

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.

JAN 30 2008

ENTERED DIRECTOR'S JOURNAL

In the Matter of:

Walnut Creek Sewer District
102 East Columbus Street
Pleasantville, Ohio 43148

:
:
:
:
:
:

Director's Final Findings
and Orders

Respondent

I certify this to be a true and accurate copy of the
official documents as filed in the records of the Ohio
Environmental Protection Agency.

PREAMBLE

It is agreed by the Parties hereto as follows:

By:  Date: 1-30-08

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to the Walnut Creek Sewer District ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("EPA") under Ohio Revised Code (R.C.) §§ 6111.03 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in the composition of Respondent shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in R.C. Chapters 6111 and 3745, and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA has made the following findings:

1. Respondent is a sewer district established under R.C. Chapter 6119 to provide for the collection, treatment, and disposal of sewage generated primarily in the

Villages of Thurston and Pleasantville in Walnut and Pleasant Townships,
Fairfield County, Ohio.

2. Respondent operates a wastewater treatment plant (WWTP) located east of Route 37 at 1700 Leitnaker Road, Pleasantville, Ohio. The WWTP consists of two oxidation ditches, two clarifiers, and ultraviolet disinfection prior to discharge. Sludge can be dried on two sand beds or routed into an aerobic digester for further processing prior to disposal. The WWTP is designed to treat 0.181 million gallons per day (MGD) of sewage.
3. Respondent holds a National Pollutant Discharge Elimination System (NPDES) permit, number 4PA00005*FD, effective May 1, 2003, which authorizes Respondent to discharge effluent from the WWTP to Pleasantville Creek. Pleasantville Creek flows into Walnut Creek. Pleasantville Creek and Walnut Creek are defined as "waters of the state" pursuant to R.C. § 6111.01. Respondent's NPDES permit expires on April 30, 2008. Respondent timely submitted an application for renewal of its NPDES permit on October 30, 2007.
4. Respondent also operates a separate sanitary sewer collection system tributary to the WWTP. The sanitary sewer collection system includes three lift stations. One serves Thurston, another serves Pleasantville, and the third is located on the north side of Leitnaker Road east of Millersport Road.
5. Numerous wet weather sanitary sewer overflows (SSOs) have occurred from an illegally installed overflow pipe in the Leitnaker Road lift station. These SSOs consist of untreated sanitary sewage which flows to an unnamed tributary of Pleasantville Creek. Untreated sanitary sewage is "pollution," as that term is defined in R.C. § 6111.01. The unnamed tributary of Pleasantville Creek and Pleasantville Creek are defined as "waters of the state" pursuant to R.C. § 6111.01.
6. Each day of discharge of sanitary sewage from the Leitnaker Road lift station to waters of the state without a valid NPDES permit for the discharge is a separate violation of R.C. §§ 6111.04 and 6111.07. The dates of SSOs known to Ohio EPA are listed in Attachment I. Attachment I is hereby incorporated into these Findings and Orders as if fully stated herein.
7. The discharge of pollutants into waters of the state in excess of the permissible limits of a NPDES permit is a violation of R.C. § 6111.04.
8. Ohio EPA inspected Respondent's WWTP on September 25, 2001, December

10, 2002, October 20, 2003, and November 18, 2004. Following these inspections, letters dated October 3, 2001, December 23, 2002, December 9, 2003, and December 9, 2004, along with inspection reports listing violations of Respondent's NPDES permit, were sent to Respondent.

9. Numerous violations of Respondent's NPDES permit effluent limitations for total suspended solids, ammonia, fecal coliform, dissolved oxygen, carbonaceous biochemical oxygen demand (CBOD5), and oil and grease have been documented by the Ohio EPA. These violations are listed in Attachment II. Each violation cited in Attachment II constitutes a separate violation of R.C. §§ 6111.04 and 6111.07. Attachment II is hereby incorporated into these Findings and Orders as if fully stated herein.
10. On at least three occasions, December 10, 2002, October 20, 2003, and October 18, 2004, a significant amount of sludge was discharged from the WWTP into Pleasantville Creek. The discharge of sludge into the creek is a violation of general effluent limitations contained in Part III.2. of Respondent's NPDES permit. Each day of violation constitutes a separate violation of R.C. §§ 6111.04 and 6111.07.
11. Respondent has failed to maintain and operate the WWTP and sanitary sewer collection system in a fashion necessary to ensure consistent compliance as required in Parts III.3.A. and III.3.B. of its NPDES permit. Failure to maintain the WWTP and the sanitary sewer collection system as required to ensure consistent compliance is a violation of R.C. § 6111.07. Each day of violation is a separate offense.
12. Pursuant to the schedule of compliance contained in Part I.C.2. of Respondent's NPDES permit, Respondent was required to submit to Ohio EPA a comprehensive maintenance/operational plan ("Plan") for its sanitary sewer system, including if necessary, WWTP improvements, within twelve months of the effective date of the permit, and to modify the Plan within one month of receipt of comments from Ohio EPA. Respondent timely submitted a plan. By letter dated June 14, 2005, Ohio EPA sent comments on the Plan to Respondent. Respondent subsequently modified and resubmitted the Plan in accordance with Ohio EPA's comments on April 7, 2006, October 5, 2006, and October 24, 2006.
13. On August 1, 2007, Respondent submitted an application for a permit to install ("PTI") approximately 3,000 feet of force main to separate flows from the Villages of Thurston and Pleasantville in order to eliminate the SSO at the Leitnaker Road

lift station. Respondent completed construction of the Leitnaker Road force main separation project in accordance with an approved PTI and placed the force main into operation on December 11, 2007.

14. R.C. § 6111.07(A) prohibits any person from violating, or failing to perform any duty imposed by sections 6111.01 to 6111.08 of the Revised Code or violating any order, rule, or term or condition of a permit issued or adopted by the Director of Environmental Protection pursuant to those sections. Each day of violation is a separate offense.
15. Based on the observed conditions and sampling results, it is necessary that sanitary sewer collection system and WWTP improvements be constructed, maintained, and operated in order to consistently protect public health and welfare and waters of the state.
16. Compliance with R.C. Chapter 6111 is not contingent upon the availability or receipt of financial assistance.
17. The following Orders do not constitute authorization or approval of the construction of any physical structure or facilities, or the modification of any existing treatment works or sanitary sewer collection system. Any such construction or modification is subject to the permit to install (PTI) requirements of R.C. §§ 6111.44 and 6111.45 and Ohio Administrative Code (OAC) Chapter 3745-42.
18. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with these Orders and to evidence relating to conditions calculated to result from compliance with these Orders, and their relation to the benefits to the people of the state to be derived from such compliance in accomplishing the purposes of R.C. Chapter 6111.

V. ORDERS

1. Respondent shall operate and maintain its sanitary sewer system and WWTP in accordance with all requirements in its NPDES permit, 4PA00005*FD, and any successor permits, and R.C. Chapter 6111.
2. Respondent shall install an equalization ("EQ") basin and a new updated headworks for the WWTP as expeditiously as practicable, but not later than the following schedule:

- a. By no later than March 15, 2008, Respondent shall submit a complete and approvable revised PTI application and detailed plans for the EQ basin and new updated headworks.
 - b. Respondent shall submit corrections to address any deficiencies in the PTI application referenced in Order No. 2.a. of these Orders to Ohio EPA, in accordance with Section X. of these Orders, within thirty (30) days of notification by letter from Ohio EPA of any deficiencies.
 - c. By no later than August 1, 2008, Respondent shall commence construction of the EQ basin and new updated headworks in accordance with the approved PTI.
 - d. By no later than February 27, 2009, Respondent shall complete construction of the EQ basin and new updated headworks in accordance with the approved PTI and place them into service.
 - e. Respondent shall notify the Central District Office of Ohio EPA, in accordance with Section X. of these Orders, within seven (7) days of commencing construction.
 - f. Respondent shall notify the Central District Office of Ohio EPA, in accordance with Section X. of these Orders, within seven (7) days of completion of construction.
3. During periods of elevated flow into the WWTP, Respondent shall operate its sanitary sewer collection system and WWTP in the best practicable manner to minimize detrimental impact of such flow on both the WWTP and waters of the state, including but not limited to Pleasantville Creek.
 4. Respondent shall report all SSO discharges in accordance with Part III.12 of Respondent's NPDES permit.
 5. Respondent shall eliminate all SSO discharges from its sanitary sewer collection system and WWTP by no later than December 31, 2011.
 6. Respondent shall further minimize infiltration and inflow ("I&I") of ground and surface water into its sanitary sewer collection system to the extent necessary to provide consistent compliance with Respondent's NPDES permit and any renewals thereof. This work must occur as soon as possible, but not later than

the dates contained in the following schedule:

- a. By February 15, 2008, Respondent shall commence field work to determine sources of I&I, initiate review of data and a rate study to determine the appropriate rate structure to operate the WWTP and sanitary sewer collection system and to fund the I&I elimination projects.
- b. By no later than August 29, 2008, Respondent shall complete the work in Order No. 6.a., and submit the results of its I&I investigation and recommendations for three phases of sewer system construction and repair ("I&I remediation plan") to the Central District Office of Ohio EPA, in accordance with Section X. of these Orders, for review and comment.
- c. Within thirty (30) days of receipt of any written comments from the Division of Surface Water in the Central District Office of Ohio EPA regarding the I&I remediation plan submitted in accordance with Order No. 6.b., Respondent shall address the comments and resubmit the revised I&I remediation plan to the Central District Office of Ohio EPA, in accordance with Section X. of these Orders.
- d. Following receipt of written acceptance of the I&I remediation plan by the Division of Surface Water in the Central District Office of Ohio EPA, Respondent shall implement the plan as expeditiously as practicable, but not later than the dates in Orders Nos. 6.e. through 6.j.
- e. By no later than July 31, 2009, Respondent shall award contracts for Phase 1 of the I&I remediation plan and commence construction of Phase 1 work.
- f. By no later than December 31, 2009, Respondent shall complete construction of Phase 1 of the I&I remediation plan.
- g. By no later than July 31, 2010, Respondent shall award contracts for Phase 2 of the I&I remediation plan and commence construction of Phase 2 work.
- h. By no later than December 31, 2010, Respondent shall complete construction of Phase 2 of the I&I remediation plan.
- i. By no later than July 31, 2011, Respondent shall award contracts for Phase 3 of the I&I remediation plan and commence construction of Phase

3 work.

- j. By no later than December 31, 2011, Respondent shall complete construction of Phase 3 of the I&I remediation plan.
 - k. Respondent shall notify the Central District Office of Ohio EPA, in accordance with Section X. of these Orders, within seven (7) days of commencing field work, review of data, and the rate study.
 - l. Respondent shall notify the Central District Office of Ohio EPA, in accordance with Section X. of these Orders, within seven (7) days of commencing construction of each phase of the I&I remediation plan.
 - m. Respondent shall notify the Central District Office of Ohio EPA, in accordance with Section X. of these Orders, within seven (7) days of completion of construction of each phase of the I&I remediation plan.
7. Respondent shall dispose of sludge from the WWTP in an acceptable fashion as frequently as necessary to prevent the discharge of sludge to waters of the state. Acceptable sludge disposal options include disposal at another WWTP, disposal at a landfill, and disposal by land application at agronomic rates on authorized sites. If Respondent chooses land application for sludge disposal, then such disposal must be in compliance with the requirements contained in OAC Chapter 3745-40.
8. Respondent shall pay the amount of thirty thousand dollars (\$30,000.00) in settlement of Ohio EPA's claim for civil penalties, which may be assessed pursuant to ORC Chapter 6111. Twelve thousand dollars (\$12,000.00) of the penalty shall be paid by tendering official checks made payable to "Treasurer, State of Ohio" in accordance with the schedule below. The official checks shall be submitted to Brenda Case, or her successor, together with letters identifying the Respondent, to:
- Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049
- a) Within sixty (60) days after the effective date of these Orders, Respondent shall pay to Ohio EPA the amount of three thousand dollars (\$3,000.00).

- b) Within one hundred fifty (150) days after the effective date of these Orders, Respondent shall pay to Ohio EPA the amount of three thousand dollars (\$3,000.00).
 - c) Within two hundred forty (240) days after the effective date of these Orders, Respondent shall pay to Ohio EPA the amount of three thousand dollars (\$3,000.00).
 - d) Within three hundred sixty (360) days after the effective date of these Orders, Respondent shall pay to Ohio EPA the amount of three thousand dollars (\$3,000.00).
9. In lieu of paying three thousand dollars (\$3,000.00) of civil penalty, Respondent shall within thirty (30) days of the effective date of these Orders, fund a Supplemental Environmental Project (SEP) by making a contribution in the amount of three thousand dollars (\$3,000.00) to the Ohio EPA's Clean Diesel School Bus Fund (Fund 5CD). Respondent shall tender an official check made payable to "Treasurer, State of Ohio" for three thousand dollars (\$3,000.00). The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent to:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

Photocopies of all of the checks shall be sent to Ohio EPA in accordance with Section X. of these Orders.

10. In lieu of paying the remaining fifteen thousand dollars (\$15,000.00) of the civil penalty, Respondent shall carry out another SEP by spending a minimum of fifteen thousand dollars (\$15,000.00) of Respondent's money to perform the field work to determine sources of I&I in its sanitary sewer system and/or for construction of Phase 1 of the remediation plan. The I&I field work and construction of Phase 1 of the remediation plan shall commence and be completed as expeditiously as practicable, but no later than the dates in Order No. 6, which is a schedule faster than previously intended by Respondent. Respondent shall submit to Ohio EPA, in accordance with Section X. of these Orders, documentation of the expenditure of a minimum of fifteen thousand dollars (\$15,000.00) of Respondent's money for the field work to determine sources of I&I in its sanitary sewer system and/or for construction of Phase 1 of

the remediation plan within thirty (30) days of expenditure of this money or by December 31, 2009, whichever is earlier.

11. Should Respondent fail to fund the SEP in Order No. 9 within the required time frame set forth in Order No. 9, Respondent shall immediately pay to Ohio EPA three thousand dollars (\$3,000.00) of the civil penalty .by tendering an official check made payable to "Treasurer, State of Ohio" for three thousand dollars (\$3,000.00). The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent to:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

A photocopy of the check shall be sent to Ohio EPA in accordance with Section X. of these Orders.

12. Should Respondent fail to fund the SEP in Order No. 10 within the required time frame set forth in Order No. 10, by no later than January 31, 2010, Respondent shall pay to Ohio EPA the unspent portion of the fifteen thousand dollars (\$15,000.00) of the civil penalty by tendering an official check made payable to "Treasurer, State of Ohio" for the amount of the unspent portion of the fifteen thousand dollars (\$15,000.00). The official check shall be submitted to Brenda Case, or her successor, together with a letter identifying the Respondent to:

Ohio EPA
Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

A photocopy of the check shall be sent to Ohio EPA in accordance with Section X. of these Orders.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders and the Chief of Ohio EPA's Division

of Surface Water acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed; then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "I certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by Respondent to Ohio EPA and shall be signed by a responsible official of the Respondent. For purposes of these Orders, a responsible official is as defined in OAC Rule 3745-33-03(D)(4) for a municipal, state, or other public facility.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to activities occurring on or at Respondent's WWTP or sanitary sewer collection system.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Walnut Creek Sewer District
Director's Final Findings and Orders
Page 11 of 13

Ohio Environmental Protection Agency
Central District Office
Division of Surface Water
Attn: DSW Enforcement Unit Supervisor
122 South Front Street
Columbus, Ohio 43215

and to:

Ohio Environmental Protection Agency
Lazarus Government Center
Division of Surface Water
Attn: Manager, Storm water and Enforcement Section
50 West Town Street, Suite 700 [P.O. Box 1049]
Columbus, Ohio 43215 [43216-1049]

[For mailings use the post office box number and zip code in brackets]

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

XI. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

XII. WAIVER

In order to resolve disputed claims, without admission of fact, violation or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these

Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XIII. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIV. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

**IT IS SO ORDERED AND AGREED:
Ohio Environmental Protection Agency**

Chris Korleski
Chris Korleski
Director

1/28/08
Date

**IT IS SO AGREED:
Walnut Creek Sewer District**

JANIS Z JANIS
Signature

1-17-2008
Date

JANIS Z JANIS
Printed or Typed Name

PRESIDENT
Title

**Attachment I
Walnut Creek Sewer District**

Reported SSO events (04/11/01 - 12/31/07) and oxidation ditch rotor shutdown events

<u>Date</u>	<u>Location/volume (est. gal.)/reason</u>	<u>WWTP oxid. ditch rotor shutdown events/reason</u>
4/11/01	Leitnaker Rd. 100,000	wet weather
12/20-22/02		X wet weather
2/22-25/03		X wet weather
7/16/03		X wet weather
1/4-5/04		X wet weather
6/12/04	Leitnaker Rd. 10,000	force main air-lock
7/31/04	Leitnaker Rd. 16,146	wet weather/faulty equip.
	Thurston 10,000	wet weather/faulty equip.
12/23-25/04	Leitnaker Rd. 220,000	wet weather/power failure
1/4-5/05	Leitnaker Rd. 125,000	wet weather/power failure
1/11-13/05	Leitnaker Rd. 209,000	wet weather/power failure
3/28-29/05	Leitnaker Rd. 20-30,000	wet weather X wet weather
4/2/05	Leitnaker Rd. 2,500	wet weather
4/2-3/05		X wet weather
11/16/05	Leitnaker Rd.	wet weather
3/10/06	Leitnaker Rd.	electrical power loss
3/12-14/06	Leitnaker Rd. 180,000	wet weather
3/15/06	Leitnaker Rd.	wet weather
1/13-16/07	Leitnaker Rd. 200,000	wet weather
1/14/07	St.Rt. 256 100,000	force main release valve failure
2/14-15/07	Leitnaker Rd. 70,000	power failure
3/15-16/07	Leitnaker Rd. 100,000	wet weather

**Attachment II
Walnut Creek Sewer District
Effluent Limitation Violations**

Permit No.	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
4PA00005*ED	March 2003	001	00530	Total Suspended Solids	7D Conc	30	45.	3/8/2003
4PA00005*ED	March 2003	001	00530	Total Suspended Solids	30D Qty	14	14.6015	3/1/2003
4PA00005*ED	March 2003	001	00530	Total Suspended Solids	7D Conc	30	38.	3/22/2003
4PA00005*ED	March 2003	001	00530	Total Suspended Solids	7D Qty	21	21.9208	3/22/2003
4PA00005*ED	March 2003	001	00530	Total Suspended Solids	30D Conc	20	33.1428	3/1/2003
4PA00005*ED	April 2001	Stat	00300	Dissolved Oxygen	1 D Conc	5	4.17	4/10/2001
4PA00005*ED	April 2001	Stat	00300	Dissolved Oxygen	1 D Conc	5	3.42	4/11/2001
4PA00005*ED	April 2001	Stat	00530	Total Suspended Solids	7 D Qty	21	31.07	4/8/2001
4PA00005*ED	October 2002	Stat	00530	Total Suspended Solids	7 D Qty	21	30.5071	10/1/2002
4PA00005*ED	December 2002	Stat	00530	Total Suspended Solids	7 D Conc	30	35	12/22/2002
4PA00005*ED	January 2003	001	00530	Total Suspended Solids	7D Conc	30	59.5	1/22/2003
4PA00005*ED	January 2003	001	00530	Total Suspended Solids	30D Conc	20	22.1	1/1/2003
4PA00005*ED	February 2003	001	00530	Total Suspended Solids	7D Conc	30	34.	2/8/2003
4PA00005*FD	July 2003	001	00530	Total Suspended Solids	7D Conc	30	31.	7/1/2003
4PA00005*FD	March 2004	001	80082	CBOD 5 day	30D Conc	16	16.4888	3/1/2004
4PA00005*FD	July 2004	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	27.9	7/1/2004
4PA00005*FD	July 2004	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	1.0	11.0881	7/1/2004
4PA00005*FD	July 2004	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	23.55	7/1/2004
4PA00005*FD	July 2004	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	19.2	7/15/2004
4PA00005*FD	July 2004	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.7	9.97707	7/1/2004
4PA00005*FD	July 2004	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	1.0	8.86598	7/15/2004
4PA00005*FD	July 2004	001	31616	Fecal Coliform	7D Conc	2000	5083.	7/1/2004
4PA00005*FD	July 2004	001	31616	Fecal Coliform	7D Conc	2000	2315.	7/8/2004
4PA00005*FD	July 2004	001	31616	Fecal Coliform	7D Conc	2000	4700.	7/22/2004

**Attachment II
Walnut Creek Sewer District
Effluent Limitation Violations**

Permit No.	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
4PA00005*FD	June 2004	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	18.6	6/8/2004
4PA00005*FD	June 2004	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	8.02571	6/8/2004
4PA00005*FD	June 2004	001	00610	Nitrogen, Ammonia (NH3	30D Conc	1.0	20.7	6/1/2004
4PA00005*FD	June 2004	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	22.8	6/22/2004
4PA00005*FD	June 2004	001	00610	Nitrogen, Ammonia (NH3	30D Qty	0.7	9.92427	6/1/2004
4PA00005*FD	June 2004	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	11.8228	6/22/2004
4PA00005*FD	May 2004	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	1.55	5/8/2004
4PA00005*FD	May 2004	001	00610	Nitrogen, Ammonia (NH3	30D Conc	1.0	2.27767	5/1/2004
4PA00005*FD	May 2004	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	4.29	5/22/2004
4PA00005*FD	May 2004	001	00610	Nitrogen, Ammonia (NH3	30D Qty	0.7	1.30699	5/1/2004
4PA00005*FD	May 2004	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	2.58179	5/22/2004
4PA00005*FD	August 2004	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	7.2	8/1/2004
4PA00005*FD	August 2004	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	4.41482	8/1/2004
4PA00005*FD	August 2004	001	00610	Nitrogen, Ammonia (NH3	30D Conc	1.0	11.2	8/1/2004
4PA00005*FD	August 2004	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	15.2	8/15/2004
4PA00005*FD	August 2004	001	00610	Nitrogen, Ammonia (NH3	30D Qty	0.7	5.40044	8/1/2004
4PA00005*FD	August 2004	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	6.38605	8/15/2004
4PA00005*FD	August 2004	001	31616	Fecal Coliform	7D Conc	2000	3533.	8/1/2004
4PA00005*FD	October 2004	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	2.	10/1/2004
4PA00005*FD	October 2004	001	00610	Nitrogen, Ammonia (NH3	30D Conc	1.0	2.15	10/1/2004
4PA00005*FD	October 2004	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	2.3	10/15/2004
4PA00005*FD	October 2004	001	00610	Nitrogen, Ammonia (NH3	30D Qty	0.7	1.20704	10/1/2004
4PA00005*FD	October 2004	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	1.61922	10/15/2004

**Attachment II
Walnut Creek Sewer District
Effluent Limitation Violations**

Permit No.	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
4PA00005*FD	September 2004	001	00300	Dissolved Oxygen	1D Conc	5.0	3.6	9/13/2004
4PA00005*FD	September 2004	001	00530	Total Suspended Solids	7D Conc	30	52.	9/8/2004
4PA00005*FD	September 2004	001	00530	Total Suspended Solids	7D Qty	21	36.4268	9/8/2004
4PA00005*FD	September 2004	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	13.4	9/8/2004
4PA00005*FD	September 2004	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	1.0	9.02798	9/8/2004
4PA00005*FD	September 2004	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	7.75	9/1/2004
4PA00005*FD	September 2004	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	2.1	9/22/2004
4PA00005*FD	September 2004	001	00610	Nitrogen, Ammonia (NH3)	30D Qty	0.7	5.06244	9/1/2004
4PA00005*FD	September 2004	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	1.0	1.09689	9/22/2004
4PA00005*FD	September 2004	001	80082	CBOD 5 day	7D Conc	24	27.2	9/8/2004
4PA00005*FD	September 2004	001	80082	CBOD 5 day	7D Qty	16	20.9545	9/8/2004
4PA00005*FD	January 2005	001	00530	Total Suspended Solids	7D Conc	30	48.5	1/8/2005
4PA00005*FD	January 2005	001	00530	Total Suspended Solids	7D Qty	21	67.7533	1/8/2005
4PA00005*FD	January 2005	001	00530	Total Suspended Solids	30D Qty	14	22.5094	1/1/2005
4PA00005*FD	November 2004	001	00530	Total Suspended Solids	7D Conc	30	33.5	11/22/2004
4PA00005*FD	November 2004	001	00530	Total Suspended Solids	7D Qty	21	24.2467	11/22/2004
4PA00005*FD	March 2005	001	00300	Dissolved Oxygen	1D Conc	5.0	2.56	3/28/2005
4PA00005*FD	February 2005	001	00530	Total Suspended Solids	7D Conc	30	366.	2/1/2005
4PA00005*FD	February 2005	001	00530	Total Suspended Solids	7D Qty	21	192.859	2/1/2005
4PA00005*FD	February 2005	001	00530	Total Suspended Solids	30D Conc	20	85.7777	2/1/2005
4PA00005*FD	February 2005	001	00530	Total Suspended Solids	30D Qty	14	46.0922	2/1/2005
4PA00005*FD	February 2005	001	80082	CBOD 5 day	7D Conc	24	190.	2/1/2005
4PA00005*FD	February 2005	001	80082	CBOD 5 day	7D Qty	16	99.6844	2/1/2005
4PA00005*FD	February 2005	001	80082	CBOD 5 day	30D Conc	16	51.25	2/1/2005
4PA00005*FD	February 2005	001	80082	CBOD 5 day	30D Qty	11	27.6244	2/1/2005
4PA00005*FD	June 2005	001	00556	Oil and Grease, Freon	1D Conc	10	10.99	6/23/2005

Attachment II
Walnut Creek Sewer District
Effluent Limitation Violations

Permit No.	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
4PA00005*FD	August 2005	001	00530	Total Suspended Solids	30D Qty	14	16.2012	8/1/2005
4PA00005*FD	September 2005	001	00610	Nitrogen, Ammonia (NH3)	7D Conc	1.5	4.37	9/15/2005
4PA00005*FD	September 2005	001	00610	Nitrogen, Ammonia (NH3)	7D Qty	1.0	1.6987	9/15/2005
4PA00005*FD	September 2005	001	00610	Nitrogen, Ammonia (NH3)	30D Conc	1.0	1.62933	9/1/2005

Walnut Creek Sewer District Effluent Limitations Violations 9/1/05 - 11/30/07

Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
4PA00005*FD	September 2005	001	00610	Nitrogen, Ammonia (NH3	30D Conc	1.0	1.62933	9/1/2005
4PA00005*FD	September 2005	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	4.37	9/15/2005
4PA00005*FD	September 2005	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	1.6987	9/15/2005
4PA00005*FD	January 2007	001	00300	Dissolved Oxygen	1D Conc	5.0	3.99	1/15/2007
4PA00005*FD	January 2007	001	00300	Dissolved Oxygen	1D Conc	5.0	4.7	1/16/2007
4PA00005*FD	June 2006	001	00610	Nitrogen, Ammonia (NH3	30D Conc	1.0	4.07167	6/1/2006
4PA00005*FD	June 2006	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	11.7	6/22/2006
4PA00005*FD	June 2006	001	00610	Nitrogen, Ammonia (NH3	30D Qty	0.7	2.00094	6/1/2006
4PA00005*FD	June 2006	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	5.76584	6/22/2006
4PA00005*FD	June 2006	001	00300	Dissolved Oxygen	1D Conc	5.0	4.95	6/20/2006
4PA00005*FD	June 2006	001	00300	Dissolved Oxygen	1D Conc	5.0	4.86	6/21/2006
4PA00005*FD	March 2007	001	00530	Total Suspended Solids	7D Conc	30	45.5	3/1/2007
4PA00005*FD	March 2007	001	00530	Total Suspended Solids	30D Qty	14	17.7468	3/1/2007
4PA00005*FD	March 2007	001	00530	Total Suspended Solids	7D Qty	21	55.2331	3/1/2007
4PA00005*FD	September 2006	001	00530	Total Suspended Solids	30D Qty	14	15.1754	9/1/2006
4PA00005*FD	September 2006	001	00530	Total Suspended Solids	7D Qty	21	38.0858	9/8/2006
4PA00005*FD	September 2006	001	31616	Fecal Coliform	7D Conc	2000	7750.	9/8/2006
4PA00005*FD	September 2006	001	80082	CBOD 5 day	7D Qty	16	17.5923	9/8/2006
4PA00005*FD	September 2007	001	00610	Nitrogen, Ammonia (NH3	30D Conc	1.0	10.29	9/1/2007
4PA00005*FD	September 2007	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	5.58	9/8/2007
4PA00005*FD	September 2007	001	00610	Nitrogen, Ammonia (NH3	7D Conc	1.5	15.	9/22/2007
4PA00005*FD	September 2007	001	00610	Nitrogen, Ammonia (NH3	30D Qty	0.7	5.06217	9/1/2007
4PA00005*FD	September 2007	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	2.47108	9/8/2007
4PA00005*FD	September 2007	001	00610	Nitrogen, Ammonia (NH3	7D Qty	1.0	7.65327	9/22/2007
4PA00005*FD	August 2007	001	00610	Nitrogen, Ammonia (NH3	30D Conc	1.0	1.76367	8/1/2007
4PA00005*FD	August 2007	001	00610	Nitrogen, Ammonia (NH3	30D Qty	0.7	.79246	8/1/2007

