

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

STAFF REPORT FOR REGULAR MEETING OF MARCH 7, 2014
Prepared February 20, 2014

ITEM NUMBER: 11

SUBJECT: The Inn at Pasatiempo, Cease and Desist Order No. R3-2014-0004

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KEY INFORMATION

Discharger:	Pasatiempo Investments, Pasatiempo II Investments, Richard S. Gregersen, and Adventco Holding Corporation
Facility Name:	The Inn at Pasatiempo
Facility Address:	555 Highway 17 Santa Cruz, CA Santa Cruz County
Type of Waste:	Domestic Wastewater
Treatment:	Septic and fixed activated sludge treatment system
Disposal:	Subsurface Disposal
Facility Design Flow:	12,000 gallons per day
Existing Orders:	Waste Discharge Requirements Order No. 99-136
Requested Action:	Adopt Cease and Desist Order No. R3-2014-0004

SUMMARY

The Inn at Pasatiempo operates its own wastewater treatment and disposal systems. Pasateimpo Investments, Pasatiempo II Investments, Richard S. Gregerson, and Adventco Holding Corporation (Dischargers) own and operate the Inn at Pasatiempo and collect, treat, and dispose of wastewater at the Inn. The attached Cease and Desist Order alleges that Pasatiempo violated Waste Discharge Requirements Order No. 99-136 discharge prohibitions and specifications. The alleged violations include the discharge of untreated or partially treated wastewater to subsurface disposal areas and several effluent limit violations. The Cease and Desist Order requires the Dischargers submit a plan to either replace/repair the onsite treatment and disposal facilities or connect to the City of Santa Cruz-operated sanitary sewer collection system.

DISCUSSION

Background:

The Dischargers own and operate two wastewater treatment and disposal systems that service a motel, restaurant, bar, swimming pool, and conference rooms. The first system treats wastewater from the restaurant, bar, and two out buildings with a fixed activated sludge treatment (FAST) system that includes two septic tanks, grease interceptors, an effluent pump station, a distribution box, and eleven subsurface disposal lines. The second system serves a large out building and includes a large septic tank, a holding tank, an effluent pump, a distribution box, ten subsurface disposal lines, and an overflow drain line. Wastewater flows vary seasonally with peak flows of

10,000 gallons per day at full occupancy. The facility averages 5,000 gallons per day. System design capacity is 12,000 gallons per day.

The Water Board issued nine notices of violation for reporting and effluent limit violations to the Dischargers between 2001 and 2012. The Water Board assessed administrative civil liability for late and incomplete monitoring reports to the Dischargers in 1999. The Water Board issued two previous cease and desist orders to the Dischargers, in 1995 and again in 1999. The 1995 cease and desist order established a schedule to connect to the City of Santa Cruz wastewater treatment plant. The 1999 cease and desist order recognized the failure of the Dischargers to hook up to the City's sewer system and established a time schedule to install the enhanced onsite wastewater treatment system. The Dischargers responded to the 1999 cease and desist order by installing the existing FAST system in January of 2001. The FAST system has consistently failed to produce effluent in compliance with Waste Discharge Requirements Order No. 99-136.

Summary of Prosecution Brief

The Prosecution Team argues that the Dischargers violated Waste Discharge Requirements Order No. 99-136. As detailed in the draft Cease and Desist Order (Attachment 1) the violations include:

- The Dischargers bypassed the enhanced onsite wastewater treatment facility and/or discharged untreated or partially treated wastes directly to subsurface disposal areas.
- The Dischargers have not been reporting effluent flow data, pursuant to Monitoring and Reporting Program No. 99-136. The system flow meters stopped functioning properly in 2003. Accurate and current flow data are needed to report site-wide total nitrogen percent reduction. The Dischargers have been utilizing flow estimates based on past data. Prosecution staff does not consider this accurate reporting.
- The Dischargers have not reported sodium concentration data, pursuant to Monitoring and Reporting Program No. 99-136, since May 2009.
- The Dischargers repeatedly violated the total nitrogen reduction effluent limit. Permit specification B.3 requires a minimum 50% nitrogen reduction. Central Coast Water Board staff analyzed the Dischargers' total nitrogen percent reduction sampling data for the FAST System influent and effluent from April 18, 2006 through December 15, 2008. Of 59 separate data points, only three data points met the requirement of at least a 50% nitrogen reduction.
- The Dischargers repeatedly violated permit Discharge Specification No. B.2, chloride limits at buildings A/B. Since May 2009 the Dischargers stopped regularly reporting this value. The chloride limit is 125 mg/L. The Dischargers reported chloride values in 2008 of 540 mg/L for October; 490 mg/L for September, 420 mg/L for May; and 620 mg/L for March.

The Prosecution Team argues that the Dischargers must develop a detailed plan to either replace or repair the current treatment systems or develop a plan to permanently connect to the City of Santa Cruz sanitary sewer collection system. The plan must include specific timelines that will be used as compliance dates to help ensure progress towards eliminating violations.

Summary of The Inn at Pasatiempo Brief

The Dischargers chose not to submit a brief.

CONCLUSION

The proposed Cease and Desist Order No. R3-2014-0004 includes findings and descriptions of the alleged violations and a compliance schedule requiring the Dischargers submit a plan to correct the alleged violations by either upgrading the current facilities or by connecting to the City of Santa Cruz sanitary sewer collection system.

ATTACHMENTS

1. Draft Cease and Desist Order No. R3-2014-0004
2. Prosecution Team Legal and Technical Analysis in Support of Proposed Cease and Desist Order No. R3-2014-0004,
3. Prosecution Team Exhibits List with Exhibits
4. Prosecution Team Witness List