

Doc Number: **0823018**

05/06/2013 01:12 PM

OFFICIAL RECORDS

Requested By:
DC/PUBLIC WORKS

DOUGLAS COUNTY RECORDERS
Karen Ellison - Recorder

Page: 1 of 3 Fee: \$ 0.00
Bk: 0513 Pg: 1122



Deputy. sd

Assessor's Parcel Number: N/A

Date: MAY 6, 2013

Recording Requested By:

Name: EILEEN CHURCH, PUBLIC WORKS
(CR)

Address: _____

City/State/Zip: _____

Real Property Transfer Tax: \$ N/A

SETTLEMENT AGREEMENT #2013.081

(Title of Document)

IN THE MATTER OF)
ZWUD PWS SETTLEMENT AGREEMENT)
April 15, 2013)
Page 1 of 2)

FILED
NO. 2013.081
2013 MAY -6 AM 10:37

SETTLEMENT AGREEMENT

TED THUAN
CLERK
[Signature]
DEPUTY

This Settlement Agreement is issued under the authority vested in the Administrator of the Nevada Division of Environmental Protection (NDEP) of the State Department of Conservation and Natural Resources through Nevada Revised Statutes (NRS) 445A.925 to enforce the provisions of NRS 445A.800 to 445A.955, inclusive, and regulations adopted pursuant thereto.

IT IS HEREBY AGREED:

1. For resolution of the July 25, 2012 Finding of Alleged Violation (FOAV) and Administrative Order, Zephyr Cove Water Utility District (ZWUD) Public Water System (PWS), will remit an administrative fine of \$20,625 to the NDEP.

ZWUD PWS is also committed to completing the items below on a schedule to be negotiated between the Bureau of Safe Drinking Water (BSDW) and Douglas County with subsequent documentation from Douglas County verifying completion:

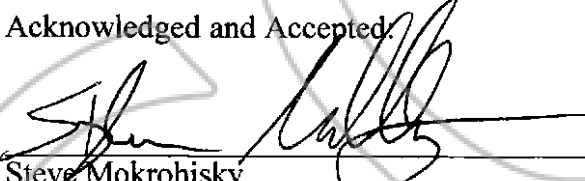
2. Report to the BSDW when Douglas County has obtained a new Public Works Superintendent and when that person has reported for work. Provide a follow-up report to the "Douglas County Public Works Utility Division, Manpower Analysis", dated August 17, 2012. The BSDW is particularly interested in whether or not any staffing changes have been, or will be, made in reaction to the analysis. The report would include items such as progress toward filling vacancies, and dividing oversight responsibilities by geographical location.
3. Provide specialized training for water operators on the operations of the ozone treatment system by contracting with an independent 3rd party ozone treatment plant trainer.
4. Review the Operation and Maintenance manual required by NAC 445A.535 and 445A.6667 to ensure that all required items are addressed. Items specific to this incident that should be addressed in the manual are:
 - a. A procedure for plant operations that at a minimum address regulatory requirements:
 - i. Start-up procedures to include the detailed process and time sequence including the time it takes for water to flow from the ozone contactor to the pump clear well. Alarm settings, including the sequencing of alarms associated with the previous item
 - ii. Plant shut down alarms for low chlorine, high turbidity, low CT, and low ozone residual during routine, emergency, and troubleshooting operations.
 - iii. A procedure to address low demand periods such that the treatment plant runs for a longer period of time and less frequently to ensure stable operating conditions.

IN THE MATTER OF)
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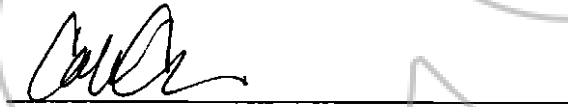
- iv. Troubleshooting settings such as were used to bypass the ozone residual analyzer and the grab sampling requirements needing during that time period.
 - b. A procedure to document changes and decisions that are made with regards to treatment plant operations.
 - c. A procedure to hand calculate CT. At minimum, this procedure should be used weekly by each staff member assigned to the treatment plant to hand calculate CT and verify treatment.
 - d. A procedure to collect and document routine and compliance grab samples.
 - e. The procedure for logging items into the bound Treatment Plant Log Book to ensure all staff, especially "on-call staff", are aware of Treatment Plant situations, such as operational changes and set point modifications.
 - f. The procedure for completing the "Weekly P.M. Checklist" (e.g. done every week even if overtime is necessary) and what should be done if it is not completed.
5. It was found that the ZWUD O3 PLANT, Plant Levels form was utilized to document grab samples, but the "O3 Contactor Residual mg/l" column was not always utilized to indicate a grab sample result. Therefore, update the ZWUD O3 PLANT, Plant Levels form to include a separate column for ozone residual grab sample and better describe the existing column (e.g. analyzer check sample). Add a column for operator's initials.

Provided that ZWUD remains in compliance with the terms of this Settlement Agreement and the resulting negotiated schedule for completing items 2 through 5, the NDEP will not pursue civil action permitted by NRS 445A.950 for the violations cited in the July 25, 2012 FOAV.

Acknowledged and Accepted.


Steve Mokrohisky
Douglas County Manager

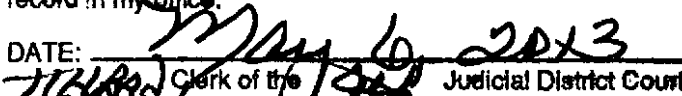
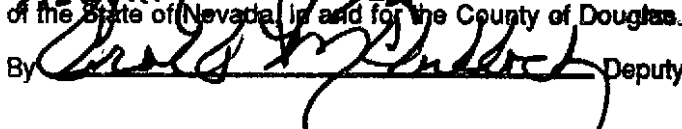
4-19-13
Date


Colleen Cripps, PhD., Administrator
Division of Environmental Protection

4/23/13
Date

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and on record in my office.

DATE: May 6, 2013

Clerk of the 5th Judicial District Court
of the State of Nevada, in and for the County of Douglas.
By  Deputy