

California Regional Water Quality Control Board

San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA



Arnold Schwarzenegger Governor

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July 16, 2010

CERTIFIED MAIL 7010 1060 0000 4952 5385

In reply refer to: 272418:chenning

Mr. Jeff Pape Operations Manager Whispering Palms Community Services District 605 Third Street Encinitas, CA 92024

Dear Mr. Pape:

SUBJECT: NOTICE OF VIOLATION NO. R9-2010-0101 WHISPERING PALMS WATER POLLUTION CONTROL FACILITY (W.P.C.F.)

Enclosed is Notice of Violation No. R9-2010-0101 for the Whispering Palms Water Pollution Control Facility. The basis for this NOV was the monitoring data contained in the July– September 2009, October–December 2009, and January–March 2010 quarterly monitoring reports; the January–June 2009 and July–December 2009 semiannual monitoring reports; and the January–December 2009 annual monitoring report, which were submitted by the Whispering Palms Community Services District (District) in accordance with Order No. 94-80.

Please take steps to implement the follow-up actions necessary to ensure that the violations noted do not occur in the future. These violations subject the District to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region, including administrative enforcement orders requiring the District to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation;¹ referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

California Environmental Protection Agency

¹ Under authority of California Water Code section 13350.

Mr. Pape

The next monitoring report is the April–June 2010 quarterly monitoring report and the January– June 2010 semiannual monitoring report with due dates of July 30, 2010. In the subject line of any response, please include the requested "in reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Ms. Cathryn Henning at (858)-636-3161 or at <u>chenning@waterboards.ca.gov</u>.

Sincerely,

Julie Chan

Julie Chan P.G., Chief Groundwater Basins Branch

JC:rwm:clh:ad

Enclosure: Notice of Violation No. R9-2010-0101

cc: Corey S. Hutchinson, Plant Operations Manager (chutchinson@dudek.com)

CIWQS:

Regulatory Measure ID	142238]		-	
Place ID	272418	7			
Enforcement ID	374606	1			
Violations	873834	873835	873836	873837	873838

California Environmental Protection Agency

IN THE MATTER OF

Whispering Palms Community Service District 605 Third Street Encinitas, CA 92024

NOTICE OF VIOLATION NO. R9-2010-0101

In reply refer to: 272418: chenning

Waste Discharge Requirements: Order No. 94-80 Facility: Whispering Palms Water Pollution Control Facility

YOU ARE HEREBY NOTIFIED THAT:

The Whispering Palms Community Service District (District) violated Order No. 94-80, *Waste Discharge Requirements for Whispering Palms Community Services District, Whispering Palms Water Pollution Control Facility, San Diego County.* These violations subject the District to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), including administrative enforcement orders requiring the District to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation;² referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

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The San Diego Water Board reviewed the July–September 2009, October– December 2009, and January–March 2010 quarterly monitoring reports; the January– June 2009 and July–December 2009 semiannual monitoring reports; and the January– December 2009 annual monitoring report required by Order No. 94-80.

Summary of Violations:

- 1. The daily maximum of Discharge Specification B.2 for total dissolved solids (TDS), established at 1,200 milligrams per liter (mg/L), was exceeded on March 30, 2010 with a reported value of 1,340 mg/L.
- 2. The monthly average of Discharge Specification B.2 for TDS, established at 1,100 mg/L, was exceeded during March 2010 with a reported value of 1,340 mg/L.
- 3. The monthly average of Discharge Specification B.2 for chloride, established at 350 mg/L, was exceeded during July 2009 and March 2010 with reported values of 364 and 366 mg/L, respectively.

² Under authority of California Water Code section 13350.

Notice of Violation No. R9-2010-0101 Whispering Palms W.P.C.F.

4. The daily maximum flow of Discharge Specification B.1, established at 0.4 million gallons per day (MGD), was exceeded on March 14, 2010 with a reported value of 0.626 MGD.

Questions pertaining to the issuance of this Notice of Violation are to be directed to Ms. Cathryn Henning at (858)-636-3161 or via e-mail at chenning@waterboards.ca.gov. Written correspondence should be directed to the following address:

Ms. Julie Chan Attn: Ms. Cathryn Henning California Regional Water Quality Control Board, San Diego Region 9174 Sky Park Court, Suite 100 San Diego, CA 92123-4340

Julie Chan, P.G., Chief Groundwater Basins Branch

so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: Mr. Jeff Pape Operations & Manager Wisspering Palois Community Service District Exist Third Street Exist Third Street Exist Third Street 2. Article Number (Transfer from service labe) 2. Article Number (Transfer from service labe) 2. Article Number (Transfer from service labe) 2. Article Number (Transfer from service labe) 3. Service Type Scentified Mail B. Received by (Printed Name) C. Date of Deliver D. Is delivery address different from item 1? D. Is delivery address below: No 3. Service Type Scentified Mail B. Received by (Printed Name) C. Date of Deliver 12 Service Steps Scentified Mail B. Received by (Printed Name) C. Date of Deliver D. Is delivery address below: No No No No Scentified Mail B. Received by (Printed Name) C. Date of Deliver (Scentified Mail B. Received by (Printed Name) C. Date of Deliver Scentified Mail B. Received by (Printed Name) C. Date of Deliver Scentified Mail B. Received by (Printed Name) C. Date of Deliver Scentified Mail C. Do. C. Date of Deliver Scentified Mail C. Do. C. Date of Deliver Scentified Mail C. Do. C. Do. C. Date of Deliver Scentified Mail C. Do. C. Date of Deliver Scentified Mail C. Do. C.	SENDER: CO	MPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
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2. Article Number (Transfer from service label) PS Form 3811, February 2004 7–76 U.S. Postal Service ···· CERTIFIED MAIL ··· RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) For delivery information visit our website at www.usps.com)	Los Third Encivita	s, CA 92024	Registered PFReturn Receipt for Merchandis Insured Mail C.O.D.		
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Sent Yo Wy. Jeff Pape (Whispering Palms C.S.P.) Si Street Apt No.; or PO Box No.; Chy. State, 214-4 Encinitas, (A 92224 PS Form 3800, August 2006 Sec Reverse for Instructions		Wy. Jeff Street Apt Na; or PO Bax Na. 6.21 Chy. State, 214-4 EAC	5 Third St. anitas, LA 92.024		

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