

## San Diego Regional Water Quality Control Board

April 13, 2018

**Sent By Email Only**

Mr. Scott Leetzow  
Construction Manager  
Rancho Mission Viejo Co.  
28811 Ortega Highway  
San Juan Capistrano, CA 92693  
[SLeetzow@ranchomv.com](mailto:SLeetzow@ranchomv.com)

**In reply refer to / attn:**  
**803096:KYaeger**

**Subject: Staff Enforcement Letter (SEL) Related to Violations of General Waste Discharge Requirements for Groundwater Extraction Discharges to Surface Waters Within the San Diego Region, Order R9-2015-0013, NPDES No. CAG919003 (General Order)**

**Planning Area 2 and Cow Camp Road Los Patrones Parkway, Rancho Mission Viejo Co., Antonio Parkway and Ortega Highway (Project)**

Mr. Leetzow:

Attached is a summary of the California Regional Water Quality Control Board, San Diego Region's (San Diego Water Board's) findings regarding the following reports submitted by Rancho Mission Viejo Co. (Discharger) pursuant to Order No. R9-2015-0013:

- Monthly self-monitoring reports – October 2016 through January 2018

Please take steps to ensure that the violation(s) noted in the attached violation summary table does not occur in the future. Pursuant to the California Water Code (CWC), the violations noted are subject to additional enforcement action(s) by the San Diego Water Board including a time schedule order, cease and desist order, cleanup and abatement order, imposition of administrative civil liability, referral to the district attorney for criminal prosecution, or referral to the attorney general. Administrative civil liability amounts that may be imposed by the San Diego Water Board under authority of CWC section 13385 include up to \$10,000 per day or up to \$10 per gallon for each gallon of waste discharged.

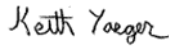
Pursuant to CWC section 13385(h), certain violations, such as late reporting and deficient monitoring, are subject to mandatory minimum penalties (MMPs) of \$3,000 for each violation. MMPs for late or missing monitoring reports will be assessed for each 30-day period following the deadline for submission until the monitoring report is received by the San Diego Water Board. If no monitoring was conducted, the Discharger must submit a written statement signed under penalty of perjury in accordance with Title 40 of the Code of Federal Regulations (40 CFR) section 122.41(k) and 40 CFR section 122.22(a)(1) stating the following:

- 1) That no monitoring was conducted during the relevant monitoring period;
- 2) The reason(s) the required monitoring was not conducted; *and*
- 3) The reason(s) the required discharge monitoring report was not submitted to the San Diego Water Board by the requisite deadline if the written statement is submitted after the deadline for submitting the monitoring report.

The San Diego Water Board will issue MMP enforcement actions under separate cover.

In the subject line of any response, please include the following: 803096:KYaeger. For questions or concerns regarding this letter, please contact me by phone at 619-521-5899 or by email at [Keith.Yaeger@waterboards.ca.gov](mailto:Keith.Yaeger@waterboards.ca.gov).

Respectfully,



Keith Yaeger  
Environmental Scientist  
Source Control Unit

cc by email: Ben Neill, San Diego Water Board, [ben.neill@waterboards.ca.gov](mailto:ben.neill@waterboards.ca.gov)  
Michael Slaby, Pure Effect Inc., [mslaby@pureeffect.com](mailto:mslaby@pureeffect.com)

Tech Staff Info & Use	
Order No.	R9-2015-0013
NPDES No.	CAG919003
CW Place ID (GW Extraction, Planning Area 2 and Cow Camp Road)	803096
CW Party/Organization ID (Rancho Mission Viejo)	297330
CW Party/Person ID (Scott Leetzow)	545038
CW Party/Organization ID (Pure Effect Inc.)	35063
CW Party/Person ID (Michael E. Slaby)	548613
CW Regulatory Measure (Enrollee)	406176
CW Regulatory Measure (General Order)	400619
CW Regulatory Measure (SEL)	420852
WDID	9 000002694
Violation IDs	
1. 1041797	8. 1041810
2. 1041799	9. 1041811
3. 1041800	10. 1041812
4. 1041801	11. 1041813
5. 1041804	12. 1041814
6. 1041806	13. 1041815
7. 1041809	14. 1041816

**Summary of Violations**  
**Planning Area 2 and Cow Camp Road Los Patrones Parkway, Rancho Mission Viejo Co., Antonio Parkway and Ortega Highway (Project)**

	<b>Violation ID(s)</b>	<b>Date(s)</b>	<b>Section of Order Violated</b>	<b>Violation Type</b>	<b>Description of Violation</b>	<b>Additional Notes</b>
1	1041797	11/30/16	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of October 2016 was submitted on January 4, 2017. This report was due on November 30, 2016.	
2	1041799	12/30/16	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the month of November 2016. This report was due December 30, 2016.	Please submit this report.
3	1041800	1/30/16	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the month of December 2016. This report was due January 30, 2017.	Please submit this report.
4	1041801	3/1/17	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the month of January 2017. This report was due March 1, 2017.	Please submit this report.
5	1041804	3/30/17	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the month of February 2017. This report was due March 30, 2017.	Please submit this report.
6	1041806	4/30/17	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the month of March 2017. This report was due April 30, 2017.	Please submit this report.
7	1041809	5/30/17	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the month of April 2017. This report was due May 30, 2017.	Please submit this report.
8	1041810	7/30/17	Table 6 of the Notice of Applicability	Late Reporting	The self-monitoring report for the month of June 2017 was submitted on March 5, 2018. This report was due July 30, 2017.	
9	1041811	8/30/17	Table 6 of the Notice of Applicability	Late Reporting	The self-monitoring report for the month of July 2017 was submitted on March 5, 2018. This report was due August 30, 2017.	
10	1041812	9/30/17	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of August 2017 was submitted on November 29, 2017. This report was due on September 30, 2017.	
11	1041813	10/30/17	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of September 2017 was submitted on November 29, 2017. This report was due on October 30, 2017.	
12	1041814	12/30/17	Table 6 of the Notice of Applicability	Late Reporting	The self-monitoring report for the month of November 2017 was submitted on March 5, 2018. This report was due on December 30, 2017.	
13	1041815	1/30/18	Table 6 of the Notice of Applicability	Late Reporting	The self-monitoring report for the month of December 2017 was submitted on March 5, 2018. This report was due January 30, 2018.	
14	1041816	3/1/18	Table 6 of the Notice of Applicability	Late Reporting	The self-monitoring report for the month of January 2018 was submitted on March 5, 2018. This report was due March 1, 2018.	