



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

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- 7 OCT 2008

Reply To: OCE-133

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

The Honorable John Miller
Mayor of Salmon
200 Main Street
Salmon, Idaho 83467

Re: City of Salmon, NPDES Permit Number ID-002000-1

Dear Mayor Miller:

On August 21, 2007, the U.S. Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) Permit to the City of Salmon, Idaho, (City) wastewater treatment facility (Facility), NPDES Permit Number ID-002000-1 (Permit). The purpose of this letter is to notify you of violations that EPA discovered after reviewing the Discharge Monitoring Reports (DMRs) submitted by the City and during an inspection of the Facility.

Review of Facility DMRs

EPA has reviewed the DMRs from October 2007 to July 2008 and identified effluent limitation exceedances that constitute more than 120 violations of the Clean Water Act, 33 U.S.C. § 1251 *et seq.* A list of these violations is enclosed.

May 2008 Inspection

The Idaho Department of Environmental Quality (IDEQ) also conducted an inspection of the Facility on May 28, 2008. The purpose of the inspection was to gather information regarding the City's operation of the Facility as part of an overall and ongoing evaluation of the Permit compliance status of the Facility.

The following violations were noted during the inspection:

Violations

- 1) Part I.B (Table 1) of the Permit specifies that the permittee must collect 24-hour composite samples in the influent once per week for biochemical oxygen demand (BOD)

and total suspended solids (TSS). At the time of the inspection, the City was collecting grab not composite samples. This is a violation of Part I.B of the Permit.

Based on recent conversations with Mr. Harry Shanafelt, Wastewater Superintendent, we understand the City has not developed a Quality Assurance Plan (QAP) in accordance with Part II.B of the Permit. The City must develop a QAP for all monitoring required by the Permit. Any existing QAP may be modified, and an updated QAP must be completed by December 30, 2007. Written notification of the completion of an updated QAP must be sent to EPA and the IDEQ by December 30, 2007. To date, the City has not provided any notification to EPA regarding the updated QAP. Failure to develop a QAP is a violation of Part II.B of the Permit. In addition, failure to follow EPA approved quality assurance/quality control (QA/QC) procedures may yield sample results that are not representative of the volume and nature of the monitored discharge. Nonrepresentative sampling is a violation of Part III.A of the Permit.

Although EPA's goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the Facility. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions which may include monetary penalties to address these and any other violations.

Should you have questions or comments regarding this letter, please feel free to contact David Domingo, Compliance Officer, at (206) 553-0531.

Sincerely,



Michael A. Bussell, Director
Office of Compliance and Enforcement

Enclosure

cc: Harry Shanafelt, Wastewater Superintendent
Mickey Verbeck, Public Works Director
Rick Huddleston, IDEQ – Boise
William Teuscher, IDEQ – Idaho Falls

ENCLOSURE

PERMIT VIOLATIONS – ID-002000-1 (City of Salmon, ID Wastewater Treatment Facility)

Month	Pollutant	Effluent Limitation	Value Reported in DMR	Limit Type
December 2007	TSS percent removal	85%	83%	Monthly Average
March 2008	TSS percent removal	85%	81%	Monthly Average
April 2008	TSS percent removal	85%	74%	Monthly Average
April 2008	TSS	30 mg/l	31 mg/l	Monthly Average

