

---

## Central Valley Regional Water Quality Control Board

18 December 2015

Michael M. Miller  
President  
Original Sixteen to One Mine, Inc.  
P.O. Box 909  
Alleghany, CA 95910

### ***NOTICE OF VIOLATION AND DRAFT RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES, ORIGINAL SIXTEEN TO ONE MINE, INC, SIXTEEN TO ONE MINE, SIERRA COUNTY***

The Original Sixteen to One Mine (Facility) is owned by Original Sixteen to One Mine, Inc. (Discharger) and is regulated by Waste Discharge Requirements (WDRs) Order R5-2015-0002 and Time Schedule Order (TSO) R5-2015-0035. As required by section 13385 of the California Water Code, the Central Valley Water Board must assess mandatory minimum penalties (MMPs) for violations of the effluent limitations contained in the WDRs.

Enclosed is a draft Record of Violations (ROV) that contains a listing of effluent limitation violations that have occurred at the Facility from 16 April 2015 through 30 September 2015. The ROV shows that the proposed mandatory minimum penalty is **\$6,000**.

Please note that the Discharger failed to submit the Second Quarter 2015 and Third Quarter 2015 self monitoring reports through the California Integrated Water Quality System (CIWQS). The WDRs require the Discharger to submit self monitoring reports using CIWQS. Section X.B.1 of the Monitoring and Reporting Program (MRP) states "*The Discharger shall electronically submit SMR's using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web Site*".

If you need Board staff's assistance in submitting self monitoring reports using CIWQS, or if you have any questions regarding the violations, please contact Alejandra Serratos at (916) 464-4634 or [aserratos@waterboards.ca.gov](mailto:aserratos@waterboards.ca.gov).

Please review the draft ROV for accuracy and submit any comments or corrections by **4 January 2016**.



KARI HOLMES, P.E.  
Senior Water Resources Control Engineer  
NPDES Compliance and Enforcement Unit

Enclosure: Attachment A

cc: Lori Okun, Office of Chief Council, State Water Resources Control Board, Sacramento  
Kailyn Ellison, Office of Enforcement, State Water Resources Control Board, Sacramento

**ATTACHMENT A  
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

**Original Sixteen to One Mine, Inc.  
Sixteen to One Mine**

RECORD OF VIOLATIONS (16 April 2015 – 30 September 2015) MANDATORY PENALTIES  
(Data reported under Monitoring and Reporting Program R5-2015-0002)

<u>Date</u>	<u>Parameter</u>	<u>Units</u>	<u>WDRs Limit</u>	<u>TSO Limit</u>	<u>Measured</u>	<u>Period</u>	<u>Remarks</u>	<u>CIWQS</u>
28-Apr-15	Antimony	µg/L	12	50	62.3	Daily Maximum	2	998935
28-Apr-15	Antimony	µg/L	6	50	62.3	Monthly Average	2	998936

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 180-day period, thus is not subject to mandatory minimum penalties. Penalties that may be assessed for this violation are discretionary. This violation is not addressed or resolved in this ROV.
4. Non-serious violation subject to mandatory minimum penalties.

<u>VIOLATIONS AS OF:</u>	<u>9/30/15</u>
Group I Serious Violations:	0
Group II Serious Violations:	2
Non-Serious Violations Not Subject to MMPs:	0
<u>Non-serious Violations Subject to MMPs:</u>	<u>0</u>
<b>Total Violations Subject to MMPs:</b>	<b>2</b>

**Mandatory Minimum Penalty = (2 Group II Serious Violations) x \$3,000 = \$6,000**