

# ENFORCE

# LAND DISPOSAL

**GROUP:** LAND DISPOSAL

**MEASURE:** PENALTIES

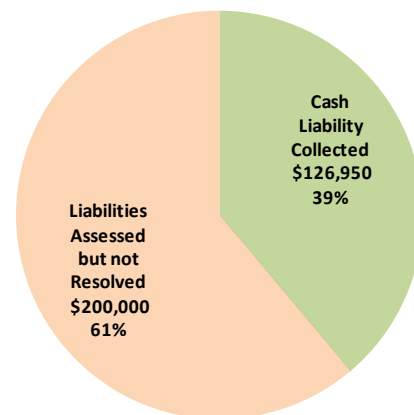
**MESSAGE:** *Of the penalties resolved thus far 100% is collected and no penalty was resolved with projects.*

*KEY STATISTICS FOR FY 2008-09*

PENALTIES ASSESSED: \$326,950  
 PENALTIES COLLECTED: \$126,950  
 SEPS/PROJECTS APPROVED: \$0

**MEASUREMENTS:**

Region	Number of Administrative Civil Liability Actions	Total Liability Assessed	Cash Liability Collected	Projects Approved	Percentage of Liabilities Remaining to be Resolved
1	-	\$ -	\$ -	\$ -	N/A
2	1	\$ 200,000	\$ -	\$ -	100.0%
3	-	\$ -	\$ -	\$ -	N/A
4	1	\$ 7,000	\$ 7,000	\$ -	0.0%
5	-	\$ -	\$ -	\$ -	N/A
6	-	\$ -	\$ -	\$ -	N/A
7	-	\$ -	\$ -	\$ -	N/A
8	-	\$ -	\$ -	\$ -	N/A
9	1	\$ 119,950	\$ 119,950	\$ -	0.0%
<b>TOTAL</b>	<b>3</b>	<b>\$ 326,950</b>	<b>\$ 126,950</b>	<b>\$ -</b>	<b>61.2%</b>



\$250,000

\$200,000

\$150,000

\$100,000

\$50,000

\$-

	1	2	3	4	5F	5R	5S	6A	6B	7	8	9
LIABILITIES ASSESSED	\$-	\$200,000	\$-	\$7,000	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$119,950
PENALTIES COLLECTED	\$-	\$-	\$-	\$7,000	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$119,950
PROJECTS APPROVED	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-
AMOUNT IN PROGRESS	\$-	\$200,000	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$-

**WHAT THE MEASURE IS SHOWING:**

During fiscal year 2008-2009 three Administrative Civil Liability actions were issued under the WDR-Land Disposal program. Of the assessed amount, 40% has been resolved and collected. None of the actions were resolved with the completion of a supplemental environmental project.



**WHY THIS MEASURE IS IMPORTANT:**

California law and the Water Boards enforcement policy establishes the circumstances for which violations must receive a penalty and in what amount. In certain cases, the Water Boards have the discretion of imposing administrative civil liabilities after considering certain factors. The Regional Boards can also consider whether the discharger should be allowed to satisfy some or all of the monetary assessment by completing or funding one or more supplemental environmental projects or by depositing the penalty amount in a specified fund. Preparing each case for prosecution requires a significant amount of time and resources. This measure describes a significant workload for the enforcement program.

**TECHNICAL CONSIDERATIONS:**

- Data Source: CIWQS. Period: July 1, 2008 to June 30, 2009. Extracted on August 15, 2009.
- Unit of Measure: Number of enforcement actions and penalties assessed during FY 08-09 and the progress of the penalties.
- Data Definitions: **Penalties Assessed:** Amounts assessed in an ACL complaint or order. **Penalties Resolved:** Amount of penalties assessed that have been either paid or approved as a SEP.
- References: More information on the Water Boards' Land Disposal program is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/land\\_disposal/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/land_disposal/index.shtml)
- ACL report available at: <http://ciwqs.waterboards.ca.gov/ciwqs/readOnly/aclReport.jsp>
- Enforcement and compliance assurance information is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/](http://www.waterboards.ca.gov/water_issues/programs/enforcement/)
- The Water Boards' enforcement policy is also available at: [http://www.waterboards.ca.gov/plans\\_policies/docs/wqep.doc](http://www.waterboards.ca.gov/plans_policies/docs/wqep.doc)
- State Water Board SEP Policy: [http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/docs/rs2009\\_0013\\_sep\\_finalpolicy.pdf](http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/rs2009_0013_sep_finalpolicy.pdf)

**GLOSSARY:****Land Disposal**

The Land Disposal program regulates waste discharge to land for treatment, storage and disposal in waste management units. Waste management units include waste piles, surface impoundments, and landfills. California Code of Regulations (CCR) Title 23, (Chapter 15) contains the regulatory requirements for hazardous waste. CCR Title 27, contains the regulatory requirements for wastes other than hazardous waste.