

MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER COUNTY

To: BOARD OF SUPERVISORS

Date: JANUARY 25, 2011

From:  JAMES DURFEE / WILL DICKINSON 

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) was assessed a \$42,000 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 (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. Compliance schedules that provided the County protection from fines and third party lawsuits expired on March 1, 2010. Staff anticipates fines of approximately \$180,000 per year from now until September 2015. If compliance is not achieved by September 2015, fines could increase to \$2,500,000 per year.

On November 4, 2010, SMD 1 received an Administrative Civil Liability Complaint (ACLC) from the RWQCB for fourteen discharge violations at Plant 1 from March 1 to July 31, 2010. Each violation is subject to Mandatory Minimum Penalties (MMPs) of \$3,000 per violation. The ACLC included the assessment of \$42,000 in MMPs for these violations with a payment remittance deadline of December 6, 2010. Staff reviewed the ACLC and concluded that the RWQCB correctly assessed the MMPs. Payment was made on November 23, 2010.

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

- Plant Upgrade Project - This project would essentially build a new treatment plant on the Plant 1 site. This project is in the design process and has an estimated completion date of December 2014.
- Regionalization Project – This project would Regionalize Plant 1 flows and convey the wastewater to the City of Lincoln for treatment. The County is currently waiting for a proposal from the City of Lincoln outlining the project cost and schedule.

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

FISCAL IMPACT: Funding for the \$42,000 ACLC came from the Fiscal Year 10/11 SMD 1 Operations Budget.

JD:WD:KS:LM

AVAILABLE FOR REVIEW AT THE CLERK OF THE BOARD: ACLC

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