	Sulfate	232	150	mg/L	1	55	Serious	(h)(1)	\$3,000
01/28/10	1	1 st Quarter 2010	Daily Maximum	TDS	1,276	800	mg/L	1	60	Serious	(h)(1)	\$3,000
01/28/10	2	1 st Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	8.73	5	mg/L	1	75	Serious	(h)(1)	\$3,000
01/28/10	2	1 st Quarter 2010	Daily Maximum	Chloride	199	100	mg/L	1	99	Serious	(h)(1)	\$3,000
01/28/10	1	1 st Quarter 2010	Daily Maximum	Chloride	306	100	mg/L	1	206	Serious	(h)(1)	\$3,000
02/24/10	2	1 st Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	2.95	2.8	lbs/day	1	5	Chronic	(i)(1)	\$3,000
02/24/10	2	1 st Quarter 2010	Daily Maximum	TDS	904	800	mg/L	1	13	Chronic	(i)(1)	\$3,000
02/24/10	2	1 st Quarter 2010	Daily Maximum	Chloride	70	56	lbs/day	1	25	Chronic	(i)(1)	\$3,000
02/24/10	1	1 st Quarter 2010	Daily Maximum	Sulfate	198	150	mg/L	1	32	Chronic	(i)(1)	\$3,000
02/24/10	1	1 st Quarter 2010	Daily Maximum	TDS	1,352	800	mg/L	1	69	Serious	(h)(1)	\$3,000
02/24/10	2	1 st Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	8.49	5	mg/L	1	70	Serious	(h)(1)	\$3,000
02/24/10	2	1 st Quarter 2010	Daily Maximum	Chloride	201	100	mg/L	1	101	Serious	(h)(1)	\$3,000
02/24/10	1	1 st Quarter 2010	Daily Maximum	Chloride	279	100	mg/L	1	179	Serious	(h)(1)	\$3,000
03/25/10	2	1 st Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	3.14	2.8	lbs/day	1	12	Chronic	(i)(1)	\$3,000
03/25/10	2	1 st Quarter 2010	Daily Maximum	TDS	932	800	mg/L	1	17	Chronic	(i)(1)	\$3,000
03/25/10	2	1 st Quarter 2010	Daily Maximum	Chloride	71	56	lbs/day	1	27	Chronic	(i)(1)	\$3,000
03/25/10	1	1 st Quarter 2010	Daily Maximum	Sulfate	232	150	mg/L	1	55	Serious	(h)(1)	\$3,000
03/25/10	1	1 st Quarter 2010	Daily Maximum	TDS	1,280	800	mg/L	1	60	Serious	(h)(1)	\$3,000
03/25/10	2	1 st Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	8.5	5	mg/L	1	70	Serious	(h)(1)	\$3,000
03/25/10	2	1 st Quarter 2010	Daily Maximum	Chloride	192	100	mg/L	1	92	Serious	(h)(1)	\$3,000
03/25/10	1	1 st Quarter 2010	Daily Maximum	Chloride	327	100	mg/L	1	227	Serious	(h)(1)	\$3,000
04/16/10	2	2 nd Quarter 2010	Daily Maximum	TDS	816	800	mg/L	1	2	Chronic	(i)(1)	\$3,000
04/16/10	2	2 nd Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	3.35	2.8	lbs/day	1	20	Chronic	(i)(1)	\$3,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT B- VIOLATION SUMMARY

Effluent Limit Violations

Date	Outfall	Monitoring Period	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
04/16/10	2	2 nd Quarter 2010	Daily Maximum	Sulfate	183	150	mg/L	1	22	Chronic	(i)(1)	\$3,000
04/16/10	1	2 nd Quarter 2010	Daily Maximum	TDS	1,268	800	mg/L	1	59	Serious	(h)(1)	\$3,000
04/16/10	2	2 nd Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	8.93	5	mg/L	1	79	Serious	(h)(1)	\$3,000
04/16/10	2	2 nd Quarter 2010	Daily Maximum	Chloride	102	56	lbs/day	1	82	Serious	(h)(1)	\$3,000
04/16/10	1	2 nd Quarter 2010	Daily Maximum	Sulfate	294	150	mg/L	1	96	Serious	(h)(1)	\$3,000
04/16/10	2	2 nd Quarter 2010	Daily Maximum	Chloride	273	100	mg/L	1	173	Serious	(h)(1)	\$3,000
04/16/10	1	2 nd Quarter 2010	Daily Maximum	Chloride	411	100	mg/L	1	311	Serious	(h)(1)	\$3,000
05/14/10	2	2 nd Quarter 2010	Daily Maximum	Sulfate	164	150	mg/L	1	9	Chronic	(i)(1)	\$3,000
05/14/10	2	2 nd Quarter 2010	Daily Maximum	Chloride	67	56	lbs/day	1	20	Chronic	(i)(1)	\$3,000
05/14/10	2	2 nd Quarter 2010	Daily Maximum	TDS	1,012	800	mg/L	1	27	Chronic	(i)(1)	\$3,000
05/14/10	2	2 nd Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	6.87	5	mg/L	1	37	Chronic	(i)(1)	\$3,000
05/14/10	1	2 nd Quarter 2010	Daily Maximum	Sulfate	221	150	mg/L	1	47	Serious	(h)(1)	\$3,000
05/14/10	1	2 nd Quarter 2010	Daily Maximum	TDS	1,304	800	mg/L	1	63	Serious	(h)(1)	\$3,000
05/14/10	2	2 nd Quarter 2010	Daily Maximum	Chloride	175	100	mg/L	1	75	Serious	(h)(1)	\$3,000
05/14/10	1	2 nd Quarter 2010	Daily Maximum	Chloride	268	100	mg/L	1	168	Serious	(h)(1)	\$3,000
06/25/10	2	2 nd Quarter 2010	Daily Maximum	Sulfate	160	150	mg/L	1	7	Chronic	(i)(1)	\$3,000
06/25/10	2	2 nd Quarter 2010	Daily Maximum	Chloride	68	56	lbs/day	1	21	Chronic	(i)(1)	\$3,000
06/25/10	2	2 nd Quarter 2010	Daily Maximum	TDS	988	800	mg/L	1	24	Chronic	(i)(1)	\$3,000
06/25/10	2	2 nd Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	3.57	2.8	lbs/day	1	28	Chronic	(i)(1)	\$3,000
06/25/10	2	2 nd Quarter 2010	Daily Maximum	Chloride	183	100	mg/L	1	83	Serious	(h)(1)	\$3,000
06/25/10	2	2 nd Quarter 2010	Daily Maximum	Nitrate + Nitrite as N	9.59	5	mg/L	1	92	Serious	(h)(1)	\$3,000
											Total	\$816,000

*Interim Limits contained in TSO No. R4-2003-0100

**Mass-based limits were recalculated because daily flow rate was greater than 63,000 gpd

ATTACHMENT C

AGREEMENT BETWEEN THE CITY OF SANTA CLARITA AND THE REGIONAL WATER BOARD PROSECUTION STAFF ON THIRD PARTY ESCROW ACCOUNT FOR ORDER NO. R4-2008-0046-M

The City of Santa Clarita and the Regional Water Board Prosecution Team have agreed upon _____ to be the holder of the escrow account for the benefit of the Los Angeles County Sanitation Districts in support of the Supplemental Environmental Project for the Upper Santa Clara River Watershed Chloride Reduction Project.



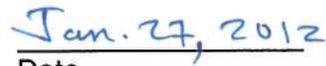
Kenneth R. Pulskamp
City of Santa Clarita



Date



Samuel Unger
Regional Water Board Prosecution Team



Date