
North Coast Regional Water Quality Control Board

October 26, 2015

Mr. Dan Johnson
Samoa Pacific, LLC
5251 Ericson Way
Arcata, CA 95521

Dear Mr. Johnson:

Subject: **Notice of Violation** of Waste Discharge Requirements Order No. R1-2001-62 and Monitoring and Reporting Program Order No. R1-2007-0026 for Samoa Pacific, LLC, Town of Samoa Wastewater Treatment Facilities (Facilities), Town of Samoa, Humboldt County

File: Samoa Pacific LLC, Town of Samoa, Navy Base Road, Town of Samoa
WDID No. 1B85017RHUM

Samoa Pacific, LLC is hereby given notice that it has violated Provision 7 of Waste Discharge Requirements Order No. R1-2001-62 (Order) and Monitoring and Reporting Program Order No. R1-2007-0026 for its failure to submit monthly self-monitoring reports for the above referenced Facilities.

This letter requires that by November 13, 2015, Samoa Pacific, LLC submit monthly self-monitoring reports for the months of February, April and May 2011, and for the months of January to December 2013. Please submit the delinquent reports electronically to NorthCoast@waterboards.ca.gov.

Background

The Town of Samoa is owned and operated by Samoa Pacific, LLC (Discharger). Samoa is located two miles northwest of Eureka on the Samoa Peninsula of Humboldt Bay. There are two separate wastewater treatment facilities currently in use in Samoa. The western system serves twenty-five homes and consists of a septic tank and leachfield. Its design capacity is reported to be 7,500 gallons per day (gpd). The eastern system serves sixty-eight homes, the hostelry, Woman's Club, and the Samoa Cookhouse. The eastern system

consists of a septic tank, two bark filters, an oxidation treatment pond, and a percolation/infiltration area located in the undeveloped, southeastern portion of Samoa. The design flow of the eastern system is 17,000 gpd (Average Dry Weather Flow).

Applicable Requirements

The Order, adopted June 28, 2001, requires that the Discharger comply with the following provision:

General Provisions 7, Monitoring: *The Discharger shall comply with the Monitoring and Reporting Program No. R1-2001-62 and any modifications to these documents as specified by the Executive Officer.*

The Monitoring and Reporting Program No. R1-2007-0026 (MRP), which modifies Monitoring and Reporting Program No. R1-2001-62, requires the Discharger to comply with the following provision:

Reporting Provision: *“Monthly monitoring reports shall be submitted to the Regional Water Board each month such that they are received by the first day of the second month following the monitoring period. The monitoring and any necessary narrative reports shall be properly titled, with a reference to this Order, and signed by the responsible official or other authorized representative of the Discharger.”*

Alleged Violations

Samoa Pacific, LLC violated Provision 7 of the Order and the Reporting Provision of the MRP by failing to submit self-monitoring reports for the Facilities for the months of February, April, and May of 2011, and for the months of January to December of 2013. We consider these reports delinquent unless Samoa Pacific, LLC can provide evidence that the reports were previously submitted to the North Coast Regional Water Quality Control Board.

Required Actions

The Discharger must comply with all requirements of the Order and MRP. Your actions to correct the conditions of non-compliance with the Order and MRP must be implemented no later than November 13, 2015. Delinquent self-monitoring reports must be submitted to the Regional Water Board at NorthCoast@waterboards.ca.gov.

Please note that correcting the conditions of non-compliance with the Order and MRP does not preclude enforcement action for the violations alleged in this notice. The Regional Water Board reserves its rights to fully enforce the law against any violation and threatened violation by taking enforcement actions such as a cease and desist order, time schedule order, administrative civil liabilities, and referral to the State Attorney General.

Administrative liabilities may be assessed beginning with the date that a violation first occurred, and not as of the date of this notice. The liabilities can be up to \$5,000 per day per violation pursuant to Water Code section 13350.

If you have any questions regarding this matter, please contact Roy O'Connor at (707) 576-2670 or Roy.O'Connor@waterboards.ca.gov.

Sincerely,

Shin-Roei Lee
Assistant Executive Officer

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Certified Mail Return Receipt Required

cc: David L. Swartz, California Engineering Company, Inc.,
1110 Civic Center Boulevard, Suite 404, Yuba City, CA 95993 swartz@cecusa.net

Jason Klumb, District Director for Senator Mike McGuire, 50 D St., Suite 120A, Santa Rosa, CA 95404 Jason.Klumb@sen.ca.gov

Matt St.John, Executive Officer, Regional Water Board
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