

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R5-2010-0518

MANDATORY PENALTY  
IN THE MATTER OF

CITY OF COLUSA WASTEWATER TREATMENT PLANT  
COLUSA COUNTY

This Order is issued to the City of Colusa (hereafter referred to as 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 96-238 and R5-2002-0020 (NPDES No. CA0078999) and Time Schedule Order (TSO) No. R5-2007-0074.

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, and provides sewerage service to the City of Colusa. Treated municipal wastewater is discharged to Powell Slough, tributary to the Colusa Trough, and to the Colusa Basin Drain, a water of the United States.
2. On 20 September 1996, the Central Valley Water Board adopted WDRs Order 96-238 to regulate discharges of waste from the WWTP. On 1 March 2002, the Board adopted WDRs Order No. R5-2002-0020, which contained new regulations and rescinded Order 96-238. The WDRs include effluent limitations and other requirements regarding the wastewater discharges, including requirements and a time schedule to comply with tertiary treatment requirements and copper effluent limitations by 1 February 2007. Because the Discharger could not consistently comply with the effluent limitations for ammonia and aluminum contained in the WDRs, the Board also adopted Cease and Desist Order (CDO) No. R5-2002-0021 on 1 March 2002. The CDO required the Discharger to comply with final effluent limitations for ammonia and aluminum by 1 February 2007.
3. On 22 June 2007, the Central Valley Water Board adopted Time Schedule Order (TSO) No. R5-2007-0074 which provided an extension until 1 August 2008 for compliance with tertiary treatment requirements, as well as the copper, ammonia, and aluminum effluent limitations. The TSO included interim effluent limitations for BOD, suspended solids, and total coliform organisms.
4. Compliance with the TSO exempts the Discharger from MMPs for violations of effluent limitations for BOD, total suspended solids, settleable solids, total coliform organisms, turbidity, and copper, as well as effluent limitations B.2. and B.3., in accordance with CWC section 13385(j)(3) for the period from 22 June 2007 through 1 August 2008. Because CDO No. R5-2002-0021 provided the Discharger with five years to comply with effluent limitations for aluminum and ammonia, the exemption from mandatory minimum penalties pursuant to CWC section 13385(j)(3) does not apply for these two constituents after 1 February 2007.

5. On 5 December 2008, the Board adopted WDRs Order R5-2008-0184 and rescinded WDRs Order R5-2002-0021. The new Order became effective 50 days after adoption, on 24 January 2009. Because this ACL Order only covers violations through 31 December 2008, it only concerns violations of WDRs Order R5-2002-0021.
6. On 1 October 2008, the Executive Officer of the Central Valley Water Board issued Administrative Civil Liability Order R5-2008-0535. The ACLO charged the Discharger with civil liability in the amount of \$486,000 which represented mandatory minimum penalties for effluent violations from 1 January 2000 through 31 January 2008. The ACLO allowed the Discharger to apply the \$486,000 penalty toward a compliance project designed to correct the violations. The Board considers payment of the mandatory minimum penalties satisfied through completion of the compliance project.
7. This Order covers the period of 1 January 2000 through 31 December 2008, and assesses penalties for 28 violations that were overlooked in ACLO R5-2008-0535 or that occurred after that ACLO was issued but before the compliance project was completed. Mandatory minimum penalties for violations that took place after the compliance project was completed are assessed in ACL Order R5-2010-0517.
8. CWC section 13385(h) and (i) require assessment of mandatory penalties and state, in part, the following:

CWC section 13385(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 (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(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.

9. 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.

10. WDRs Order No. 96-238 Effluent Limitations No. B.1. includes, in part, the following effluent limitations:

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Monthly Median</u>	<u>Daily Maximum</u>
Total Suspended Solids	mg/L	110	165	--	220
Total Coliform Organisms	MPN/100 mL	--	--	23	500

11. WDRs Order No. 96-238 Effluent Limitations No. B.2. states:

The discharge shall not have a pH less than 6.0 nor greater than 10.0.

12. WDRs Order No. R5-2002-0020 Effluent Limitations No. B.1.a. include, in part, the following effluent limitations:

Effluent shall not exceed the following limits (from adoption until 31 January 2007):

<u>Constituents</u>	<u>Units</u>	<u>Average Monthly</u>	<u>Average Weekly</u>	<u>30-Day Median</u>	<u>Average Daily</u>	<u>Daily Maximum</u>
Total Suspended Solids	mg/L	110 <sup>2</sup>	165 <sup>2</sup>	--	220 <sup>2</sup>	--
	lbs/day <sup>3</sup>	826	1239	--	1652	--
Total Coliform Organisms	MPN/100mL	--	--	23	--	500

<sup>2</sup> To be ascertained by a 24-hour composite

<sup>3</sup> Based upon a design treatment capacity of 0.90 mgd (x mg/L x 8.345 x 0.90 mgd= y lbs/day)

13. WDRs Order No. R5-2002-0020 Effluent Limitations No. B.1b. include, in part, the following effluent limitations:

Effluent shall not exceed the following limits (after **31 January 2007**):

<u>Constituents</u>	<u>Units</u>	<u>Average Monthly</u>	<u>Average Weekly</u>	<u>7-Day Median</u>	<u>Average Daily</u>	<u>Instantaneous Maximum</u>
BOD <sup>1</sup>	mg/L	10 <sup>2</sup>	15 <sup>2</sup>	--	20 <sup>2</sup>	--
	lbs/day <sup>3</sup>	42	63	--	84	--
Total Suspended Solids	mg/L	10 <sup>2</sup>	15 <sup>2</sup>	--	20 <sup>2</sup>	--
	lbs/day <sup>3</sup>	42	63	--	84	--
<u>Turbidity</u>	NTU	--	--	--	2	5 <sup>5</sup>

<sup>1</sup> 5-day, 20°C biochemical oxygen demand (BOD)

<sup>2</sup> To be ascertained by a 24-hour composite

<sup>3</sup> Based upon a design treatment capacity of 0.90 mgd ( $x \text{ mg/L} \times 8.345 \times 0.90 \text{ mgd} = y \text{ lbs/day}$ )

<sup>5</sup> The turbidity shall not exceed 5 NTU more than 5 percent of the time within a 24-hour period. At no time shall the turbidity exceed 10 NTU.

<u>Constituents</u>	<u>Units</u>	<u>Average Monthly</u>	<u>Average 4-Day</u>	<u>Average 1-Hour</u>
Ammonia (as N)	mg/L	Attachment B	Attachment C	Attachment D
	lbs/day <sup>2</sup>	--	--	--
Aluminum	µg/L	--	87	750
	lbs/day <sup>3</sup>		0.65	5.6

<sup>2</sup>The mass limit (lb/day) for ammonia shall be equal to the concentration limit (from Attachments) multiplied by the design flow of 0.90 mgd and the unit conversion factor of 8.345 (see footnote 1 for equation).

<sup>3</sup>Based on a design treatment capacity of 0.90 mgd [ $x \text{ ug/l} \times (1 \text{ mg}/1000 \text{ ug}) \times 8.345 \times 0.90 \text{ mgd} = y \text{ lbs/day}$ ]

Note: Attachment B is a table entitled "Temperature- and pH-Dependant Effluent Limits for Ammonia Criterion Continuous Concentration, Maximum Average Monthly Concentration."

Attachment D is at table entitled "pH-Dependant Effluent Limits for Ammonia Criterion Maximum Concentration, Maximum 1-hour Average"

14. According to the Discharger's self-monitoring reports, the Discharger committed sixteen (16) serious Group I violations of the effluent limitations contained in Orders 96-238, R5-2002-0020, and R5-2007-0074 during the period beginning 1 January 2000 and ending 31 December 2008, which were not previously assessed mandatory penalties. The 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 the serious violations is **forty-eight thousand dollars (\$48,000)**.
  
15. According to the Discharger's self-monitoring reports, the Discharger committed twelve (12) non-serious violations of the effluent limitations contained in Orders 96-238, R5-2002-0020, and R5-2007-0074 during the period beginning 1 January 2000 and ending 31 December 2008, which were not previously assessed mandatory penalties. Ten of these 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 the non-serious violations is **thirty thousand dollars (\$30,000)**.

16. The total amount of the mandatory penalties assessed for the cited effluent violations is **seventy-eight thousand dollars (\$78,000)**. A detailed list of the cited effluent violations is included in Attachment A, a part of this Order.
17. 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.
18. Staff at the State Water Resources Control Board has determined that the City of Colusa Wastewater Treatment Plant is a publicly owned treatment works serving a small community with a financial hardship within the meaning of CWC section 13385(k)(2). The 19 February 2002 Water Quality Enforcement Policy lists Colusa County as a rural county with financial hardship.
19. The Discharger spent an estimated \$15,500,000 on a compliance project to construct a new wastewater treatment plant to meet effluent limitations that will correct the violations. Of this amount, \$2,000,000 of revenue was from a grant and cannot be used to offset the mandatory minimum penalties. The new plant consists of a new influent pump station, new headworks with mechanical screening and flow measurement, a new ultra-violet disinfection system, a new liquid chemical feed system, a re-aeration basin and a new effluent pump station. On 20 October 2008, the Discharger submitted documentation that it had completed the project and expended in excess of the mandatory minimum penalty that is required by CWC sections 13385(h) and (i).
20. As described in Finding No. 6, the Discharger was allowed to apply its previous \$486,000 in mandatory penalties toward the above Compliance Project. This Order allows \$78,000 in mandatory penalties to be applied to the same Compliance Project. Because the

Project cost approximately \$13.5 million in non-grant funds, applying a total of \$564,000 in mandatory penalties toward the cost of the project complies with CWC 13385(k) and the Enforcement Policy. The violations listed in this Order took place prior to completion of the Compliance Project on 20 October 2008.

21. The Central Valley Water Board finds that the Compliance Project was designed to correct the violations that have led to the issuance of this Administrative Civil Liability Order within five years, that the project is in accordance with the enforcement policy of the State Water Board, and that the Discharger had appropriate financing to complete the project.
22. 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.
23. 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.
24. 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).

**THE CITY OF COLUSA IS HEREBY GIVEN NOTICE THAT:**

1. The City of Colusa, its agents, successors and assigns, shall be assessed an Administrative Civil Liability in the amount of **seventy eight thousand dollars (\$78,000)**.
2. The entire \$78,000 penalty has been satisfied through the completion of the compliance project described above, in accordance with CWC Section 13385(k).
3. 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 of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, state holiday or furlough day, 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 Officer  
  
10 June 2010  
\_\_\_\_\_  
DATE

Attachment A: Record of Violations  
BLH/WSW: 4-Jun-10

ATTACHMENT A  
ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R5-2010-518

**Colusa, City of  
Wastewater Treatment Plant**

RECORD OF VIOLATIONS (1 January 2000 – 31 December 2008) MANDATORY PENALTIES  
(Data reported under Monitoring and Reporting Program Nos. 96-238 and R5-2002-0020)

Additional violations are in **boldface** type

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measured</u>	<u>Period Type</u>	<u>Remarks</u>	<u>CIWQS</u>
Violations under Order 96-238:								
1	28-Feb-00	Coliform	MPN/100mL	500	>1600	Daily	3*	834972
2	25-Apr-00	Sett Sol	mL/L	0.2	0.4	Daily	1*	186370
3	30-Apr-00	Coliform	MPN/100mL	23	130	Monthly	3*	186367
4	30-Apr-00	TSS	mg/L	110	128	Monthly	3*	186372
5	18-May-00	Coliform	MPN/100mL	500	900	Daily	4*	186365
6	23-May-00	Coliform	MPN/100mL	500	>1600	Daily	4*	186366
<b>7</b>	<b>30-May-00</b>	<b>TSS</b>	<b>mg/L</b>	<b>110</b>	<b>117</b>	<b>Monthly</b>	<b>4</b>	<b>186364</b>
8	30-Jun-00	TSS	mg/L	110	142	Monthly	4*	834973
<b>9</b>	<b>31-Jul-00</b>	<b>Coliform</b>	<b>MPN/100mL</b>	<b>23</b>	<b>60</b>	<b>Monthly</b>	<b>4</b>	<b>186363</b>
<b>10</b>	<b>12-Oct-00</b>	<b>pH</b>	<b>s.u.</b>	<b>6.0</b>	<b>5.2</b>	<b>Daily</b>	<b>4</b>	<b>186296</b>
11	26-Oct-00	Coliform	MPN/100mL	500	900	Daily	4*	168342
12	31-Oct-00	TSS	mg/L	110	121	Monthly	4*	186297
13	29-Mar-01	Sett Sol	mL/L	0.2	0.5	Daily	1*	185621
<b>14</b>	<b>8-May-01</b>	<b>Coliform</b>	<b>MPN/100ml</b>	<b>500</b>	<b>900</b>	<b>Daily</b>	<b>3</b>	<b>185581</b>
<b>15</b>	<b>20-May-01</b>	<b>TSS</b>	<b>mg/L</b>	<b>165</b>	<b>180</b>	<b>Weekly</b>	<b>3</b>	<b>185579</b>
<b>16</b>	<b>31-May-01</b>	<b>Coliform</b>	<b>MPN/100ml</b>	<b>23</b>	<b>400</b>	<b>Monthly</b>	<b>4</b>	<b>185582</b>
<b>17</b>	<b>31-May-01</b>	<b>TSS</b>	<b>mg/L</b>	<b>110</b>	<b>160</b>	<b>Monthly</b>	<b>4</b>	<b>185580</b>
18	27-Sep-01	Coliform	MPN/100mL	500	>1600	Daily	3*	192306
Violations under Order R5-2002-0020:								
19	31-Mar-02	Sett Sol	mL/L	110	119	Monthly	3*	834974
20	1-Jun-02	Chlorine	mg/L	0.019	0.08	1-Hour	2*	834976
21	4-Jun-02	Coliform	MPN/100mL	500	>1600	Daily	4*	834977
22	4-Jun-02	Chlorine	mg/L	0.011	0.03	4-Day	2*	834978
23	31-Oct-02	BOD	mg/L	60	63	Monthly	4*	834980
24	7-Nov-02	Coliform	MPN/100mL	500	>1600	Daily	4*	834981
25	10-Jan-03	Chlorine	mg/L	0.019	1.8	1-Hour	2*	834982
26	12-Jan-03	Chlorine	mg/L	0.011	0.45	4-Day	2*	834983
27	31-Jan-03	BOD	lbs/day	451	564	Monthly	4*	759423
28	31-Mar-03	Coliform	MPN/100mL	23	40	Monthly	4*	496309
29	31-Mar-03	TSS	mg/L	110	118	Monthly	4*	496308
30	3-Apr-03	Coliform	MPN/100mL	500	900	Daily max	4*	496316
31	12-Apr-03	TSS	mg/L	165	170	Weekly	4*	496318
32	19-Apr-03	TSS	mg/L	165	170	Weekly	4*	496319
33	30-Apr-03	BOD	mg/L	60	77	Monthly	4*	496315
34	30-Apr-03	Coliform	MPN/100mL	23	105	Monthly	4*	496317
35	30-Apr-03	TSS	mg/L	110	168	Monthly	1*	496320
36	17-Jul-03	Coliform	MPN/100mL	500	900	Daily max	4*	496325
37	31-Jul-03	BOD	mg/L	60	72	Monthly	4*	496328
38	20-Mar-04	TSS	mg/L	165	185	Weekly	3*	496362
39	31-Mar-04	TSS	mg/L	110	121	Monthly	4*	496363
40	3-Apr-04	TSS	mg/L	165	170	Weekly	4*	496365
41	22-Apr-04	TSS	mg/L	220	380	Daily	1*	252771
42	24-Apr-04	TSS	mg/L	165	270	Weekly	1*	252772
43	30-Apr-04	TSS	mg/L	110	160	Monthly	1*	252773

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measured</u>	<u>Period Type</u>	<u>Remarks</u>	<u>CIWQS</u>
46	31-May-04	TSS	mg/L	110	142	Monthly	4	252776
47	30-Jun-04	TSS	mg/L	110	141	Monthly	4*	496374
48	31-Jul-04	BOD	mg/L	60	67	Monthly	4*	402075
49	31-Jul-04	TSS	mg/L	110	114	Monthly	4*	402076
50	17-Aug-04	TSS	mg/L	220	230	Daily	4*	266113
51	17-Aug-04	pH	S.U.	8.5	9.1	Instant	4*	266111
52	21-Aug-04	TSS	mg/L	165	225	Weekly	4*	266114
53	31-Aug-04	BOD	mg/L	60	78	Monthly	4*	266112
54	31-Aug-04	TSS	mg/L	110	142	Monthly	4*	266116
55	23-Sep-04	TSS	mg/L	220	237	Daily	4	402085
56	30-Sep-04	BOD	mg/L	60	68	Monthly	4*	261179
57	30-Sep-04	TSS	mg/L	110	91	Monthly	4*	402089
58	2-Oct-04	BOD	mg/L	90	100	Weekly	4*	261178
59	12-Oct-04	TSS	mg/L	220	290	Daily	4*	402095
60	16-Oct-04	TSS	mg/L	165	210	Weekly	1*	402165
61	31-Oct-04	TSS	mg/L	110	153	Monthly	4*	402096
62	28-Apr-05	Coliform	MPN/100mL	500	>1600	Daily max	4*	402114
63	30-Apr-05	BOD	mg/L	60	64	Monthly	3*	496375
64	30-Apr-05	TSS	mg/L	110	120	Monthly	3*	496376
65	5-May-05	Coliform	MPN/100mL	500	900	Daily max	4*	496377
66	31-May-05	Coliform	MPN/100mL	23	30	Monthly	4*	496378
67	31-May-05	TSS	mg/L	110	160	Monthly	1*	496380
68	9-Aug-05	Coliform	MPN/100mL	500	>1600	Daily max	4*	402126
72	31-Aug-05	Coliform	MPN/100mL	23	90	Monthly	4*	402127
73	1-Oct-05	BOD	mg/L	90	95	Weekly	4*	496384
74	11-Oct-05	Coliform	MPN/100mL	500	>1600	Daily max	4*	402128
75	31-Oct-05	BOD	mg/L	60	85	Monthly	1*	402187
76	3-Jan-06	Coliform	MPN/100mL	500	>1600	Daily max	4*	402129
77	31-Jan-06	Coliform	MPN/100mL	23	30	Daily	4	402130
78	31-Jan-06	Coliform	MPN/100mL	23	815	Monthly	4*	496385
79	9-Nov-06	Coliform	MPN/100mL	500	>1600	Daily max	3*	496424
80	13-Jan-07	BOD	mg/L	90	94	Weekly	3*	765618
81	8-Feb-07	Ammonia	mg/L	11.4	14	1-hour	3*	496432
82	8-Feb-07	BOD	mg/L	20	55	Daily	1*	496439
83	8-Feb-07	BOD	lbs/day	84	229	Daily	1*	496441
84	8-Feb-07	TSS	mg/L	20	40	Daily	1*	496449
85	8-Feb-07	TSS	lbs/day	84	167	Daily	1*	496451
86	8-Feb-07	Turbidity	NTU	2	30	Daily	1*	496453
87	8-Feb-07	Turbidity	NTU	5	30	Daily max	1*	496455
88	8-Feb-07	Turbidity	NTU	10	30	Instant.	1*	834984
89	10-Feb-07	BOD	mg/L	15	58	Weekly	1*	496435
90	10-Feb-07	BOD	lbs/day	63	334	Weekly	1*	496437
91	10-Feb-07	TSS	mg/L	15	40	Weekly	1*	496445
92	10-Feb-07	TSS	lbs/day	63	230	Weekly	1*	496447
93	27-Feb-07	Ammonia	mg/L	11.8	13	4-day	4*	496431
94	27-Feb-07	BOD	mg/L	20	53	Daily	1*	496440
95	27-Feb-07	BOD	lbs/day	84	106	Daily	4*	496442
96	27-Feb-07	TSS	mg/L	20	60	Daily	1*	496450

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measured</u>	<u>Period Type</u>	<u>Remarks</u>	<u>CIWQS</u>
97	27-Feb-07	TSS	lbs/day	84	120	Daily	1*	496452
98	27-Feb-07	Turbidity	NTU	2	26	Daily	1*	496454
99	27-Feb-07	Turbidity	NTU	5	26	Daily max	1*	496456
100	27-Feb-07	Turbidity	NTU	10	26	Instant.	1*	834985
<b>101</b>	<b>27-Feb-07</b>	<b>BOD</b>	<b>mg/L</b>	<b>15</b>	<b>53</b>	<b>Weekly</b>	<b>1</b>	<b>496436</b>
<b>102</b>	<b>27-Feb-07</b>	<b>BOD</b>	<b>lbs/day</b>	<b>63</b>	<b>138</b>	<b>Weekly</b>	<b>1</b>	<b>496438</b>
<b>103</b>	<b>27-Feb-07</b>	<b>TSS</b>	<b>mg/L</b>	<b>15</b>	<b>60</b>	<b>Weekly</b>	<b>1</b>	<b>496446</b>
<b>104</b>	<b>27-Feb-07</b>	<b>TSS</b>	<b>lbs/day</b>	<b>63</b>	<b>156</b>	<b>Weekly</b>	<b>1</b>	<b>496448</b>
105	28-Feb-07	Ammonia	mg/L	4.73	13.5	Monthly	1*	496430
106	28-Feb-07	BOD	mg/L	10	48	Monthly	1*	496433
107	28-Feb-07	BOD	lbs/day	42	216	Monthly	1*	496434
108	28-Feb-07	TSS	mg/L	10	45	Monthly	1*	496443
109	28-Feb-07	TSS	lbs/day	42	203	Monthly	1*	496444
110	1-Mar-07	Ammonia	mg/L	13.5	17	4-Day	4*	834986
<b>111</b>	<b>1-Mar-07</b>	<b>BOD</b>	<b>mg/L</b>	<b>20</b>	<b>29</b>	<b>Daily</b>	<b>1</b>	<b>759266</b>
<b>112</b>	<b>1-Mar-07</b>	<b>BOD</b>	<b>lbs/day</b>	<b>84</b>	<b>128</b>	<b>Daily</b>	<b>1</b>	<b>759267</b>
<b>113</b>	<b>1-Mar-07</b>	<b>TSS</b>	<b>mg/L</b>	<b>20</b>	<b>50</b>	<b>Daily</b>	<b>1</b>	<b>759270</b>
<b>114</b>	<b>1-Mar-07</b>	<b>TSS</b>	<b>lbs/day</b>	<b>84</b>	<b>218</b>	<b>Daily</b>	<b>1</b>	<b>759271</b>
115	3-Mar-07	BOD	mg/L	15	41	Weekly	1*	759268
116	3-Mar-07	BOD	lbs/day	63	168	Weekly	1*	759269
117	3-Mar-07	TSS	mg/L	15	55	Weekly	1*	759272
118	3-Mar-07	TSS	lbs/day	63	225	Weekly	1*	759273
<b>119</b>	<b>8-Mar-07</b>	<b>Turbidity</b>	<b>NTU</b>	<b>2</b>	<b>43</b>	<b>Daily</b>	<b>1</b>	<b>759274</b>
<b>120</b>	<b>8-Mar-07</b>	<b>Turbidity</b>	<b>NTU</b>	<b>5</b>	<b>43</b>	<b>Instantaneous</b>	<b>1</b>	<b>759275</b>
121	31-Mar-07	Ammonia	mg/L	5.48	12.4	Monthly	1*	834987
122	17-Apr-07	BOD	mg/L	20	37	Daily	1*	765620
123	17-Apr-07	TSS	mg/L	20	60	Daily	1*	765622
124	17-Apr-07	Turbidity	NTU	2	52	Daily	1*	834988
125	17-Apr-07	Turbidity	NTU	5	52	Daily max	1*	765624
126	17-Apr-07	Turbidity	NTU	10	52	Instant.	1*	834989
127	24-Apr-07	BOD	mg/L	20	64	Daily	1*	765626
128	24-Apr-07	BOD	lbs/day	84	326	Daily	1*	765628
129	24-Apr-07	TSS	mg/L	20	100	Daily	1*	765630
130	24-Apr-07	TSS	lbs/day	84	509	Daily	1*	765632
131	24-Apr-07	Turbidity	NTU	2	72	Daily	1*	834990
132	24-Apr-07	Turbidity	NTU	5	72	Daily max	1*	765634
133	24-Apr-07	Turbidity	NTU	10	72	Instant.	1*	834991
134	30-Apr-07	Ammonia	mg/L	5.14	5.6	Monthly	4*	834992
135	30-Apr-07	BOD	mg/L	10	50	Monthly	1*	765636
136	30-Apr-07	BOD	lbs/day	42	184	Monthly	1*	765638
137	30-Apr-07	TSS	mg/L	10	80	Monthly	1*	765640
138	30-Apr-07	TSS	lbs/day	42	294	Monthly	1*	765654
139	1-May-07	BOD	mg/L	20	73	Daily	1*	765656
140	1-May-07	BOD	lbs/day	84	262	Daily	1*	765659
141	1-May-07	TSS	mg/L	20	64	Daily	1*	765661
142	1-May-07	TSS	lbs/day	84	230	Daily	1*	765663
143	1-May-07	Turbidity	NTU	2	56	Daily	1*	834994
144	1-May-07	Turbidity	NTU	5	56	Daily max	1*	765667

ATTACHMENT A  
 CITY OF COLUSA  
 ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2010-0518

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measured</u>	<u>Period Type</u>	<u>Remarks</u>	<u>CIWQS</u>
145	1-May-07	Turbidity	NTU	10	56	Instant.	1*	834995
146	8-May-07	BOD	mg/L	20	94	Daily	1*	765671
147	8-May-07	BOD	lbs/day	84	220	Daily	1*	765676
148	8-May-07	TSS	mg/L	20	56	Daily	1*	765678
149	8-May-07	TSS	lbs/day	84	131	Daily	1*	765681
150	8-May-07	Turbidity	NTU	2	28	Daily	1*	834997
151	8-May-07	Turbidity	NTU	5	28	Daily max	1*	765684
152	8-May-07	Turbidity	NTU	10	28	Instant.	1*	834998
153	31-May-07	BOD	mg/L	10	84	Monthly	1*	765685
154	31-May-07	BOD	lbs/day	84	266	Monthly	1*	765687
155	31-May-07	TSS	mg/L	10	60	Monthly	1*	765688
156	31-May-07	TSS	lbs/day	42	190	Monthly	1*	765690
157	31-May-07	Aluminum	mg/L	87	363	Monthly	1*	834999
158	10-Jul-07	Ammonia	mg/L	0.86	1.5	1-hour	1*	765691
159	10-Jul-07	Ammonia	mg/L	0.53	1.5	4-day	1*	765693
160	17-Jul-07	Ammonia	mg/L	0.86	0.86	1-hour	1*	765698
161	17-Jul-07	Ammonia	mg/L	0.6	0.97	4-day	1*	765699
162	17-Jul-07	Coliform	MPN/100mL	500	900	Instant. Max	4*	765705
163	31-Jul-07	Ammonia	mg/L	0.39	1.1	Monthly	1*	765695
164	31-Jul-07	Coliform	MPN/100mL	23	50	30-Day Med	4*	765710
165	7-Aug-07	Ammonia	mg/L	1.23	37	1-hour	1*	765713
166	7-Aug-07	Ammonia	mg/L	1.32	37	4-day	1*	765719
167	7-Aug-07	Ammonia	lbs/day	9.9	124	4-day	1*	835001
168	14-Aug-07	Ammonia	mg/L	1.04	4.8	1-hour	1*	765721
169	14-Aug-07	Ammonia	mg/L	1.13	4.8	4-day	1*	765723
170	14-Aug-07	Ammonia	lbs/day	8.5	14	4-day	1*	835002
171	21-Aug-07	Ammonia	mg/L	2.14	6.8	1-hour	1*	765725
172	21-Aug-07	Ammonia	mg/L	2.18	6.8	4-day	1*	765726
173	21-Aug-07	Ammonia	lbs/day	16.4	23.8	4-day	1*	835003
174	28-Aug-07	Ammonia	mg/L	4.86	5.2	4-day	4*	765728
175	31-Aug-07	Ammonia	mg/L	0.61	13.5	Monthly	1*	765730
176	31-Aug-07	Ammonia	lbs/day	4.6	47	Monthly	1*	835004
177	11-Sep-07	Ammonia	mg/L	5.62	8.2	1-hour	1*	765732
178	11-Sep-07	Ammonia	mg/L	4.59	8.2	4-day	1*	765733
179	11-Sep-07	Coliform	MPN/100mL	500	>1600	Daily Max	4*	765734
180	30-Sep-07	Ammonia	mg/L	1.43	8.2	Monthly	1*	765735
181	30-Sep-07	Ammonia	lbs/day	10.7	27	Monthly	1*	835005
182	30-Oct-07	Ammonia	mg/L	3.2	6	4-day	1*	835007
183	31-Oct-07	Ammonia	mg/L	1.1	3.8	Monthly	1*	835006
184	31-Oct-07	Ammonia	lbs/day	6.6	23	Monthly	1*	835008
185	30-Nov-07	Ammonia	mg/L	2.1	3.2	Monthly	1*	835009
186	30-Nov-07	Ammonia	lbs/day	15.8	20	Monthly	4*	835011
187	4-Dec-07	Ammonia	mg/L	3.83	5	1-hour	4*	765737
188	4-Dec-07	Ammonia	mg/L	4.48	5	4-day	4*	765738
189	11-Dec-07	Ammonia	mg/L	2.59	5.1	1-hour	1*	765740
190	11-Dec-07	Ammonia	mg/L	3.22	5.1	4-day	1*	765741
191	18-Dec-07	Ammonia	mg/L	3.83	4.7	1-hour	4*	765743
192	18-Dec-07	Ammonia	mg/L	4.48	4.7	4-day	4*	765745

	<u>Date</u>	<u>Violation Type</u>	<u>Units</u>	<u>Limit</u>	<u>Measured</u>	<u>Period Type</u>	<u>Remarks</u>	<u>CIWQS</u>
193	26-Dec-07	Ammonia	mg/L	4.64	9.3	1-hour	1*	765746
194	26-Dec-07	Ammonia	mg/L	5.24	9.3	4-day	1*	765747
195	26-Dec-07	Ammonia	lbs/day	39.3	65	4-day	1*	835012
196	31-Dec-07	Ammonia	mg/L	1.74	6	Monthly	1*	835014
197	31-Dec-07	Ammonia	lbs/day	13.1	38	Monthly	1*	835015
198	31-Jan-08	Ammonia	mg/L	4.4	6.4	Monthly	1*	765749
199	31-Jan-08	Ammonia	mg/L	33	34.2	Monthly	4*	835016
<b>200</b>	<b>29-Feb-08</b>	<b>Ammonia</b>	<b>mg/L</b>	<b>1.7</b>	<b>6.2</b>	<b>Monthly</b>	<b>1</b>	<b>759369</b>
<b>201</b>	<b>31-Mar-08</b>	<b>Ammonia</b>	<b>mg/L</b>	<b>3.8</b>	<b>5.4</b>	<b>Monthly</b>	<b>1</b>	<b>759405</b>
<b>202</b>	<b>15-Apr-08</b>	<b>Ammonia</b>	<b>mg/L</b>	<b>1.47</b>	<b>1.8</b>	<b>1-hour</b>	<b>4</b>	<b>765633</b>
<b>203</b>	<b>16-Apr-08</b>	<b>Aluminum</b>	<b>ug/L</b>	<b>87</b>	<b>473</b>	<b>4-day</b>	<b>1</b>	<b>765657</b>
<b>204</b>	<b>16-Apr-08</b>	<b>Aluminum</b>	<b>lbs/day</b>	<b>0.65</b>	<b>2.69</b>	<b>4-day</b>	<b>1</b>	<b>765658</b>
<b>205</b>	<b>30-Apr-08</b>	<b>Ammonia</b>	<b>mg/L</b>	<b>1.3</b>	<b>2.2</b>	<b>Monthly</b>	<b>1</b>	<b>765706</b>
<b>206</b>	<b>30-May-08</b>	<b>Ammonia</b>	<b>mg/L</b>	<b>1.9</b>	<b>2.2</b>	<b>Monthly</b>	<b>4</b>	<b>807062</b>
<b>207</b>	<b>31-Jul-08</b>	<b>Ammonia</b>	<b>mg/L</b>	<b>0.3</b>	<b>4.6</b>	<b>Monthly</b>	<b>1</b>	<b>807091</b>

Remarks:

1. Serious Violation: For Group I pollutants that exceed the effluent limitation by 40 percent or more.
2. Serious Violation: For Group II 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.

<b><u>VIOLATIONS AS OF:</u></b>	<b><u>12/31/2008</u></b>
Group I Serious Violations:	16
Group II Serious Violations:	0
Non-Serious Exempt from MPs:	2
Non-serious Violations Subject to MPs:	10
<b><u>Total Violations Subject to MPs:</u></b>	<b><u>26</u></b>

**Mandatory Minimum Penalty = (16 Serious Violations + 10 Non-Serious Violations) x \$3,000 = \$78,000**

\* Violations previously addressed in ACLO R5-2008-0535