



Enforcement News

Developers face proposed \$1.9 million penalty for repeatedly violating construction stormwater permit

Alleged violations include lack of supervision, unauthorized discharge

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LOS ANGELES – Two Southern California developers and a corporate officer could be penalized \$1.9 million by the Los Angeles Regional Water Quality Control Board for reported violations of their construction stormwater general permit at a multi-use development in Rosemead, including the failure to retain a qualified stormwater manager to oversee inspections, maintenance, repairs and sampling.

The Los Angeles Water Board today issued an administrative civil liability complaint against Garvey Garden Plaza LLC, Yang Ming Construction Inc., and Jimmy Duong for allegedly violating statewide stormwater requirements during construction of a housing and commercial complex on a 1.1-acre site.

During a dozen inspections that began Oct. 1, 2019, and continued through December 2020, regional board staff found multiple and repeated permit violations. Most significantly, the inspections revealed the absence of a qualified Stormwater Pollution Prevention Plan expert whose presence at the Garvey Garden Plaza is a critical requirement of the general permit for activities associated with construction and land disturbances.

The allegations include the unauthorized discharge of 9,283 gallons of sediment-laden stormwater from the southwest corner of the site that flows into the nearby Rio Hondo Channel, threatening to expose humans and wildlife to bacteria, harmful metals and organic compounds.

“The dischargers were warned on numerous occasions that they were violating their stormwater construction permit, yet they made almost no effort to come into compliance while their project was being built,” said Hugh Marley, assistant executive officer with the regional board. “We hope that proposing a substantial penalty serves as a reminder that the board vigilantly strives to protect water quality and will use all enforcement measures within our authority to discourage similar abuses.”

The developers also allegedly failed to do the following:



- Install effective perimeter controls.
- Implement good housekeeping practices for waste management such as cleaning up concrete spills and construction debris and placing secondary containment around portable toilets.
- Establish adequate controls for the air deposition of trash.
- Stabilize the construction site entrance and exit.
- Maintain a Stormwater Pollution Prevention Plan – the key document for the control of pollutants and stormwater – on site.
- Provide the correct Risk Level and completion date information in the Stormwater Multiple Application and Report Tracking System database.

Additional information on statewide construction stormwater general permits is available on the State Water Resources Control Board [website](#).

With 10 million residents, Los Angeles is the most densely populated region in the state. It encompasses the coastal watersheds of Los Angeles and Ventura Counties, along with portions of Kern and Santa Barbara Counties.