
Central Valley Regional Water Quality Control Board

25 July 2014

Daniel J. Sholl
General Manager
California Sprouts, LLC.
5640 Warehouse Way
Sacramento, CA 95826-4912

***NOTICE OF VIOLATION AND DRAFT RECORD OF VIOLATIONS FOR ASSESSING
MANDATORY MINIMUM PENALTIES, CALIFORNIA SPROUTS, LLC, SACRAMENTO,
SACRAMENTO COUNTY***

The discharge of wastewater by California Sprouts, LLC at its Sacramento facility was regulated by Order R5-2008-0082-027 (NPDES CAG995002), *Waste Discharge Requirements for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Super Chlorination Projects, and Other Limited Threat Wastewaters to Surface Waters* (Order) until 30 May 2013 when it was replaced by Order R5-2013-0073-027, except for enforcement purposes.

As required by section 13385 of the California Water Code, the Central Valley Water Board must assess mandatory minimum penalties for (a) violations of the effluent limitations contained in the WDRs and (b) for failure to submit a discharge monitoring report for each 30-day period following the report submittal due date.

Enclosed is a draft Record of Violations (ROV) that contains a listing of the late reporting violations that occurred between 30 April 2012 and 31 March 2014. The ROV also shows that the proposed mandatory minimum penalty is \$282,000.

Please review the draft Record of Violations for accuracy and submit any comments or corrections by **8 August 2014**. If you have any questions regarding the violations, please contact Lucio Orellana at (916) 464-4660 or lorellana@waterboards.ca.gov.

NICHOLE MORGAN
Senior Water Resource Control Engineer
NPDES Compliance and Enforcement Unit

Enclosure: Attachment A

cc with encl: Laura Drabandt, Office of Enforcement, SWRCB, Sacramento

**ATTACHMENT A
RECORD OF VIOLATIONS FOR ASSESSING MANDATORY MINIMUM PENALTIES**

California Sprouts, LLC

MANDATORY PENALTIES FOR FAILURE TO SUBMIT REPORTS

RECORD OF VIOLATIONS (30 April 2012 through 31 March 2014) MANDATORY PENALTIES
(Data reported under Monitoring and Reporting Programs R5-2008-0082-027 and R5-2013-0073-027)

	<u>SMR</u>	<u>Due Date</u>	<u>Received Date</u>	<u>No. of 30-day Periods Late</u>	<u>Discharge</u>	<u>No. of 30-day periods Subject to MMPs</u>	<u>Remarks</u>	<u>CIWQS</u>
1	2Q 2012	1-Aug-12	24-July-14	24	Yes	24	1	972764 to 972787
2	3Q 2012	1-Nov-12	9-June-14	19	Yes	19	1	972788 to 972806
3	4Q 2012	1-Feb-13	9-June-14	16	Yes	16	1	972807 to 972822
4	1Q 2013	1-May-13	9-June-14	13	Yes	13	1	972823 to 972835
5	2Q 2013	1-Aug-13	9-June-14	10	Yes	10	1	972836 to 972845
6	3Q 2013	1-Nov-13	9-June-14	7	Yes	7	1	972846 to 972852
7	4Q 2013	1-Feb-14	9-June-14	4	Yes	4	1	972853 to 972856
8	1Q 2014	1-May-14	9-June-14	1	Yes	1	1	972857

Remarks:

1. Serious Violation: Failure to file a discharge monitoring report for each complete period of 30 days following the deadline for submitting the report when a discharge occurred.

VIOLATIONS AS OF:	3/31/14
<u>Serious Violations Subject MMPs:</u>	<u>94</u>
Total Violations Subject to MMPs:	94

Mandatory Minimum Penalty = (94 Serious violations) x \$3,000 = \$282,000