

Administrative Civil Liability (ACL) and Cleanup and Abatement Actions Issued
March 2015:

a. ACL Complaint(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Complaint Amount	Date Issued
WATER QUALITY				
2	OG Property Owner, LLC / Wilder Project	Failure to adequately implement best management practices at construction site resulting in discharge of 379,000 gallons of stormwater polluted by sediments and petroleum to surface water	\$753,000 (max: \$3,790,000)	3/17/2015
3	Carpinteria Sanitary District / Wastewater Treatment Plant	Discharge of 297,896 gallons of un-disinfected secondary-treated wastewater to surface water; effluent limit violations (12/2011: settleable solids; 1/2013: total residual chlorine)	\$96,775 (MMP: \$15,000; max: \$3,018,960)	3/2/2015
5	City of Colusa / Wastewater Treatment Plant	Effluent limit violations (8/2014 – 12/2014: biochemical oxygen demand)	\$3,000 (MMP)	3/9/2015
5	City of Davis / Wastewater Treatment Plant	Effluent limit violations (4/2014 – 12/2014: copper in excess of TSO interim limits)	\$6,000 (MMP)	3/9/2015
5	City of Vacaville / Easterly Wastewater Treatment Plant	Effluent limit violations (2014: total ammonia)	\$6,000 (MMP)	3/9/2015
5	City of Manteca / Water Quality Control Facility	Effluent limit violations (12/2010 – 12/2014: total coliform organisms)	\$9,000 (MMP)	3/9/2015
5	Sterling Caviar, LLC / Elverta Facility	Late reporting violations	\$9,000 (MMP)	3/9/2015
5				
5	Christopher Cordes, Eddie Axner Construction, Inc., and Eddie Axner / Shasta County APN 041-300-035-000	Seven discharge events totaling 56,456 gallons of sediment-laden stormwater to surface waters; failure to file notice of intent to comply with construction stormwater general permit for grading activities; unauthorized discharge of fill soil to surface drainage course (resultant sediment deposits up to 34" deep)	\$297,400 (max: \$1,201,840)	3/23/2015
5	Brent Alan Vanderkam / Shasta County APN 099-120-035-000	Twenty discharge events totaling 754,901 gallons of sediment-laden stormwater to surface waters resulting in exceedances of basin plan objectives for settleable material and turbidity; failure to file notice of intent to comply with construction stormwater general permit for grading activities; failure to file report of waste discharge; failure to obtain 401 certification	\$201,400 (max: \$8,411,430)	3/25/2015
WATER RIGHTS				
WR	Anthony F. Cubre, Jr., Trustee / San Joaquin River (Fresno County)	Failure to timely provide substantive information responsive to Information Order	\$52,500 / \$5,000 (max: \$52,500)	3/17/2015

WR	Patrick Vincent Ricchiuti, Trustee / San Joaquin River (Madera County)	Failure to timely provide substantive information responsive to Information Order	\$52,000 / \$5,000 (max: \$52,500)	3/17/2015
WR	Harry S. Pascuzzi, Trustee / San Joaquin River (Fresno County)	Failure to timely provide substantive information responsive to Information Order	\$52,500 / \$5,000 (max: \$52,500)	3/17/2015

*The water rights ACL complaint issued offered two choices to the recipient:

- (1) Pay smaller amount by submitting check for smaller amount, waiver, and any delinquent annual report(s) within 20 days
OR
(2) Proceed to hearing with proposed liability at higher amount listed.

b. ACL Order(s) Issued

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
WATER QUALITY				
1	City of Santa Rosa / Laguna Reclamation Facility	Excessive flows resulting in exceedances of maximum filtration rate and ultraviolet (UV) disinfection capacity; three maintenance-related events resulting in discharge of 630,600 gallons of incompletely disinfected wastewater; seven events caused by control system calculation errors and resulting in under-disinfection of 46.67 million gallons; two events totaling 546,000 gallons of recycled water discharged to surface water; 285,400 gallons of sediment-laden recycled water discharged to surface water over two events.	\$74,776 (CAA: \$37,388; SEP: \$37,388)	3/3/2015
4	JP Morgan Chase Bank / Chase Bank Ventu and Hillcrest Branch	Failure to submit the stormwater construction annual reports for fiscal year 2011-2012 and 2012-2013.	\$2,500 (MMP + staff costs; all to CAA)	3/10/2015
4	Lyons and Lyons Properties / Fu Lyons Douglas Park, LLC	Failure to submit stormwater construction annual report.	\$1,500 (MMP + staff costs; all to CAA)	3/10/2015
4	4733 Elmwood HOA / 4733 Elmwood Residential Construction Project	Late report	\$3,000 (MMP)	3/23/2015
4	Ventura County Watershed Protection District / J Street Storm Drain Expansion Project	Effluent limit violations (2014Q3: biochemical oxygen demand)	\$6,000 (MMP)	3/23/2015
4	Westlake Wellbeing Properties / Westlake Village Hotel and Spa	Effluent limit violation (2014Q1: chloride)	\$3,000 (MMP)	3/23/2015
4	Freeport-McMoran Oil and Gas / Inglewood Oil Field	Effluent limit violations (2014Q1: copper, lead, mercury, zinc)	\$21,000 (MMP)	3/23/2015
5	Shasta County Services Area No. 17 / Cottonwood Wastewater Treatment Plant	Effluent limit violations (2/2013 – 12/2013: pH, dichlorobromomethane, total coliform organisms)	\$81,000 (MMP; all to CP)	3/5/2015
5	Modoc Joint Unified School District / Geothermal Project	Effluent limit violations (2/2013 – 6/2014: pH)	\$21,000 (MMP)	3/30/2015
7	City of El Centro /	Effluent limit violations (1/2011 – 5/2011:	\$21,000	3/1/2015

Region	Discharger/Facility	Violation(s) Addressed	ACL Order Amount	Date Issued
	Wastewater Treatment Plant	fecal coliform organisms, <i>Escherichia coli</i>)	(MMP; CAA: \$10,500; SEP: \$10,500)	
7	Salton Community Services District / Wastewater Treatment Plant	Discharge of 200,000 gallons of untreated sewage over four days to drainage course	\$19,810 (CAA: \$10,405; ECA: \$10,405)	3/12/2015
WATER RIGHTS—NO ACL ORDERS ISSUED FEBRUARY 2015				

c. Cleanup and Abatement Order(s) Issued

Region	Discharger/Facility	Action(s) Required	Date Issued
4	Crown Disposal Community Recycle	Immediately cease discharge of unauthorized non-stormwater off-site; implement effective interim and permanent best management practices to prevent stormwater, unauthorized non-stormwater, and vehicle track-off from leaving the site; add nitrate and nitrite to sampling; comply with industrial stormwater monitoring requirements for standard industrial classification code (SIC) 5093; update and submit stormwater pollution prevention plan; review, update, and amend monitoring and reporting program to permit-required monitoring and to include collection of stormwater samples from any and all discharge locations at the site; submit change of information form to report increase in size of the site and any additional SIC codes not already accounted for.	3/6/2015
4	Paragon Cleaners	Develop and submit site assessment work plan to assess, characterize, and delineate the extent of wastes in soil, soil gas, and groundwater, including preliminary human health risk assessment; develop and submit conceptual site model; conduct remedial action to clean up wastes in soil matrix, soil vapor, and groundwater, and abate effects of waste discharges on beneficial uses; conduct quarterly groundwater monitoring.	3/16/2015
5	City of Modesto / Carpenter Road Landfill	Immediately commence groundwater monitoring in accordance with companion 13267 order; prepare and submit quarterly progress reports; submit design and construction plan that includes specific design and construction plan that includes design and construction details and proposed schedules for clean closing the east waste management unit (WMU), and installing a final cover at the west WMU; provide documentation demonstrating procurement of all applicable permits associated with clean closing the east WMU and installing a final cover on the west WMU; submit technical report documenting commencement of clean closure of east WMU in accordance with Title 27; submit report of waste discharge for postclosure WDRs.	3/4/2015
5	Christopher Cordes, Eddie Axner Construction, Inc., and Eddie Axner / Shasta County APN 041-300- 035-000	Submit and implement interim erosion and sediment control plan, including site map, identification of locations where sediment was discharged to surface water drainage courses, and monthly monitoring reports assessing site conditions; submit and implement restoration, mitigation, and monitoring plan, including assessment of impacts, site restoration plans to restore impacted channel to pre-discharge conditions; complete all approved restoration and mitigation measures by Nov-2015; conduct and submit results of annual monitoring for no less than five years after completion of restoration and mitigation.	3/23/2015
5	Brent Alan Vanderkam / Shasta County APN 099-120-035-000	Submit and implement plans to complete stabilization and mitigation necessary to minimize erosion and further discharge of sediment and nutrients to surface water drainage course, including site map, identification of locations where sediment was previously discharged, removal and proper storage of fertilizers and soil amendments, and monthly monitoring reports assessing site conditions; submit and implement restoration, mitigation, and monitoring plan, including assessment of impacts, site restoration plans to restore impacted channel to pre-discharge conditions; complete all approved restoration and mitigation measures by 15-Oct-2015; conduct and submit results of annual monitoring for no less than five years after completion of restoration and mitigation.	3/25/2015

5	California Department of Corrections and Rehabilitation / Deuel Vocational Institution, Operation of Class II Surface Impoundments	Immediately cease all discharges to the surface impoundments; immediately comply with WDRs and MRP, including submittal of complete technical and monitoring reports; submit monthly progress reports describing work completed to-date to comply with CAO requirements, total waste hauled to permitted facility for disposal, status of contracts needed to comply with CAO; submit corrective action plan if groundwater monitoring indicates designated waste impacts to groundwater; submit waste removal report documenting that all wastes have been removed from surface impoundments; submit revised water balance; submit and implement long term compliance plan, including copy of the corrective action plan required by DDW.	3/30/2015
5	California Department of Corrections and Rehabilitation / Deuel Vocational Institution, Wastewater Treatment Facility	Immediately comply with all aspects of current NPDES permit, including effluent limitations; unless alternative plan to reduce electrical conductivity is presented, continuously operate reverse osmosis (RO) plant for water supply at all times starting 10-Apr-2015; immediately notify staff if RO unit is taken off-line; if RO plant is taken off-line for more than seven days, immediately submit time schedule for return to operation, commence three species chronic toxicity testing to determine if wastewater effluent is contributing chronic toxicity to receiving water, and provide alternate drinking water supply to inmates and staff in accordance with DDW citation; submit RO plant spare parts status report; submit membrane bioreactor (MBR) modules replacement time schedule; update and submit operation and maintenance (O&M) manual and standard operating procedures to maximize efficiency of MBR; submit time schedule for cleaning and properly maintaining facility grounds; submit third party selection report, including statement of qualifications and contract with qualified professional engineer to complete evaluation of the operation and maintenance of the wastewater treatment facility; submit results of third party facility evaluation; submit MBR modules replacement final report and updated O&M manual; submit quarterly progress reports.	3/30/2015
5	California Department of Corrections and Rehabilitation / Deuel Vocational Institution Dairy	Submit quarterly progress reports describing remedial actions completed to comply with dairy general order; immediately scrape manure from the areas north and east of the freestalls and install cover for future storage of dry manure to minimize leachate and runoff; immediately install freeboard markers on dairy lagoons; immediately install a cage to hold dead animals prior to pick up by a rendering company; contract manure spreading services to land apply all dry manure onto the Institution fields in accordance with specified nutrient management plan; install flow meters at the discharge point from the dairy lagoons and at the irrigation pipeline flowing to specified fields; redirect rainfall runoff from freestall barn roof away from lagoons; install berms to direct all runoff and leach from areas surrounding the manure solid separator to the lift pump located to the northwest; scrape manure and build earthen berms along corrals; grade corrals and install drains to route water to the storage lagoons; install storage tank and new piping in milk barn for the use of recycled plate cooler water; produce map of the entire dairy site identifying all piping, drains, and pumps; repair any malfunctioning lift pumps; remove all manure from the area east of the lagoons and north of the gun range; build berms to construct stormwater storage area; construct new silage pit; relocate separator to top of embankment to redirect process wastewater to dairy ponds.	3/30/2015

Cannabis Cultivation Enforcement Initiative

Staff of the California Department of Fish and Wildlife (CDFW), the North Coast and Central Valley Regional Water Boards, Office of Enforcement, and the Division of Water Rights undertook 55 site inspections in the pilot area between September 2014 and March 31, 2015. The multi-disciplinary team noted unauthorized discharges of waste, unauthorized diversions of water, diversions without streambed alteration agreements and other water quality violations. Many cases will result in administrative civil liability (ACL) actions by CDFW and/or the Water Boards, and/or cleanup and abatement orders (CAOs). The remaining cases will be referred to the applicable county district attorneys for criminal prosecution, or to applicable county counsels' offices for civil code and nuisance abatement actions. CDFW's Watershed Enforcement Team staff also took 23 public complaints (phone calls, emails, interviews) in September, mostly concerning water trucks diverting stream flow on fish-bearing waterways. The Water Boards took in and responded to over two dozen complaints as well. Two ACL complaints with CAOs were issued to dischargers and are scheduled for administrative hearings in Region 5 next month. CDFW and the Water Boards have also sent out approximately a dozen requests for streambed alteration agreements and/or notices of violation to the property owners in Sproul Creek, in southern Humboldt County. Coordinated multi-agency inspections in two high value watersheds in Trinity and Mendocino Counties are planned for April.

The North Coast Regional Board expects to issue its conditional waiver of waste discharger requirements in draft form for public comment on or about April 15.

LITIGATION – Government Owned Tanks Initiative

The State Water Resources Control Board (State Water Board) and the California Department of Fish and Wildlife (CDFW) have collaborated in reaching a \$449,000 settlement with the Regents of the University of California regarding the improper storage of hazardous substances in underground storage tanks and natural resource damage violations.

On December 10, 2011, 1,650 gallons of diesel fuel spilled from an underground storage tank that supplied a backup generator located at Stanley Hall on the University's campus at Berkeley. About 850 gallons of the spilled diesel entered a storm drain and was then discharged into Strawberry Creek, an urban stream that runs directly into the San Francisco Bay. The spill was caused when the tank's leak detection system, which had a history of problems, failed, resulting in the malfunction of a fuel transfer pump. Following the spill, the University performed cleanup with oversight by the CDFW. In 2013, the State Water Board reviewed the University's overall management of underground storage tanks and discovered numerous additional violations including, among other things, failure to monitor for leaks, failure to maintain adequate spill containment, and failure to provide adequate corrosion protection.

Under the terms of the settlement, the University will pay \$225,000 to the State Water Board Cleanup and Abatement Account, \$70,000 to the CDFW Environmental Enhancement Fund, \$31,500 for restoration projects and \$2,500 for oversight costs associated with the diesel spill, and \$45,000 for the reimbursement of staff costs. In addition, the University is enjoined from committing further violations for a period of five years. Civil penalties of \$75,000 are suspended, but will become due and payable to the State Water Board if the University violates the underground storage tank laws over the next five years.