



# California Regional Water Quality Control Board

## San Diego Region



RF

Linda S. Adams  
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[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

April 4, 2008

In reply refer to:  
NCR:01-0117:jcofran

Mr. Tom Rosales  
General Manager  
South Orange County Wastewater Authority  
34156 Del Obispo Street  
Dana Point, California 92629

Dear Mr. Rosales:

**SUBJECT: Review of Self Monitoring Reports for Order No. R9-2006-0055, NPDES NO. CA0107611**

**FACILITY: Aliso Creek Ocean Outfall (multiple facilities)**

The Regional Board has reviewed the following monitoring reports for the facility referenced above:

MONITORING REPORTS REVIEWED FOR ORDER R9-2006-0055			
FREQUENCY	PERIOD	REPORT DATE	DATE RECEIVED
Monthly:	January 2008	February 28, 2008	February 29, 2008
	February 2008	March 27, 2008	March 28, 2008

The Regional Board has identified the following violations and included the following comments:

- **Violation of Monitoring and Reporting Program, Attachment E, Section V.A**
  1. October 2006 to January 2008 Monthly Monitoring Reports/ Aliso Creek Ocean Outfall: The Monitoring and Reporting Program of Order No. R9-2006-0055 requires that the acute toxicity testing be performed using either a marine fish or an invertebrate species. According to the October 2006 to January 2008 Monthly Monitoring Reports, the fathead minnow, a freshwater fish, was used for the acute toxicity testing, instead of the required marine fish or invertebrate species.

April 4, 2008

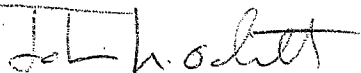
• **Comment**

2. **Monthly Monitoring Reports:** At this time, there is insufficient information to reach a conclusion regarding the contribution, if any, that the discharge is having on the bacteria levels in the near shore. Total coliform, fecal coliform, and enterococcus concentrations at a few of the surf zone stations exceeded the receiving water quality standards, set forth in Order No. R9-2006-0055, Section V.A.1, for January and February 2008.

Please take steps to ensure that the violations noted above do not occur in the future. Pursuant to the California Water Code (CWC), the violations noted are subject to additional enforcement action(s) by the Regional Board including a time schedule order, cease and desist order, cleanup and abatement order, imposition of administrative civil liability, referral to the district attorney for criminal prosecution, or referral to the attorney general. Administrative civil liability amounts that may be imposed by the Regional Board under authority of CWC Section 13385 include up to \$10,000 per day, or up to \$10 per gallon for each gallon of waste discharged

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter. If you have any questions regarding the above, please contact Ms. Joann Cofrancesco at (858) 637-5589 or [jcofrancesco@waterboards.ca.gov](mailto:jcofrancesco@waterboards.ca.gov).

Respectfully,



JOHN R. ODERMATT, Senior Engineering Geologist  
Northern Core Regulatory Unit

JRO;jlc

Violations: (1) 739197, 739201, 739203, 739205, 739206, 739209, 739212, 739214, 739216, 739217, 739218, 739220, 739222, 739224, 739226, 739227, and 743064

Enforcement (NOV): 342902