



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA



Arnold Schwarzenegger
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

December 5, 2006

Certified Mail No. 7004 0750 0000 7625 2054
Return Receipt Requested

Mr. Anthony J. Pack, General Manager
Eastern Municipal Water District
P.O. Box 8300
Perris, CA 92572-8300

In reply refer to:
POTW:01-006.01:chenc

Dear Mr. Pack:

SUBJECT: NOTICE OF VIOLATION NO. R9-2006-0155
ORDER NO. 96-04

FACILITY: EASTERN MUNICIPAL WATER DISTRICT, SANITARY SEWER COLLECTION
SYSTEM, RIVERSIDE COUNTY

NOTICE OF VIOLATION

Enclosed is a Notice of Violation (NOV) for a major sanitary sewer overflow (SSO) within the Eastern Municipal Water District's sanitary sewer collection system. The SSO occurred at the Diaz Lift Station at 28079 Diaz Road, Temecula on November 14, 2006 between the hours of 1000 and 1730. Approximately one million gallons of raw sewage were discharged to the Murrieta Creek, a tributary to the Santa Margarita River. The overflow was caused by an accidental punctuation of a 10" diameter force main pipe by District crew when trying to install a flow meter on an 18" diameter force main. The District notified this office on November 14, and submitted a written report on November 20, 2006 about the SSO.

The sewer overflow constitutes a violation of Prohibition A.1 of Order No. 96-04, *General Waste Discharge Requirements Prohibiting Sanitary Sewer Overflows by Sewage Collection Agencies*, which prohibits the discharge of sewage from a sanitary sewer system at any point upstream of a sewage treatment plant, and may subject the District to administrative civil liability of up to \$10,000 per day and \$10 per gallon discharged, pursuant to California Water Code Section 13385. Please refer to the enclosed NOV for details of the violation. This overflow will be included in a monthly summary report that is submitted to the Regional Board of all sewer overflows in our region.

You are required to take immediate steps to achieve compliance with Order No. 96-04.

California Environmental Protection Agency

REQUEST FOR TECHNICAL INFORMATION UNDER WATER CODE SEC. 13267

Pursuant to California Water Code section 13267, the San Diego Regional Water Quality Control Board (SDRWQCB) directs you to submit a Required Technical Report (RTR) to be received by the SDRWQCB no later than **5:00 PM, December 29, 2006**. The RTR is required due to the nature of the violation noted above, and will be reviewed to assess the District's compliance with the Order No. 96-04 and the need for further possible enforcement actions. The RTR shall include the following:

1. A detailed description of the cause(s) of the sanitary sewer overflow, and the actions taken by the District to minimize the environmental impacts from the spill.
2. Describe the method used to determine the overflow volume, including supporting data, documentations and information.
3. Copies of photographs and/or videos taken during or after the overflow in the sewage collection system and downstream of the discharge that would document environmental conditions in the Murrieta Creek. Photographs and/or videos shall include appropriate identifying information, such as date taken, name of photographer/videographer, and textual summary of information being presented, as well as its relevance.
4. Results of any water quality monitoring data include coliform bacteria and other parameters conducted in the Murrieta Creek after the spill.
5. An assessment of environmental impact from the spill, include a discussion of the potential short and long term impacts of the overflow on public health, animal and plant communities, and on the overall ecosystem downstream of the discharge. Please explain how conclusions regarding impacts were determined and what steps, if any, the District has taken, or will take, to mitigate these impacts.
6. A discussion of measures the District plans to implement to address potential problem areas in order to prevent future sanitary sewer overflow and violations to Order No. 96-04.
7. Any other pertinent information that will assist the Regional Board in evaluating this discharge.

All information provided in response to this Request for Technical Information must include the following signed certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possibility of fine and imprisonment for knowing violations."

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence, please include this code number in the heading or subject line of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions regarding this NOV, please contact Mr. Charles Cheng at (858) 627-3930 (email: ccheng@waterboards.ca.gov).

Respectfully,


JOHN H. ROBERTUS
Executive Officer

JHR:mpr:rm:cqc

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VIOLATION ID: 444031

*Place ID: 258449. Regulatory Measure: 213947. Party ID: 309528
Reg. ID: 318248, 318249*

Steven Williams, Department of Health Services, Southern California Drinking Water Field Operations Branch, 1350 Front St., Room 2050, San Diego, CA 92101

Jim Gillis, Environmental Health Department, County of Riverside, P.O. Box 1206, Riverside, CA 92502

Gerald J. Thibeault, Executive Officer, Santa Ana Regional Water Quality Control Board, 3737 Main Street, Suite 500, Riverside, CA 92501-3339

Brian Brady, General Manager, Rancho California Water District, 42135 Winchester Road, Temecula, CA 92589-9017



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December 5, 2006

IN THE MATTER OF
EASTERN MUNICIPAL WATER DISTRICT
SANITARY SEWER OVERFLOW

SDRWQCB Order No. 96-04
WDID NO. 9 000000006

ATT: Mr. Anthony J. Pack
General Manager

NOTICE OF VIOLATION
NO. R9-2006-0155

YOU ARE HEREBY NOTIFIED THAT:

Eastern Municipal Water District is in violation of ORDER NO. 96-04, *General Waste Discharge Requirements Prohibiting Sanitary Sewer Overflows by Sewage Collection Agencies*. Such violation subjects the District to possible enforcement action by the SDRWQCB, including administrative enforcement orders requiring the District to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative or judicial proceedings for the assessment of civil liability in amounts of up to \$10,000 per day (CWC Section 13385); referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

ALLEGED VIOLATION OF ORDER NO. 96-04

Failure to Comply with Prohibition A.1

Prohibition A.1 of Order No. 96-04 states the following:

- A.1. The discharge of sewage from a sanitary sewer system at any point upstream of a sewage treatment plant is prohibited.

BASIS FOR ALLEGATION

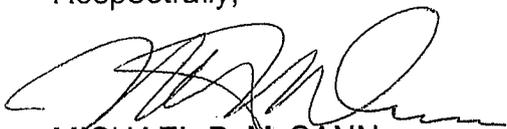
1. Eastern Municipal Water District (District) as a public agency owning a sanitary sewer collection system which collects and conveys untreated sewage wastewater in the San Diego Region is subject to the requirements in Order 96-04.

2. On November 14, 2006 and in accordance with Reporting Requirements specified in Order No. 96-04, the District notified this Regional Board that there was a major sanitary sewer overflow from the Diaz Lift Station at 28079 Diaz Road, Temecula on November 14, 2006 between the hours of 1000 and 1730. The overflow was caused by an accidental puncturation of a 10" diameter force main pipe by District crew when trying to install a flow meter on an 18" diameter force main. The District further reported that the flow could not be stopped or diverted because there were no isolation valves on either force main lines to isolate the flow.
3. The District reported that the November 14, 2006 sewer overflow resulted in approximately 1.07 million gallons of raw sewage being discharged to the Murrieta Creek, a tributary to the Santa Margarita River, with approximately 136,000 gallons of mixed sewer and runoff water being recovered. The runoff flow volume was measured by the District at approximately 95 gallons per minute, which the District contends is the estimated percolation rate of the spill area.
4. The District reported that out of the 1.07 million gallons of raw sewage overflow, approximately 93,000 gallons were recovered, and 977,000 gallons were released to the environment.

Questions pertaining to the issuance of this Notice of Violation should be directed to Mr. Charles Cheng at (858) 627-3930, or ccheng@waterboards.ca.gov. Written correspondence pertaining to this Notice of Violation should be directed to:

Michael P. McCann
Supervising Engineer
Attn: Charles Cheng
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Respectfully,



MICHAEL P. McCANN
Supervising Engineer

MPM:rm:cqc

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VIOLATION ID: 444031