

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

SUPPLEMENTAL SHEET FOR SPECIAL MEETING OF AUGUST 23, 2007  
Prepared on July 25, 2007

ITEM NUMBER: 6 and 7

SUBJECT: Adoption of Waste Discharge Requirements Order No. R3-2007-0050, Adoption of Cease and Desist Order No. R3-2007-0051, and Rescission of Waste Discharge Requirements Order No. 01-037, Arlen Haffner and Casa de Montgomery, Inc., Santa Cruz County

**SUMMARY**

These items were originally scheduled for the July 6, 2007 meeting as Item No. 18 and No. 19. On June 28, 2007, Mr. Haffner's personal residence burned, causing property damage but no personal injury. Mr. Haffner requested a continuance, which Chairman Young granted.

Water Board staff's proposed actions apply to Mr. Haffner's boarding house and its onsite wastewater treatment and disposal system, and not to the damaged building or its separate disposal system.

The original documents for the July 6<sup>th</sup> meeting remain applicable, and include:

- Staff Report prepared on June 14, 2007, and the following attachments;
  - WDR Order No. 01-037 (current WDRs, staff proposes rescission)
  - WDR Order No. R3-2007-0050 (proposed new WDRs)
  - Cease and Desist Order No. R3-2007-0051
- Supplemental Sheet prepared on June 29, 2007 (correcting the definition of "Discharger");
- Supplemental Sheet #2 prepared on July 2, 2007 (transmitting Santa Cruz County Environmental Health Service's June 29, 2007 letter to Mr. Haffner regarding a June 27, 2007 sewage spill, and the County's intent to deem the boarding house as unfit for human occupancy if the Central Coast Water Board prohibits wastewater discharges).

The above documents are available at the Central Coast Water Board website:  
<http://www.waterboards.ca.gov/centralcoast/Board/Agendas/070607/JUL07agn.htm>

**DATE CHANGES DUE TO CONTINUANCE**

If adopted, Water Board staff will change all dates affected by the Water Board's consideration of these issues at the August 23, 2007 meeting instead of the July 6, 2007 meeting. These include:

- Changing the public hearing date in Finding No. 19 of WDR Order No. R3-2007-0050 from July 6, 2007, to August 23, 2007.

- Changing the public meeting date in Finding No. 18 of Cease and Desist Order No. R3-2007-0051 from July 6, 2007, to August 23, 2007.
- Changing the Executive Officer's certification at the end of WDR Order No. R3-2007-0050 from July 6, 2007, to August 23, 2007.
- Changing the Executive Officer's certification at the end of Cease and Desist Order No. R3-2007-0051 from July 6, 2007, to August 23, 2007.

#### **NEW INFORMATION SINCE JULY 6, 2007**

By letter dated June 29, 2007, the Santa Cruz Environmental Health Service notified Mr. Haffner of a sewage spill from his property to Branciforte Creek. Water Board staff provided this letter to the Water Board with Supplemental Sheet #2 for the July 6, 2007 meeting. During the week of July 20, 2007, county staff inspected Mr. Haffner's facility again and found evidence that the unauthorized sewage discharges continue. The county is working with the County District Attorney's Office to determine their response. At the time Water Board staff prepared this supplemental sheet, the county had not yet issued any formal reports or other correspondence regarding the latest inspection.

This continuing violation adds to the violations documented in pages two through five of the staff report, and further supports Water Board staff's recommendation to prohibit discharges from this facility.

#### **OTHER MINOR CORRECTIONS**

Water Board staff will also make the following minor corrections to the Orders:

- Change the right to petition finding after Finding No. 19 of WDR Order No. R3-2007-0050 from No. 19 to No. 20.
- Change Finding No. 7 of Cease and Desist Order No. R3-2007-0051 to No. 6, and adjust all subsequent finding numbers.

STATE OF CALIFORNIA  
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**SUPPLEMENTAL SHEET #2 FOR REGULAR MEETING OF JULY 6, 2007**

Prepared on July 2, 2007

**ITEM NUMBER:** 18 and 19

**SUBJECT:** Adoption of Waste Discharge Requirements Order No. R3-2007-0050, Adoption of Cease and Desist Order No. R3-2007-0051, and Rescission of Waste Discharge Requirements Order No. 01-037, Arlen Haffner and Casa de Montgomery, Inc., Santa Cruz County

**SUMMARY**

On June 29, 2007, the Santa Cruz County Environmental Health Services sent the attached letter to Mr. Arlen Haffner. The letter notifies Mr. Haffner about conditions of non-compliance observed on June 27, 2007 (sewage spill), during an inspection of his onsite wastewater treatment system at 4573 Branciforte Drive. This letter adds to the violations documented in pages two through five of the staff report.

The letter also notifies Mr. Haffner that the County will post the boarding house at that address as Unfit for Human Occupancy if the Central Coast Water Board prohibits waste discharges from the facility's current treatment and disposal system, as staff is recommending in Item No. 18 and No. 19.

**ATTACHMENT**

Letter dated June 29, 2007, from Santa Cruz County Environmental Health Services to Mr. Arlen Haffner.



# County of Santa Cruz

## HEALTH SERVICES AGENCY

701 OCEAN STREET, ROOM 312, SANTA CRUZ, CA 95060-4073  
(831) 454-2022 FAX: (831) 454-3128 TDD: (831) 454-4123

ENVIRONMENTAL HEALTH

CERTIFIED MAIL - RETURN RECEIPT REQUESTED/PROOF OF SERVICE BY MAIL

### SECOND AND FINAL NOTICE SEPTIC FAILURE REPAIR ORDER

June 29, 2007

Arlen Haffner  
Casa De Montgomery  
4753 Branciforte Drive  
Santa Cruz, CA 95065

Re: NOTICE TO REPAIR SEPTIC TANK SYSTEM APN: 100-161-06

Dear Mr. Haffner:

An inspection of your property located at 4573 Branciforte Drive, Santa Cruz, and Assessor's Parcel Number 100-161-06, on June 27, 2007, revealed non-compliance with the letter sent to you by Environmental Health Services dated November 9, 2006. A water sample taken from the culvert draining from your property on June 27, 2007 indicated fecal coliform levels of 4,700 cfu/100ml, which indicates a sewage leak from the line between the pump station and the evaporator. These conditions constitute a continuing violation of Section 5411 and 17980 of the California Health and Safety Code, and must be corrected. The following steps are to be taken:

- Immediately turn off the pump and have the holding tank pumped to prevent sewage discharge until the line is repaired.
- Investigate and eliminate possible broken tight-line, cross-connection or any other source of contamination contributing to this problem within 10 (ten) days of receipt of this letter.
- Comply with all additional requirements set forth by the California Regional Water Quality Control Board for replacement of the existing system.

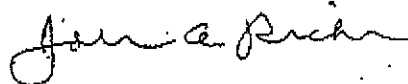
We are aware that the Regional Water Quality Control Board is considering a prohibition on discharge of sewage to the existing system. If that occurs, the property would no longer be served by a legal sewage disposal system, which would be a violation of County Code Section 7.38.035 and the State Health Safety Code. If this occurs, the unit will be posted as Unfit for Human Occupancy and cannot be occupied until you install an approved sewage disposal system which meets state or County standards.

You must contact this office prior to taking any action to repair or replace any portion of your septic tank system. For any significant work, you will need to submit design plans and apply for a repair permit. Some additional site investigation may also be needed to confirm the suitability of the repair.

Compliance with these orders must be accomplished by the 10th day of receipt of this notice. Should the necessary work not be done, this department may institute summary abatement procedures and will refer the matter to the District Attorney for appropriate legal action. **By Resolution of the Board of Supervisors, a second violation reinspection fee will be assessed if reinspection on or after the compliance date noted above reveals that the violation has not been corrected.** Additionally, the County Building Department has been notified that no permit applications are to be accepted until the problem is resolved.

Please contact me as soon as possible at (831) 454-2748 between 8:00 a.m. and 10:00 a.m., Monday through Friday. It is imperative that you achieve a speedy and satisfactory solution to this problem.

Sincerely,

  
for Heather Reynolds  
Water Quality Specialist III

Enclosure: Violation reinspection invoice

cc: Morgan Taylor, District Attorney's Office  
Todd Stanley, Regional Water Quality Control Board  
Jerry Lemoine and Celia Brown, Consumer Protection

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SUPPLEMENTAL SHEET FOR REGULAR MEETING OF JULY 6, 2007

Prepared on June 29, 2007

ITEM NUMBER: 18 and 19

SUBJECT: Adoption of Waste Discharge Requirements Order No. R3-2007-0050, Adoption of Cease and Desist Order No. R3-2007-0051, and Rescission of Waste Discharge Requirements Order No. 01-037, Arlen Haffner and Casa de Montgomery, Inc., Santa Cruz County

**SUMMARY**

The existing Waste Discharge Requirements (WDRs) Order No. 01-037 names "Casa De Montgomery, Inc." as the discharger. The agenda drafts of the new WDRs Order No. R3-2007-0050, and Cease and Desist Order (CDO) No. R3-2007-0051 name only "Arlen Haffner" as the discharger. In addition, the facility is also known as "Happy Valley Villa". The new WDRs and CDO should also name the corporation as the discharger and note the alternate name of the facility.

**RECOMMENDED CHANGES TO THE ORDERS**

Revise the definition of "Discharger" in Finding No. 1 of WDRs Order No. R3-2007-0050 and CDO No. R3-2007-0051 to read, "Arlen Haffner and Casa De Montgomery, Inc., aka Happy Valley Villa (collectively, Discharger) ...".