

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF MAY 14, 2004
Prepared April 20, 2004

ITEM NUMBER: 25

SUBJECT: Mandatory Penalty Order No. R3-2004-0056; RMC Pacific Materials
Davenport Cement Plant

KEY INFORMATION

Location: Adjacent to Davenport, Santa Cruz County
Discharge Type: Non-contact cooling water and stormwater runoff
Current Flow Rate: Annual average daily flow: 0.06 million gallons per day (MGD)
Design Capacity: Not applicable
Disposal: Discharge to the Monterey Bay National Sanctuary
Recycling: Normally none although the discharge is available for crop irrigation
Existing Order: WDR Order No. 00-19 (NPDES Permit No. CA0048682)

SUMMARY

The RMC Pacific Materials Davenport Cement Plant (Discharger) violated effluent limitations of Waste Discharge Requirements Order No. 00-19 on one occasion on April 9, 2003. The violation was a serious violation. The Executive Officer issued Complaint for Mandatory Penalty No. R3-2004-0056 to the Discharger on March 23, 2004.

The proposed Order assesses the Discharger a mandatory penalty of \$3,000.

DISCUSSION

Background

The Discharger disposes of an average 0.06 MGD of non-contact cooling water combined with groundwater and potable water to the Monterey Bay National Sanctuary. The discharge may also include dust control water and stormwater overflowing from the onsite Stormwater Collection and Reuse Pond.

The Discharger disposes of the wastewater to an irrigation water storage pond, which overflows to the Pacific Ocean approximately 200 feet away.

Effluent violations

According to monitoring reports submitted by the Discharger, the Discharger committed the following violation of effluent limitations of Order No. 00-19 on April 9, 2003:

#	Violation Date	Constituent	Permitted Limit	Reported Value	Violation Type
1	April 9, 2003	Total Suspended Solids	50 mg/L	369 mg/L	Serious

Mandatory Penalties

The Discharger committed one serious violation for which the mandatory minimum penalty is \$3,000.

Complaint No. R3-2003-0056

The Executive Officer issued Mandatory Penalty Complaint No. R3-2003-0056 (Attachment 1) on March 23, 2004, pursuant to California Water Code Section 13385. The Complaint proposed imposing a mandatory penalty in the amount of three thousand dollars (\$3,000). Copies of the Complaint were sent to U.S Environmental Protection Agency. Submittal of written comments was requested by May 4, 2004.

Waiver of Hearing

The Discharger has stated its intention to waive its right to a hearing by submitting a signed "Waiver of Hearing" form. However, as of the date this agenda was prepared, no waiver form or check had been received.

RECOMMENDATION

Staff recommends that the Board issue Order No. R3-2004-0056.

ATTACHMENTS

1. Complaint No. R3-2003-0056
2. Waiver of Hearing
3. Order No. R3-2004-0056

S:\Shared\NPDES\NPDES Facilities\Santa Cruz Co\RMC Cement\mmp Staff Rpt Order No. 03-0056.doc