

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Michael T. Chee)  
MEETING DATE: September 13, 2006

ITEM: 7

SUBJECT: **East Bay Municipal Utility District, Special District No.1, Wet Weather Facilities, Alameda and Contra Costa Counties** - Hearing to Consider Imposition of Administrative Civil Liability for Discharge of Untreated Wastewater into Waters of the State

CHRONOLOGY: The Water Board has not previously considered this matter.

DISCUSSION: In December 2005, the District had a sanitary sewer overflow (SSO) totaling 10.6 million gallons of untreated sewage to the Oakland Inner Harbor and Temescal Creek. The SSO occurred as a result of a PG&E power outage and back-up power failure at the District's main wastewater treatment plant.

The SSO occurred during a severe storm event. Because the SSO occurred during a storm, storm runoff and groundwater flowing into the collection system significantly diluted the raw sewage, thus, making it less toxic than a similar volume SSO during dry weather. Also, because the creeks and near shore areas had high flows from storm water run-off, the impacts to beneficial uses in the receiving water was greatly reduced. After considering these factors, we issued an administrative civil liability (ACL) in the amount of \$314,000, which includes \$14,000 in staff costs.

The District has signed a waiver to a hearing (Appendix B), and plans to implement a supplemental environmental project in an amount up to \$286,000 in lieu of an equal amount of the penalty.

RECOMMEN-  
DATION: No action required.

File No.: 2199.9014 (MTC)

Appendices: A. Complaint No. R2-2006-0028  
B. Signed waiver

## **Appendix A**

## **Appendix B**

