

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

STAFF REPORT FOR REGULAR MEETING MAY 4-5, 2011

Prepared on April 12, 2011

ITEM NUMBER: 18

SUBJECT: Enforcement Report

STAFF CONTACT: Harvey Packard 805/542-4639 or hpackard@waterboards.ca.gov

DISCUSSION

Violations Listing

Staff uses the California Integrated Water Quality System (CIWQS) to track Water Board data, including violations and enforcement actions. Attachment 1 is a CIWQS list of violations that occurred between January 1, 2011, and January 31, 2011. CIWQS has a sewer system overflow (SSO) module which provides tracking and reporting of such spills.

Summary of Enforcement Activities

The following information summarizes significant enforcement action taken by the Water Board during the period between February 1, 2011, and March 31, 2011.

Notices of Violation

Masako Restaurant, Santa Cruz, Santa Cruz County

USA Station #42, Monterey, Monterey County

Cold Canyon Landfill, San Luis Obispo, San Luis Obispo County

Chicago Grade Class III Landfill, San Luis Obispo County

Vandenberg Village Community Services District, Vandenberg Village, Santa Barbara County

Former Beacon Service Station/1000 E. Market Street, Salinas, Monterey County

Former Olympic Station/13250 Big Basin Way, Boulder Creek, Santa Cruz County

Former Whittaker Ordnance Facility/2751 San Juan Rd, Hollister, San Benito County

San Simeon Community Services District, San Simeon, San Luis Obispo County

Ag Order Enforcement

In early April 2011, enforcement staff issued 183 enforcement letters to enrollees that failed to comply with the monitoring and reporting requirements of Order No. R3-2010-0040, *Conditional Waiver of Waste Discharge Requirements for Discharges From Irrigated Lands*. These enrollees selected the cooperative monitoring option but failed to pay fees for participation in the cooperative monitoring program. The enforcement actions issued are expedited payment letters, which are offers of settlement. If the enrollees pay their past due monitoring fees and a penalty ranging from \$250 to \$1050, enforcement staff agrees not to initiate further enforcement of the violations. Enrollees must settle within 45 days. Enforcement staff will issue administrative civil liability complaints to enrollees that choose not to settle. The recommended penalty amounts in ACL

complaints will be significantly higher than the amounts of the settlement offers. Staff will keep the Board updated on this process in future enforcement reports.

Enforcement staff also issued 22 notices of violation to enrollees that failed to submit monitoring reports as required by the Ag Order. These enrollees selected the individual monitoring and reporting option for meeting the mandatory monitoring and reporting requirements and have failed to submit individual quarterly and annual monitoring reports since January 1, 2007, and a quality assurance project plan and sampling plan. The notices of violation inform the enrollees that since they failed to comply with reporting requirements, the Central Coast Water Board may assess discretionary administrative civil liabilities beginning with the date that the violations first occurred. However, the notices explain that enforcement staff will not recommend additional enforcement if they respond to the notices and return to compliance by submitting the requested information within 30 days. Enrollees that submit partial or incomplete monitoring reports remain subject to additional enforcement action, although staff will recommend consideration of partial compliance in any such actions.

Statewide List of Administrative Civil Liability Actions

For your information, Attachment 3 is a list developed by the State Water Board showing statewide ACL actions for January and February 2011.

RECOMMENDATION

This report is for Board information. The Board may provide direction to staff.

ATTACHMENTS

- 1) Violation List
- 2) List of Abbreviations
- 3) Statewide List of Administrative Civil Liability Actions