

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

STAFF REPORT FOR REGULAR MEETING FEBRUARY 10 & 11, 2005

Prepared on January 21, 2005

ITEM NUMBER: 16

SUBJECT: Enforcement Report

The System for Water Information Management (SWIM) Compliance Module (database created by the State and Regional Boards) tracks violations and enforcement actions. The Compliance Module has been revised to include enhancements for tracking associated Administrative Civil Liabilities.

Any violation that is listed as "Y" for "Yes" in "Significant Violation" column, as well as being listed as an "NPDES" in the "Program Type" column, is in the process of being issued a complaint for Mandatory Minimum Penalties. So-called "nonsignificant" violations may also be triggering a complaint, but it is not possible to determine all of those cases from just reviewing this report. We track those violations on a six-month period and follow up with complaints as appropriate.

The attached report covers the period October 1, 2004 through November 30, 2004. During this time period, 52 dischargers had 102 violations. Violations normally include effluent limit violations resulting from monitoring report reviews, violations resulting from compliance inspections, missing and late reports and sewer overflows. Enforcement actions range from verbal communications by staff to formal actions adopted by the Regional Board.

California Men's Colony (CMC) experienced a severe sewer line blockage on October 24th, which resulted in a 100,000-gallon sewage spill to Chorro Creek. The blockage was caused by debris flushed by inmates after they were relocated due to roof construction that extended into the wet season.

Staff issued a Notice of Violation November 4th, and is awaiting further information to determine if further enforcement action will be necessary.

City of Pismo Beach's September 24, 2004, Sewage Spill: Staff has evaluated several factors involved with the sewage spill from the Pismo Beach collection system and decided the appropriate course of action was a Notice of Violation (already issued). Staff's reasons for deciding the Notice of Violation was an adequate level of enforcement response include:

- The City has, in recent years, evaluated its entire wastewater system to identify and prioritize problem areas and has been repairing the portions of the collection system identified as problematic.
- The ruptured pipe previously showed no sign of pending failure and was only halfway through its minimum recommended life of 20 years. The City had no reason to suspect it would fail.
- The spill was a relatively small volume and the City responded rapidly to halt the spill and clean up the area.
- The beach area affected is typically not used for swimming, although surfing occurs nearby.

Considering the large number of violations from other facilities and our pending enforcement actions, this spill is a lower priority violation in terms of warranting an enforcement action other

than the already issued Notice of Violation. This decision is consistent with the range of appropriate enforcement actions in the State Board enforcement policy.

Violations contained in this Enforcement Report and Future Deployment of the California Integrated Water Quality System (CIWQS): It is important to note that this Enforcement Report contains a majority of violations from our Regional Programs, but not all. Currently all NPDES, Non-Chapter 15, and Land Disposal program Waste Discharge permit violations are entered into our SWIM database, which comprises this Enforcement Report. The Stormwater Program maintains a separate State Board database for violations reported under its program, although some of those violations are reflected and reported in this Report. Violations that occur under our Underground Storage Tank and Spills, Leaks Investigation and Cleanup Program are entered and tracked through the State Board's Geotracker database.

Under development and scheduled for deployment to all Regions this July is a web-based database program entitled California Integrated Water Quality System (CIWQS). CIWQS is part of an overall effort to integrate several disparate databases (such as SWIM and Geotracker) into a comprehensive database. In addition, several goals of CIWQS include compiling water quality data, standardizing permits, automating processes, and making data more accessible to State and Regional Board staff, U.S. EPA, dischargers and the public. The system will track compliance information about places of environmental interest, manage permits and other orders, track compliance inspections and manage violations and enforcement activities. CIWQS will also include an electronic Self Monitoring Report module for submission of NPDES monitoring reports via the Internet.

When CIWQS is full deployed and operational this summer, staff intends to produce and provide a revised Enforcement Report that includes compliance enforcement tracking from all our Regional Board programs.

RECOMMENDATION

Attached is a table of violations and enforcement actions for information only. The Board may direct staff to initiate additional action as appropriate.

ATTACHMENTS

1. Enforcement Report
2. Glossary of Abbreviations

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