



# California Regional Water Quality Control Board

## Central Coast Region



Linda S. Adams  
Secretary for  
Environmental  
Protection

Arnold Schwarzenegger  
Governor

Internet Address: <http://www.waterboards.ca.gov/centralcoast>  
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906  
Phone (805) 549-3147 • FAX (805) 543-0397

To: Roger W. Briggs, Executive Officer  
Central Coast Water Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401

From: Central Coast Water Board Prosecution Staff  
Michael Thomas  
Harvey Packard  
Todd Stanley  
Sorrel Marks

Date: January 12, 2009

Subject: Prosecution Staff's Legal and Technical Analysis in Support of Proposed MMP Order No. R3-2009-0005, Cuyama Community Services District, Santa Barbara County

### SUMMARY

NPDES Permit CA0048089 for Cuyama Community Services District (CSD) specifies effluent discharge limitations for bromodichloromethane and for dibromochloromethane. According to a report submitted by Cuyama CSD, samples of effluent discharged from its wastewater facility in September 2007 contained concentrations of bromodichloromethane and dibromochloromethane in violation of the limitations.

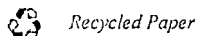
California Water Code section 13385(h)(1) requires the Central Coast Water Board to assess a mandatory penalty of \$3,000 for each serious violation. Cuyama CSD's discharge violations meet the definition of a serious violation. Accordingly, Mandatory Minimum Penalty Order No. R3-2009-0005 is proposed for \$6,000 (two violations at \$3,000 per violation).

### DISCUSSION

**Facility & Requirements:** Cuyama CSD owns and operates a municipal wastewater collection, treatment and disposal facility that discharges treated effluent to Salisbury Creek, an intermittent tributary to the Cuyama River. The discharge is authorized by Waste Discharge Requirements Order No. R3-2007-0020, NPDES Permit No. CA0048089, which includes the following effluent limitations.

Constituent	Units	Average	Maximum
		Monthly	Daily
bromodichloromethane	µg/L	0.56	1.13
dibromochloromethane	µg/L	0.40	0.81

California Environmental Protection Agency



Item No. 13 Attachment No. 1  
February 5, 2009 Meeting  
Cuyama CSD MMP Order

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

U. S. Wilson, General Manager  
Cuyama Community Services District  
P. O. Box 368  
Cuyama, CA 93254

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 Addressee
- B. Received by (Printed Name) C. Date of Delivery  
U.S. Wilson 12/2/00
- D. Is delivery address different from Item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type
- Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

11700710710 00041417 6250

UNITED STATES POSTAL SERVICE

MODAVE CA

DEC 20 2008

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. 010

• Sender: Please print your name, address, and ZIP+4 in this box •

DEC 24 2008

STATE OF CALIFORNIA

CENTRAL COAST REGIONAL WATER CONTROL BOARD

Post Office

895 AEROVISTA PLACE, SUITE 101  
SAN LUIS OBISPO, CA 93401

STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
895 AEROVISTA PLACE, SUITE 101  
SAN LUIS OBISPO, CA 93401-7906

*S. Marks*

**List of Exhibits Incorporated by Reference**  
**MMP Order No. R3-2009-0005**  
**Cuyama Community Services District**

1. Waste Discharge Requirements Order No. R3-2007-0020, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0048089 for Cuyama Community Services District Wastewater Facility
2. Cuyama Community Services District's September 2007 monitoring report
3. State Water Resources Control Board Water Quality Enforcement Policy, which can be found on the internet at the following link:  
[http://www.waterboards.ca.gov/board\\_info/agendas/2008/feb/0219\\_10current\\_policy.doc](http://www.waterboards.ca.gov/board_info/agendas/2008/feb/0219_10current_policy.doc) )
4. Mandatory Minimum Penalty Complaint No. R3-2009-0005, recommending \$6,000 in liability against Cuyama Community Services District for effluent discharge violations occurring in September 2007

The above-described documents can be found in the Central Coast Water Board's files and on the internet at the following link:  
<http://www.waterboards.ca.gov/centralcoast/>