

LIMITATIONS FOR PROTECTION OF HUMAN HEALTH –  
CARCINOGENS

| <u>Parameter</u> | <u>Units</u> | <u>30-day Average</u> |
|------------------|--------------|-----------------------|
| Aldrin           | ng/l         | 2.6                   |

12. Effluent Limitation Violations

According to monitoring reports submitted by the Discharger for the period from March 1, 2005, through December 31, 2007, the Discharger exceeded effluent limitations twenty-nine times. Eight of the exceedances are serious violations in accordance with Water Code section 13385, subdivision (h). Twenty-one of the exceedances are chronic violations in accordance with Water Code section 13385, subdivision (i)(1). The mandatory minimum penalty amount for these violations under 13385, subdivisions (h) and (i), is \$72,000 and the maximum penalty amount under 13385 (c), computed without regard to statutory criteria for assessing civil penalties, is \$59,297,999,000 as shown in the following table:

| <b>Effluent limitation Exceedances<br/>March 1, 2005 through December 31, 2007</b> |  |                       |   |  |   |  |
|--|--|-----------------------|---|--|---|--|
| <b>Date</b>  | <b>Violation</b>                                     | <b>Reported Value</b> | <b>Mandatory Minimum Penalty, and Maximum Discretionary</b> | <b>Number of Days Used for Assessing Maximum Liability</b> | <b>Amount Discharged in Excess of 1,000 Gal, and Not Cleaned Up</b> | <b>Maximum Potential Penalty, \$10,000 /day and \$10 per gallon discharged</b> |
| 04/30/05   | Exceeded Monthly Average BOD Limit of 11,270 lbs/day | 11,735 lbs/day        | 1 <sup>st</sup> chronic<br>\$0                              | 30   | 418,799,000 Gallons   | \$4,188,000,000  |
| 05/31/05   | Exceeded Monthly Average BOD limit of 11,270 lbs/day | 14,460 lbs/day        | 2 <sup>nd</sup> chronic<br>\$0                              | 31   | 436,099,000 Gallons   | \$4,361,000,000  |
| 05/22/05   | Exceeded Daily Maximum BOD limit of 21,630 lbs/day   | 23,878 lbs/day        | 3 <sup>rd</sup> chronic<br>\$0                              | 1  | 14,299,000 Gallons  | \$143,000,000  |
| 07/14/05   | Exceeded Daily Maximum AOX limit of 20 ug/l          | 30 ug/l               | Serious<br>\$3,000  | 1  | 13,599,000 Gallons  | \$136,000,000  |
| 09/30/05   | Exceeded Monthly Average BOD limit of 11,270 lbs/day | 12,093 lbs/day        | Chronic<br>\$3,000  | 30   | 448,999,000 Gallons   | \$4,490,290,000  |
| 10/31/05   | Exceeded Monthly Average BOD limit of 11,270 lbs/day | 12,488 lbs/day        | Chronic<br>\$3,000  | 31   | 479,969,000   | \$4,799,690,000  |