

STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING JULY 7, 2007  
Prepared on June 14, 2007

ITEM NUMBER: 17

SUBJECT: Enforcement Report

**DISCUSSION**

**Violations Listing**

As of June 15, 2005, SWIM has been replaced by the California Integrated Water Quality System (CIWQS) to track Water Board data, including violations and enforcement actions. The following pages contain a list of violations generated from CIWQS that occurred between March 1, 2007, and March 30, 2007.

CIWQS is still a work in progress, and the attached report has some deficiencies. However, we are providing the report to demonstrate the current and future capabilities of CIWQS. This listing has improved and should continue to improve in future editions.

**Summary of Enforcement Activities**

The following information summarizes significant enforcement action taken by the Water Board during the period between March 1, 2007, and April 30, 2007.

Staff Enforcement Letters

None

Notices of Violation

- Uni-Kool Partners
- Cool Pacific Produce Cooling and Shipping
- Saint Francis Youth Center

- Christopher Ranch
- Lopez Water Treatment Plant
- Wildwood Winery
- All property owners in the Los Osos/Baywood Park septic system prohibition zone

13267 Letters

- Arroyo Grande Mushroom Farm
- Pacific Mushroom Farm

Cleanup or Abatement Orders

None

Administrative Civil Liability Complaints

- Natural Selections Foods
- Cambria Winery LLC
- Mastantuono, Inc.
- Gerry's Foreign Auto Wreckers
- S & S Land Development
- Alisal Union School District

Time Schedule Orders

Lompoc Regional Reclamation Facility

**Update on California Men's Colony**

Staff is pleased to report that California Men's Colony (CMC) in San Luis Obispo County has completed construction and began operating its newly upgraded wastewater treatment facility on May 29, 2007. This upgrade is the result of Cleanup or Abatement Order No. 99-38, issued by the Water Board in March 1999.

The upgrade includes new headworks with self-cleaning screens, aerated grit removal, an oxidation ditch system for biological treatment, secondary clarification, sand filtration, and chlorine disinfection. The upgrade facility also includes a state-of-the-art solids dewatering system and a computerized Supervisory Control and Data Acquisition (SCADA) system.

The upgraded treatment facility produces high quality recycled water for irrigation of the Dairy Creek Golf Course. Flow which is not recycled is dechlorinated and discharged to Chorro Creek. The new oxidation ditch system is designed to remove nitrogen, which will help Chorro Creek to achieve its Total Maximum Daily Load for nutrients. The oxidation ditch has a long detention time, which helps to equalize fluctuating wastewater flows from CMC. The oxidation ditch system is also used at the recently completed Pismo Beach facility, where it is removing very high levels (greater than 98%) of total suspended solids and biochemical oxygen demand. The new facility will require less chemicals for disinfection than the previous facility, which should decrease the concentration of salts in the discharge, which has been a compliance problem for CMC in recent years.

CMC operators are still fine-tuning some of the treatment processes. Staff inspected the new facility on June 5, 2007, (one week after startup) and found a problem with the dechlorination process. Staff will continue working closely with CMC operators to address this and any other problems related to startup.

### Settlements / Public Hearing Waivers

#### Cambria Winery LLC

Cambria Winery, located in Santa Maria, is subject to the *General Permit for Storm Water Discharges Associated with Industrial Activity, Water Quality Order No. 97-03-DWQ, NPDES No. CA000001* (Permit). The Permit requires dischargers to submit annual self-monitoring reports by

July 1<sup>st</sup> of every year. Each report provides storm water monitoring data for the previous period of July 1<sup>st</sup> through June 30<sup>th</sup>. After the Discharger failed to comply with the July 1, 2006 report due date, staff issued the first of three Notice of Violation letters on August 1, 2006. The Discharger did not submit the annual report within 60 days of the first Notice of Violation. Water Code Section 13399.31 requires regional boards to impose civil liability upon such dischargers for no less than \$1,000.

On April 19, 2007, staff issued Administrative Civil Liability Complaint No. R3-2007-0034, recommending \$2,000 in civil liability. Staff deemed the higher-than-minimum liability appropriate because of the Discharger's history of violating Permit annual reporting requirements every year since 2001. On May 23, 2007, Cambria Winery LLC waived its right to a hearing and submitted a check for \$2,000. The Discharger submitted the annual report on February 8, 2007. No further enforcement action is necessary at this time.

#### Mastantuono Inc.

Mastantuono Inc., a winery located in Templeton, is subject to the same Permit, annual reporting requirements, and mandatory enforcement described above for Cambria Winery LLC. The Discharger did not submit the 2005-2006 annual report by July 1, 2006, and also did not submit the report within 60 days of the first Notice of Violation.

On April 19, 2007, staff issued Administrative Civil Liability Complaint No. R3-2007-0033, recommending the mandatory minimum civil liability of \$1,000. The Discharger has no history of violating Permit annual reporting requirements. On May 29, 2007, Mastantuono Inc. waived its right to a hearing and submitted a check for \$1,000.

The Discharger is working to compile and submit the annual report for the 2005-2006 reporting period (the subject of the Complaint), and monitoring information for the 2006-2007 reporting period up to the sale of the business in February 2007. No further enforcement action is necessary at this time.

Staff has contacted the new owners of the winery, and informed them of the Permit's applicability to the facility. The new owner intends to submit a Notice of Intent to comply with the Permit after July 1, 2007, since new operations will not commence until the 2007-2008 reporting period.

#### Gerry's Foreign Auto Wreckers

Gerry's Foreign Auto Wreckers, located in Watsonville, is subject to the same Permit, annual reporting requirements, and mandatory enforcement described above for Cambria Winery LLC. The Discharger did not submit the 2005-2006 annual report by July 1, 2006, and also did not submit the report within 60 days of the first Notice of Violation.

On April 19, 2007, staff issued Administrative Civil Liability Complaint No. R3-2007-0035, recommending \$2,000 in civil liability. Staff deemed the higher-than-minimum liability appropriate because of the Discharger's history of violating Permit annual reporting requirements every year since 2001. On June 12, 2007, Gerry's Foreign Auto Wreckers waived its right to a hearing and submitted a check for \$2,000.

The Discharger is working to compile and submit the annual report for the 2005-2006 reporting period. No further enforcement action is necessary at this time.

#### RECOMMENDATION

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

#### ATTACHMENT

##### 1. Violation List

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