
North Coast Regional Water Quality Control Board

January 9, 2015

Mr. Carl Davis
Carl's Ready Mix
3660 Copperhill Lane
Santa Rosa, CA 95403

Dear Mr. Davis:

Subject: Notice of Violation of the Industrial Storm Water Permit, Order 97-03-DWQ
File: Carl's Ready Mix, Sonoma County, WDID No. 1 49I021904

On October 28, 2008, you applied for coverage and were subsequently enrolled under the Statewide General Permit for Discharges of Storm Water for Industrial Activities (Industrial General Permit) for the above-referenced facility. The Industrial General Permit contains enforceable requirements intended to control the discharge of pollutants in the storm water from industrial facilities. Discharges of concrete truck wash water and concrete wastes in storm water to waters of the United States can cause or contribute to adverse impacts to water quality and beneficial uses, and violations of applicable water quality standards. The Industrial General Permit requires facility operators to eliminate unauthorized non-storm water discharges, and to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges through the development and implementation of Best Management Practices (BMPs). These BMPs require control of pollutants using Best Available Technology Economically Achievable (BAT) for toxic and non-conventional pollutants and Best Conventional Pollutant Control Technology (BCT) for conventional pollutants.

On November 19, 2014, Regional Water Quality Control Board (Regional Water Board) staff inspected your Windsor facility. Staff observed evidence that waste concrete and concrete truck wash water has been repeatedly dumped onto the ground at your Windsor facility. Discharges of both concrete truck wash water and storm water runoff from areas where this waste material is dumped flows into wetlands immediately south of the waste piles. Discharge of pollutants in storm water from your property into the storm drain system

violates Discharge Prohibitions A.1 and A.2 and Effluent Limitation B.3 of the Industrial General Permit.

The following pictures depict conditions observed onsite during the Regional Water Board staff inspection.



November 19, 2014, recently dumped concrete on ground at Carl's Ready Mix, Paul Keiran, Regional Water Board staff photograph



November 19, 2014, , recently dumped concrete on ground at Carl's Ready Mix, Paul Keiran, Regional Water Board staff photograph



November 19, 2014, evidence of concrete wash water flowing to and entering adjacent wetlands at Carl's Ready Mix, Paul Keiran, Regional Water Board staff photograph

Carl's Ready Mix has not fully implemented appropriate BMPs to effectively prevent concrete truck washing wastewater and storm water discharges at the Windsor facility. This lack of BMPs has resulted in discharges which constitute a violation of the requirements of the Industrial General Permit, and may be causing or contributing to violations of water quality standards. Therefore, you are required to immediately cease discharges of wastewater and polluted storm water into waters of the State and waters of the United States. Pursuant to section F.3 of the Industrial General Permit, Carl's Ready Mix shall submit a report to the Regional Water Board fully describing corrective actions taken to address the violations noted above by **February 8, 2015**.

Compliance with the Industrial General Permit requires that you have onsite an adequate Storm Water Pollution Prevention Plan (SWPPP), and that you implement the BMPs in the SWPPP to achieve BAT and BCT. The SWPPP shall be revised as necessary to ensure that

storm water discharge does not create a condition of pollution or nuisance. Pursuant to sections E.11 and C.3, Carl's Ready Mix shall develop the means to properly control or eliminate truck washing wastewater and concrete wastes in storm water discharges to receiving waters via improved source control and BMPs that achieve BAT/BCT at the facility and submit this plan to the Regional Water Board by **March 8, 2015**.

Carl's Ready Mix is in violation of the Industrial General Permit and may be subject to a monetary penalty (administrative civil liability). Pursuant to Water Code section 13385(a) (2), the Regional Water Board may impose civil liability of up to \$10,000 per day of each violation and up to \$10 per gallon discharged from the facility in excess of 1,000 gallons. Days of violation for penalty calculations start with the date of the inspection, or earlier, and continue until there is a return to compliance with the Industrial General Permit. When determining whether to pursue enforcement action for noncompliance, Regional Water Board staff considers how promptly corrective action is taken and the effectiveness of the corrective actions.

If you have any questions, please contact Paul Keiran of my staff at (707) 576-2753 or at Paul.Keiran@waterboards.ca.gov.

Sincerely,

Original Digitally Signed

Shin-Roei Lee, Division Chief
Watershed Protection Division

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