



California Regional Water Quality Control Board

Central Valley Region



erry Tamminen
Secretary for
Environmental
Protection

Redding Office
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Arnold Schwarzenegger
Governor

NOTICE OF VIOLATION

7 April 2004

CERTIFIED MAIL
#7002 2410 0006 8514 0415

Mr. William Issac
Linkside Place LLC.
2865 Coldwater Canyon Drive
Beverly Hills, CA 90210

LINKSIDE PLACE SUBDIVISION CONSTRUCTION STORM WATER PERMIT VIOLATION, WDID NO. 5R04C324269, OROVILLE, BUTTE COUNTY

Enclosed are the inspection reports for the inspections on the 18th, 23rd, and 25th of February 2004, at Linkside Place Subdivision. During the inspections of your construction site Regional Board staff noted the following violations of the Construction Storm Water Permit (General Permit):

- The discharge of materials other than storm water to waters of the State (Discharge Prohibition A.2),
- The discharge of storm water shall not cause or threaten to cause pollution, contamination, or nuisance (Discharge Prohibition A.3),
- The discharge of storm water causing an exceedance of an applicable water quality standard contained in the Basin Plan (Receiving Water Limitation B.2),
- Failure to develop and implement controls to reduce pollutants in storm water discharges from the construction site to the BAT/BCT performance standard (Special Provision C.2),
- Failure to describe in the Storm Water Pollution Prevention Plan (SWPPP) non-storm water discharges and the Best Management Practices (BMPs) appropriate for their control (Special Provision C.3),
- Failure to maintain control measures identified in the SWPPP (Section A: SWPPP, No. 1 Objectives),
- Failure to implement an effective combination of erosion and sediment control on all disturbed areas during the rainy season (Section A: SWPPP, No. 6 Erosion Control); and
- Discharging sediment-laden water from a dewatering site into a receiving water without filtration or equivalent treatment (Section A: SWPPP, No. 9 Non-Storm Water Management).

In response to this Notice of Violation, Linkside Place LLC must immediately do the following:

- Discontinue all discharges of materials other than storm water which are not otherwise authorized by an NPDES permit from Linkside Place.
- Implement an effective combination of erosion and sediment control on all disturbed areas during the rainy season at Linkside Place.

California Environmental Protection Agency

- Maintain BMPs to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from Linkside Place.
- Inspect the construction site regularly to ensure that appropriate and effective sediment and erosion control BMPs are installed and maintained throughout Linkside Place. Inspect the construction site before and after storm events and once each 24-hour period during extended storm events to identify BMP effectiveness and implement repairs or design changes as soon as feasible depending upon field conditions. For each inspection, the person identified in the SWPPP shall complete an inspection checklist. At a minimum, the inspection checklist shall include all items listed under Section A: Storm Water Pollution Prevention Plan, No. 11 Maintenance, Inspection, and Repair.
- Ensure that the person(s) responsible for inspections of Linkside Place and subcontractors working on Linkside Place have been trained in storm water management including the effective use of storm water management BMPs and good housekeeping practices for construction sites.

In order to demonstrate compliance with General Permit, we request Linkside Place LLC. submit to the Regional Board by **27 April 2004**:

- A revised SWPPP with map showing the location of all BMPs, photographic evidence of the corrections made and any additional BMPs installed in response to this Notice of Violation.
- A written summary of how Linkside Place LLC will prevent future violations and potential discharges of pollutants to waters of the State.

As the owner of the construction site, you are responsible for complying with all of the conditions of the General Permit. Failure to comply with the General Permit may result in further enforcement actions, which may include, but are not limited to, administrative civil liabilities. Under Section 13385 of the California Water Code, the Regional Board can impose administrative civil liabilities up to ten thousand dollars (\$10,000) per day per violation, and where there is discharge, any portion of which is not susceptible to cleanup or is not cleaned up, and the volume discharged but not cleaned up exceeds 1,000 gallons, an additional liability not to exceed ten dollars (\$10) multiplied by the number of gallons by which the volume discharged but not cleaned up exceeds 1,000 gallons, for violations of the terms and conditions of the General Permit. This matter is being referred to the Executive Officer for consideration of Administrative Civil Liability.

If you have any questions, please contact Scott A. Zaitz of my staff at (530) 224-4784, or the letterhead address.



Mary L. Randall, P.E.
Chief, South Regulatory Unit

SAZ: sae

Encls: Inspection reports, Attachments, Site photographs

cc: See Attached List

cc w/ encl: Mr. Tim Vendlinski, USEPA, Wetlands Regulatory Office, Region 9, San Francisco
Ms. Laura Whitney, U.S. Army Corps of Engineers, Regulatory Unit, Sacramento
U.S. Fish and Wildlife Service, Sacramento
Department of Fish and Game, Region 2, Rancho Cordova
Mr. Vance Severin, Director, Butte County Environmental Health, Oroville
Ms. Jo Sherman, Planning Director, City of Oroville Planning Department, Oroville
Genesis Civil Engineers, Marysville
Mr. Joe Montgomery, E-Ticket Construction, Oroville
Linkside Place LLC, Van Nuys
Mr. Bert Garlund, C&N Investments, Carson City, NV
Mr. William G. Isaac, Carson City, NV
Loafer Creek LLC, Oroville