

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

To: **BOARD OF SUPERVISORS**

Date: **JANUARY 25, 2011**

From:  **JAMES DURFEE / WILL DICKINSON**

Subject: **PAYMENT OF AN ADMINISTRATIVE CIVIL LIABILITY FOR SEWER  
MAINTENANCE DISTRICT 3**

**ACTION REQUESTED / RECOMMENDATION:** No action is required. This informational item explains why Sewer Maintenance District 3 (SMD 3) was assessed a \$30,000 fine by the Central Valley Regional Water Quality Control Board (RWQCB).

**BACKGROUND:** SMD 3 provides sewer service to approximately 528 connections (615 EDUs) in the Horseshoe Bar area. Wastewater Treatment Plant 3 (Plant 3), constructed in 1962, uses biological, filtration, and disinfection processes that cannot meet current regulatory standards as defined in a new permit for Plant 3 approved by the RWQCB in June 2007.

On November 4, 2010, SMD 3 received an Administrative Civil Liability Complaint (ACLC) from the RWQCB for thirteen discharge violations at Plant 3 from September 2009 to July 2010. Ten of the violations are subject to Mandatory Minimum Penalties (MMPs) of \$3,000 each. The ACLC included the assessment of \$30,000 in MMPs for these ten violations with a payment remittance deadline of December 6, 2010. Staff reviewed the ACLC and concluded the RWQCB correctly assessed the MMPs. Payment was made on November 23, 2010.

The violations in the ACLC were primarily for exceedances of the metals and disinfection byproducts standards. More stringent standards for these constituents became effective in May 2010. This change in discharge requirements was outlined in the June 2007 permit, and staff anticipated Plant 3 would not comply. On January 8, 2008 your Board sent a letter to the RWQCB stating that the County intends to pursue regionalization by abandoning Plant 3 and constructing a pipeline to Roseville for treatment. The County is currently designing that project and preparing the required environmental documentation. Staff will be returning to your Board at a later date regarding funding of construction. Staff anticipates receiving approximately three to four fines per month until the project is complete.

Last May, the County submitted a request to the RWQCB to provide SMD 3 additional time to comply with the more stringent standards. Along with the request to the RWQCB, the County has worked to minimize fines through installation of additional equipment at Plant 3 that has improved ammonia removal and reduced the corresponding MMPs. A new filter is also under construction that will reduce the risk of exceeding a number of other discharge standards.

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

**FISCAL IMPACT:** Funding for the \$30,000 ACLC came from the Fiscal Year 2010/11 SMD 3 Operations Budget.

JD:WD:KS:LM

AVAILABLE FOR REVIEW AT THE CLERK OF THE BOARD: ACLC

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