

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**MEETING OF MARCH 13-14, 2019  
SOUTH LAKE TAHOE**

**LATE ADDITION**

<b>ITEM 12</b>
<b>2019 Annual Enforcement Report</b>

**\*\*Please replace page in Item #12, Enclosure #1, Bate Stamp  
12 – 9 & 12-10\*\* (corrections made to some numbers in Tables)**

<b>ENCLOSURE</b>		<b>BATE STAMP</b>
<b>1</b>	<b>Table 1 Informal Enforcement Actions (2015 – 2018) and Table 2 Formal Enforcement Actions (2015 – 2018)</b>	<b>12 – 9 12 - 10</b>



- d. **Targeted Actions** - Focused enforcement efforts addressing specific waste discharge and facility/industry categories. Examples may include bringing unpermitted auto recyclers into compliance with NPDES Industrial Storm Water Discharge Program requirements, and working jointly with the Department of Toxic Substances to bring Department of Defense (DOD) facilities into compliance with regulations to protect human health and the environment.
  
- e. **Informal Enforcement** - Continue addressing violations using the lowest effective level of enforcement following the principles of progressive enforcement. Examples for how progressive enforcement may be conducted with a discharger include beginning with a phone call or field meeting at the site, then issuing a staff enforcement letter or Notice of Violation, and as conditions and responses dictate, potentially elevating to formal enforcement action such as an Administrative Civil Liability Complaint or a Cleanup and Abatement Order.
  
- f. **Formal Enforcement Action** – Quickly initiate formal enforcement actions targeting Class A violations related to adverse impacts to human health, aquatic habitat/resources, and that undermine the integrity of the Water Board’s regulatory programs.

## PROGRESSIVE ENFORCEMENT

Because of the Water Board’s resource limitations, the backbone to enforcement in the Lahontan Region is primarily borne by the Water Board’s regulatory staff working in the core regulatory programs, such as NPDES Wastewater, NPDES Storm Water, Department of Defense, Non-Point Source, Waste Discharge Requirements, and Land Disposal. The Regulatory Unit staff routinely work directly with permittees, dischargers, and the public to handle permitting issues, conduct routine compliance inspections, review monitoring and technical reports, and answer public questions about specific activities under the Water Board’s authority. When Regulatory Unit staff identifies non-compliance, informal enforcement has proven to be our most efficient and effective method to restore compliance. However, the Regulatory Unit staff also are underfunded which adversely affects the Water Board’s Enforcement Program.

Informal enforcement is the Water Board’s most effective way to quickly resolve violations. Tables 1 and 2, below, show the numbers and types of informal and formal enforcement actions taken by the Water Board between from January 1, 2015 through December 31, 2018. The numbers in Table 2 (Formal Enforcement Actions) do not include time schedule orders or technical reporting requirements incorporated into permits or non-enforcement investigative orders.

**Table 1 - Informal Enforcement Actions (2015 – 2018)**

	Year				Total
	2015	2016	2017	2018	
Notice of Violation	13	5	2	7	27
Staff Enforcement Letter	46	49	23	43	161
Verbal Communication	49	89	30	31	199
<b>Total Informal Enforcement Actions</b>	108	143	55	81	<b>387</b>
<b>Underway Informal Enforcement Actions</b>	10	5	9	18	<b>42</b>
<b>Completed Informal Enforcement Actions</b>	98	138	46	63	<b>345</b>

**Table 2 - Formal Enforcement Action (2015-2018)**

	Year				Total
	2015	2016	2017	2018	
13267 Investigative Order (Enforcement)	2	0	0	0	2
Administrative Civil Liability	1	2	0	0	3
Cease and Desist Order	1	0	0	0	1
Cleanup and Abatement Order	1	1	1	0	3
Expedited Payment Letter	0	5	1	0	6
Time Schedule Order (Enforcement Orders Only)	1	0	0	0	1
*1st Annual Report Notice of Non-Compliance (Storm Water Report)	0	65	189	0	254
*2nd Annual Report Notice of Non-Compliance (Storm Water Report)	0	30	40	59	129
Notice to Comply	0	4	1	0	5
*Notice of Stormwater Non-Compliance (General WDR Certification)	71	0	0	0	71
Stipulated Penalty	0	1	0	0	1
<b>Total Formal Enforcement Actions</b>	77	108	232	59	<b>476</b>
<b>Underway Formal Enforcement Actions</b>	53	39	75	30	<b>197</b>
<b>Completed Formal Enforcement Actions</b>	24	69	157	29	<b>279</b>

\*Low-level formal enforcement actions similar to Notice of Violation (informal enforcement action)

The tables actually show more formal enforcement actions than informal enforcement actions being taken during the 2015-2018 time period. The reason for this is Water Board staff's targeted effort to increase compliance with annual reporting requirements for the NPDES Storm Water Industrial and Construction General Permits. The Water Code requires staff to issue up to two Notices of Non-Compliance followed by a