

UTILITY COMMISSION
ENFORCEMENT RESPONSE PLAN
INDUSTRIAL WASTE CONTROL SECTION

OTHER VIOLATIONS

| Type of Violation | Initial Action | Timeframe | Official | User Response | Escalated Action if Needed | Official |
|--|---|--|--------------------------------|---------------------------------------|--|--------------------------------|
| Failure to Provide Information By Due Date | Notice of Violation (NOV) | Within 14 Days of Due Date | Utility Plant Supervisor / IWC | Submit Requested Information | 2nd NOV with Penalty of 0 to \$1,000 | Utility Plant Supervisor / IWC |
| Failure to Collect and Analyze Self Monitoring Samples | Notice of Violation (NOV) | Monthly OR Once in Six Month Period | Utility Plant Supervisor / IWC | Conduct Missed Sampling/ Testing | 2nd NOV with Penalty of 0 to \$1,000 | Utility Plant Supervisor / IWC |
| Reporting Violation Late Reports | Notice of Violation (NOV) | Monthly OR Once in Six Month Period | Utility Plant Supervisor / IWC | Submit Report | 2nd NOV with Penalty of 0 to \$1,000 Possible SNC if Over 30 Days | Utility Plant Supervisor / IWC |
| Reporting Violations Incomplete OR Inaccurate Reports | Notice of Violation (NOV) | Monthly OR Once in Six Month Period | Utility Plant Supervisor / IWC | Submit Revised Report | 2nd NOV with Penalty of 0 to \$1,000 | Utility Plant Supervisor / IWC |
| Reporting Violations Intentional Falsification | Referred to District Attorney | As Soon As Reasonable Suspicion | Director of Utilities | | | |
| Violation of Permit Conditions | NOV with Penalty of 0 to \$25,000 Per Day Per Violation | Monthly OR Once in Each Six Month Period | Utility Plant Supervisor / IWC | Varies 2nd NOV with Increased Penalty | | |

OTHER VIOLATIONS CONTINUED

| Type of Violation | Initial Action | Timeframe | Official | User Response | Escalated Action if Needed | Official |
|--|---|--|--------------------------|---|---|-----------------------|
| Violation of Permit Conditions (Endangerment) | Suspend Service NOV With Penalty Up to \$25,000 Per Day Per Violation | Suspend Service Immediately NOV Within 14 Days | Director of Utilities | Steps Taken to Avoid Reoccurrence | | |
| Violation of Enforcement Order Conditions OR Limits | NOV With Penalty Stipulated in Order OR Same Type in ERP | Within Timeframe Listed in Order OR Same Type in ERP | Director of Public Works | Additional Monitoring and Steps to Avoid Reoccurrence | Same as Escalated Action in ERP or Possible Revocation of Order | Director of Utilities |
| Failure to Meet a Milestone Date in an Enforcement Order (Does not Affect Other Dates) | NOV With Penalty Stipulated in Order | Within 14 Days of Discovery | Director of Utilities | Submit a Schedule to Complete the Requirement | Show Cause Hearing | |
| Failure to Meet a Milestone Date in an Enforcement Order (Affects Other Dates) | Show Cause Hearing With Penalty Stipulated in Order | Within 30 Days of Discovery | Director of Utilities | Negotiate New Order and Abide by New Conditions | Possible Termination of Service | Director of Utilities |
| Failure to Meet Final Compliance Date | NOV With Penalty Stipulated in Order | Within 14 Days of Discovery | Director of Utilities | Document Compliance | Possible Termination of Service | Director of Utilities |