

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Lane, Suite 101
San Luis Obispo, California 93401**

COMPLAINT NO. R3-2004-0003

**MANDATORY PENALTY
GOLETA SANITARY DISTRICT
WASTEWATER TREATMENT PLANT
SAN LUIS OBISPO COUNTY**

This complaint to assess Mandatory Penalties pursuant to Water Code section 13385(h) is issued to the Goleta Sanitary District (Discharger) based on a finding of violations of Waste Discharge Requirements Order No. 96-21 (NPDES No. CA0048160).

The California Regional Water Quality Control Board, Central Coast Region (Regional Board) finds the following:

1. On July 26, 1996, the Regional Water Quality Control Board, Central Coast Region (Regional Board), adopted *Waste Discharge Requirements Order No. 96-21, NPDES Permit No. CA0048160, for Goleta Sanitary District, San Luis Obispo County* (Order No. 96-21).
2. California Water Code section 13385(h)(1) requires the Regional Board to assess a mandatory penalty of three thousand dollars (\$3,000) for each serious violation.
3. California Water Code section 13385(l) states that "(1) In lieu of assessing penalties pursuant to subdivision (h) or (i), the...regional board, with the concurrence of the discharger, may direct a portion of the penalty amount to be expended on a supplemental environmental project in accordance with the enforcement policy of the state board. If the penalty amount exceeds fifteen thousand dollars (\$15,000), the portion of the penalty amount that may be directed to be expended on a supplemental environmental project may not exceed fifteen thousand dollars (\$15,000) plus 50 percent of the penalty amount that exceeds fifteen thousand dollars (\$15,000).
4. California Water Code section 13385(h)(2) provides a serious violation occurs if the discharge exceeds the effluent limitations for a Group II pollutant, as specified in Appendix A to section 123.45 of Title 40 Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to section 123.45 of Title 40 Code of Federal Regulations, by 40 percent or more.
5. Total Chlorine Residual is a Group II Pollutant.
6. Order No. 96-21 includes in part the following:

Effluent Limitations B.2.b:

Constituent	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
Total Chlorine Residual	mg/L	0.27	0.98	7.38

7. **Serious Thresholds** – Effluent containing constituent concentrations that are greater than or equal to the following values (limit + 40% for Group I pollutants, limit + 20% for Group II pollutants) are serious violations:

Constituent	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
Total Chlorine Residual	mg/L	0.32	1.18	8.86

8. According to monitoring reports submitted by the Discharger, the Discharger committed the following violation of Order No. 96-21 on January 7, 2001:

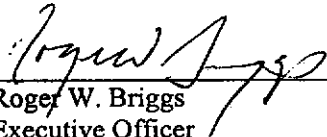
#	Violation Date	Constituent	Permitted Limit	Reported Value	Violation Type
1	1/07/01	Chlorine residual	7.38 mg/L instant. maximum	10.0 mg/L	Serious

9. According to Finding No. 8, the Discharger committed one serious violation on January 7, 2001. The amount of the mandatory penalty for the serious violations is three thousand dollars (\$3,000).

GOLETA SANITARY DISTRICT IS HEREBY GIVEN NOTICE THAT:

1. The Executive Officer of the Regional Board proposes that the Discharger be assessed a Mandatory Penalty in the amount of three thousand dollars (\$3,000).
2. The Regional Board shall hold a public hearing on February 6, 2004, unless the Discharger agrees to waive its right to a public hearing by filling out, signing, and submitting the enclosed "Waiver of Hearing". If the Discharger chooses not to waive its right to a public hearing, the Regional Board may proceed with the scheduled public hearing and consider testimony received from interested persons during the public hearing and decide whether to accept the amount of Mandatory Penalty proposed by the Executive Officer or increase the liability. The Regional Board may also decide to continue the matter to a future hearing or refer it to the State Attorney General. The public hearing is scheduled at the regularly scheduled Regional Board meeting on February 6, 2004 at Regional Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, California. The meeting is scheduled to begin at 8:30 a.m.; however, no specific time has been set for consideration of this item.

If you have comments or questions regarding this matter, please direct them to Michael Higgins at (805) 542-4649, or Regional Board Counsel, Lori Okun, at (916) 341-5165.


 Roger W. Briggs
 Executive Officer

12-11-03
 Date