

Lahontan Water Board Program Fact Sheet

FY 2016-17

Enforcement

Overview

The Enforcement Program's primary responsibilities are:

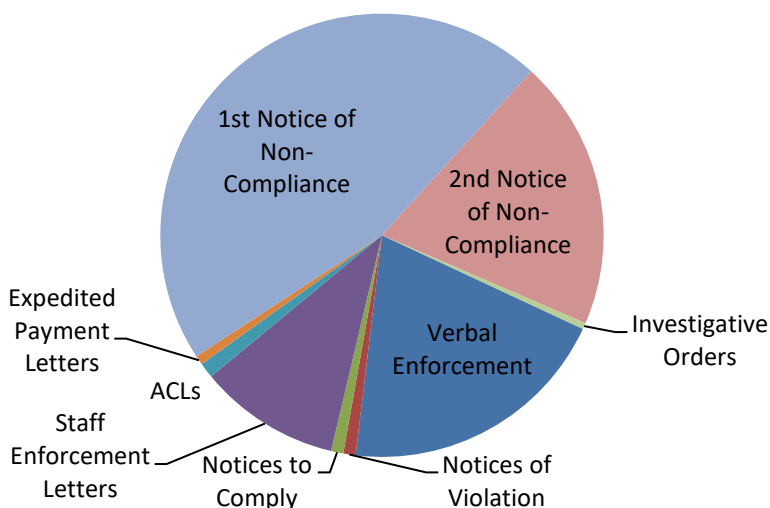
- Evaluating and prioritizing violations of water quality protection laws, regulations, and permits.
- Effectively initiating and following through on enforcement actions/strategies intended to reestablish compliance, to address environmental damage, and to deter future violations.
- To coordinate with other Regional Water Boards and the State Water Board in pursuing multi-region or state-wide enforcement actions; and to improve enforcement consistency and effectiveness.

These actions are conducted under federal and state law, and the State Water Board's Water Quality Enforcement Policy, with nearly two allocated positions and with resources from other programs.

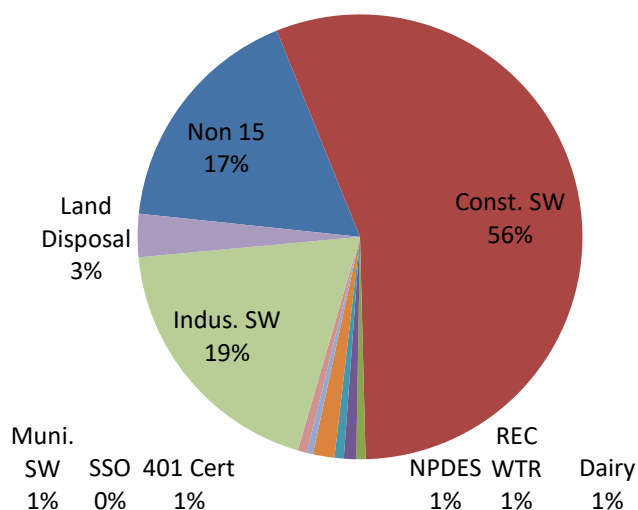
Key Efforts

- Enforce against violations that have adversely affected groundwater quality. Emphasis is placed on providing safe drinking water when necessary, eliminating the pollutant source, and then cleanup. Examples include dairies, wastewater treatment facilities that infiltrate treated effluent, hexavalent chromium, PCE, and petroleum-impacted groundwater.
- Continue an effort initiated in FY 2014/2015 to enforce the annual reporting requirements for the NPDES Industrial and Construction Storm Water Programs. The annual reports provide information on a Discharger's BMPs, discharge quality, and corrective actions on an annual basis. Improving submittal rates and taking enforcement actions on non-compliant sites should result in significant storm water quality improvements.
- Enforce against violations where the violations are creating adverse impacts to surface water quality and beneficial uses. Examples include unauthorized discharges of sewage, hazardous waste, and dredged and/or fill materials to creeks, springs, rivers, lakes, and wetlands.
- Implement action items identified through the Water Board's Enforcement Subcommittee that are intended to improve program efficiency and effectiveness.

Types



Programs



Accomplishments

Los Angeles Department of Water and Power (LADWP) Lee Vining Creek Diversion

Project: LADWP completed a Supplemental Environmental Project involving four restoration projects implemented by the Inyo National Forest.

Arimol-Serenity Lodge: Water Board staff continues to oversee surface water restoration and mitigation, in accordance with Cleanup and Abatement Order requirements. Arimol implemented its Phase 2 Restoration and Mitigation Plan, and begins a five-year monitoring program to ensure that interim and final performance criteria are satisfied.

Crystal Geyser Olancha: Water Board staff continues to oversee a soil/groundwater investigation into the impacts associated with past arsenic waste discharge practices at Crystal Geyser's Olancha Water Bottling Facility. Risk assessment and proposed corrective actions likely will be evaluated in late 2017. Water Board staff informed community members through two public meetings and the Board's web site. Waste discharge requirements were adopted.

Dairies: Water Board staff continues efforts at dairies to provide replacement water and implement source control. A Stipulated Agreement was signed with Dutch Dairy requiring replacement water for two private well owners with nitrate concentrations exceeding drinking water standards. A draft Amended Cleanup and Abatement Order for Desert View Dairy to expand well sampling and water replacement areas was issued and comments are being considered by Advisory Team.

Supplemental Environmental Project Program: The Water Board entered into two Memoranda of Understanding (MOU) with Mojave Integrated Regional Water Management (IRWM) Technical Support Group and Transition Habitat Conservancy in 2016. The Truckee River Watershed Council continued successfully implementing several wetland and creek restoration projects funded through the Water Board's SEP Program Pilot Project.

Performance targets – Progress to date

- **Mandatory Minimum Penalties (MMP) – Performance target is to address 100 percent of MMP violations within 18 months discovery**
Water Board staff successfully pursued four cases involving mandatory minimum penalties (MMPs) affecting fish hatcheries and Lake Tahoe marinas. A fifth case settled a combination of MMPs and discretionary penalties affecting another Lake Tahoe marina. Water Board staff is working to resolve violations subject to MMPs at two other facilities: Susanville WWTP and VVWRA WWTP. Staff anticipates resolving all MMP violations at each of these facilities in 2017.
- **Priority 1 Violations – Performance target is to take formal enforcement action against 100 percent of Priority 1 Violations within 18 months of discovery.**
All Priority 1 violations identified in the past 18 months have been or continue to be addressed by formal enforcement actions.

Unaddressed Work

- Quarterly Violations Reports identify violations where no enforcement action has been taken.
- In most programs, only a small percentage of regulated facilities get inspected, and therefore many violations are not observed and unreported.
- Reports that are not submitted or reviewed.