February 26, 2013

VIA U.S. Mail, First Class, and
CERTIFIED MAIL
7009 1680 0001 2377 9798

Mr. Norm Alderson
Manager
Terrace Heights Sewer District
186 Iron Horse Court, Suite 100
Yakima, WA 98901

Dear Mr. Alderson,

This letter is an explanation as to the reason a Notice of Violation is being issued to Terrace Heights Sewer District by the City of Yakima (City).
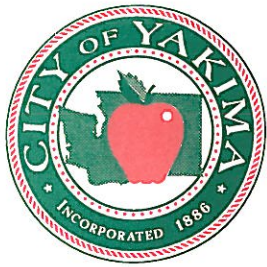
The City has not received the annual Pretreatment Report from the Terrace Heights Sewer District as required in accordance with Part III.G. of the Special Agreement between the City of Yakima and Terrace Heights Sewer District dated September 20, 2007. Terrace Heights is required to submit an annual report to the City and Washington State Department of Ecology on or before February 15th of each year. Terrace Heights has the responsibility and obligation to submit the Pretreatment Report containing all of the relevant information as outlined in the Special Agreement by the indicated due date.

Terrace Heights shall submit the annual Pretreatment Report upon receipt of the Notice of Violation. Further violation may constitute administrative penalties being assessed to Terrace Heights Sewer District by the City of Yakima.

If you have any questions or concerns, please contact me at (509) 249-6815.

Sincerely,

Scott Schafer
Wastewater Division Manager

Yakima
All-America City
1994

NOTICE OF VIOLATION

February 26, 2013

Mr. Norm Alderson
Manager
Terrace Heights Sewer District
186 Iron Horse Court, Suite 100
Yakima, WA 98901

Dear Mr. Alderson,

This letter constitutes written notice to Terrace Heights Sewer District, 186 Iron Horse Court, pursuant to the Special Agreement between the City of Yakima and Terrace Heights Sewer District (Special Agreement).

Terrace Heights has violated the requirement of the Special Agreement between the City of Yakima and Terrace Heights Sewer District Part III G.

Special Agreement Part III.G.

Terrace Heights shall submit an annual report to the City and Ecology. Such report shall be received by the City and Ecology on or before February 15th of each year and consist of a summary of the pretreatment activities conducted during the previous calendar year.

In accordance with Part V.A. of the Special Agreement, the City shall have all enforcement remedies available to it under the City Sewer Use Ordinance in the event that the City finds that Terrace Heights Sewer District has violated or is violating the Pretreatment Standards and Requirements of the City Sewer Use Ordinance.

The City is now taking action in accordance with § 7.65.200 of the YMC to ensure that Terrace Heights Sewer District meets reporting deadlines as outlined in the Special Agreement

Please refer to the YMC § 7.65.200 regarding the requirement that Terrace Heights Sewer District **respond to this notice within ten days**:

§ 7.65.200

Whenever the Wastewater Manager finds that any discharger has violated or is violating this chapter, or an order issued hereunder, the Wastewater Manager may serve upon said discharger written notice of violation. Within ten days of receipt date of this notice, an explanation of violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be

submitted to the Wastewater Manager. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the City to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

Thank you for your immediate attention to this matter.

Sincerely,

Scott Schafer
Wastewater Division Manager

cc: Debbie Cook, Director of Utilities and Engineering, City of Yakima
        Jeff Cutter, City Attorney, City of Yakima
        Ian Laseke, Water Quality Program, Department of Ecology
        Robert Linker, Commissioner, Terrace Heights Sewer District