

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER COUNTY**

To: **BOARD OF SUPERVISORS** Date: **APRIL 6, 2010**

From: **JAMES DURFEE / WILL DICKINSON** *W.D.*

Subject: **PAYMENT OF AN ADMINISTRATIVE CIVIL LIABILITY FOR SEWER MAINTENANCE DISTRICT 1**

ACTION REQUESTED / RECOMMENDATION: No action is required. This informational item explains why Sewer Maintenance District 1 (SMD 1) in North Auburn was assessed a \$24,000 fine by the Central Valley Regional Water Quality Control Board (RWQCB).

BACKGROUND: SMD 1 provides sewer service to approximately 7,800 Equivalent Dwelling Units in the North Auburn area. Wastewater Treatment Plant 1, constructed in 1961, uses biological and filtration processes that cannot consistently meet all current regulatory standards defined in the permit for Plant 1 approved by the RWQCB in June 2005. Violations of the discharge standards included in the permit are subject to Mandatory Minimum Penalties (MMPs) of \$3,000 per violation.

On November 12, 2009, SMD 1 received an Administrative Civil Liability Complaint (ACLC) from the RWQCB for eleven discharge violations at Plant 1 from January 1 to August 31, 2009. Of these eleven discharge violations, eight are subject to MMPs. The ACLC included the assessment of \$24,000 in MMPs for these eight violations with a payment remittance deadline of December 14, 2009. Staff reviewed the ACLC and concluded that the RWQCB correctly assessed the MMPs. Payment was made on November 19, 2009.

All of the violations identified in the ACLC were for exceedances of the permit discharge standards for ammonia. In order to achieve long term compliance with these standards, staff is proceeding with the following tasks as directed by your Board:

- Finalizing the Request for Proposals (RFP) process for the final design and Environmental Impact Report for the upgrade and expansion of Plant 1.
- Continuing to explore opportunities for additional grant funding of the Regional Sewer Project.
- Requesting an extension of time for compliance with RWQCB permit requirements.

ENVIRONMENTAL CLEARANCE: Payment of an ACLC is not considered a project under the California Environmental Quality Act Guidelines.

FISCAL IMPACT: Funding for the \$24,000 ACLC came from the Fiscal Year 09/10 SMD 1 Operations Budget.

JD:WD:KS:LM

AVAILABLE FOR REVIEW AT THE DEPARTMENT OF FACILITY SERVICES: ACLC

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385

