CLEANUP AND ABATEMENT ORDER NO. 99-211
FOR
COUNTY OF ORANGE
ORANGE COUNTY FLOOD CONTROL DISTRICT
AND
CITY OF LAGUNA NIGUEL

The California Regional Water Quality Control Board, San Diego Region (Regional Board), finds that:

1. The County of Orange, the Orange County Flood Control District, and the City of Laguna Niguel (Co-Permittees) discharge waste with high fecal coliform bacteria levels from municipal storm drain outfall "J03P02" into Sulphur Creek, a tributary to Aliso Creek.

2. Co-Permittees cause or permit illicit/illegal discharges into the municipal storm water conveyance system which discharge from J03P02 in violation of Discharge Limitation No. 1 of Regional Board Order No. 96-03, NPDES No. CAS0108740, *Waste Discharge Requirements for Storm Water and Urban Runoff from the County of Orange, the Orange County Flood Control District, and the Incorporated Cities of Orange County Within the San Diego Region.*

3. The Co-Permittees' discharge impairs the ability of the water to support Non-Contact Recreation (REC-2) in violation of the Water Quality Control Plan for the San Diego Basin (9) Water Quality Objective, and creates a condition of pollution and/or nuisance.

4. This enforcement action is being taken for the protection of the environment and therefore, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code § 21000 et seq.) in accordance with Administrative Code § 15108.

5. Pursuant to Water Code § 13304, the Regional Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Regional Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order.

IT IS HEREBY ORDERED that, pursuant to Water Code § 13304:

1. The Co-Permittees immediately cleanup the wastes discharged and abate their effects.

2. The Co-Permittees monitor fecal coliform bacteria in Sulphur Creek and storm drain outfall "J03P02" weekly.

3. By 11 February 2000, the Co-Permittees submit in writing to the Regional Board a work plan with time schedule to cleanup the wastes and abate their effects, as well as

a monitoring plan. Furthermore, the Co-Permittees shall submit bacteriological monitoring results collected by the date of the submittal as well as interpretations and conclusions made from the results.

4. The Co-Permittees shall submit written quarterly progress reports including bacteriological monitoring results to the Regional Board according to the following schedule:

Reporting Period	Due Date
February, March and April	31 May
May, June and July	31 August
August, September and October	30 November
November, December and January	28 February

Pursuant to Water Code § 13350, any person who intentionally or negligently violates a cleanup and abatement order may be liable civilly in an amount which shall not exceed five thousand dollars ($5,000), but shall not be less than five hundred dollars ($500), for each day in which the cleanup and abatement order is violated.

Dated this 28th day of December, 1999

JOHN H. ROBERTUS
Executive Officer