



Central Valley Regional Water Quality Control Board

NOTICE OF VIOLATION

May 1, 2024

Scott Harter, Deputy Special Districts Administrator
Lake County Special Districts Administration
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NOTICE OF VIOLATION OF WATER QUALITY ORDER NO. 2022-0103-DWQ, LAKE COUNTY SOUTHEAST REGIONAL WASTE DISPOSAL FACILITY COLLECTION SYSTEM, WDID 5SSO11055

| Violation(s) | Description | Law/Code/Order |
|--------------------|---|--|
| 1 | Based on review of CIWQS data reported by the Enrollee between 2007 and 2023, the Enrollee reported that 1,057,089 gallons of untreated sewage reached surface waters (see Exhibit 1 below). ¹ | Clean Water Act § 301. Prohibition 4.2 of the SSS WDRs. |
| 2 | The Enrollee does not have a formal capital improvement plan (CIP). | Attachment D, Section 8 – System Evaluation, Capacity Assurance and Capital Improvements, of the SSS WDRs. |
| 3 | The Enrollee failed to submit and certify No Spill Reports, Category 4 Spill Reports, and SSO Reports within the required timeline. | Attachment E, Section 3 – Reporting Requirements, of the SSS WDRs. |
| Area(s) of Concern | Description | |
| 1 | The Enrollee does not have emergency signage for aerial crossings or ARVs. | |
| 2 | There has been a significant delay in alarm notification from the Enrollee’s third-party alarm company. | |

¹ This Notice of Violation (NOV) supersedes all other NOVs issued prior regarding spills.

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

| | |
|--------------------------|---|
| 3 | The Enrollee has had difficulties obtaining a capacity management operation and maintenance (CMOM) coordinator. |
| 4 | The Enrollee does not have formalized standard operating procedures (SOPs) for training and operation and maintenance. |
| 5 | The Enrollee does not re-review CCTV footage after the initial inspection. |
| 6 | The Enrollee does not have a method in place to inspect and maintain air relief valves (ARVs). |
| 7 | The Enrollee does not use a computerized maintenance management system (CMMS) and relies on historical knowledge of problem areas. |
| Required Response | Submit a report to the Central Valley Regional Water Quality Control Board (Central Valley Water Board) detailing the corrective actions being taken to bring the collection system into compliance with the State Water Resources Control Board (State Water Board) Order WQ 2022-0103-DWQ, Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems (SSS WDRs) ² . This report should address the violations and areas of concern listed in this table. The report must be submitted as a pdf via email to Mr. Howard Hold, Howard.Hold@waterboards.ca.gov , and Mr. German Myers, German.Myers@waterboards.ca.gov . |
| Due Date | 03 JUNE 2024 |

I. Background

The Lake County Southeast Regional Waste Disposal Facility’s (Enrollee) sanitary sewer collection system (hereafter, collection system) is owned and operated by Lake County. The collection system is regulated by the SSS WDRs, which was adopted December 6, 2022, with an effective date of June 5, 2023.

The SSS WDRs contain waste discharge requirements and a monitoring and reporting program for the operation of the Enrollee’s collection system referenced above. Wastewater conveyed by the collection system is sewage and is susceptible to high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease, and other pollutants, and which are defined as wastes under the Porter-Cologne Water Quality Act. If sewage is discharged

² To access the SSS WDRs go to the following link:
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo_2022-0103-dwq.pdf

from any portion of the collection system it may threaten public health, beneficial uses of waters of the state, and the environment.

On November 8, 2023, the State Water Board and Central Valley Water Board conducted an inspection of the collection system to evaluate compliance with the SSS WDRs. The inspection report (see Exhibit 2) is attached for your reference.

II. Legal Requirements

Lake County is hereby notified that it has violated and has deficiencies with the SSS WDRs, as listed in the table above. By violating the SSS WDRs, Lake County has violated California Water Code (Water Code) sections 13267, 13350, 1338, and/or 13385. Additionally, failing to implement the requirements of the SSS WDRs may increase the threat of discharges to waters of the state from the collection system.

III. Evidence/Violations

Violation 1.

Review of CIWQS data reported by the Enrollee between 2007 and 2023 revealed that the Enrollee reported that 1,057,089 gallons of untreated sewage reached surface waters. Prohibition 4.1 of the SSS WDRs states that any discharge from a sanitary sewer system that has the potential to discharge to surface waters of the State is prohibited unless promptly cleaned up and reported. Prohibition 4.2 of the SSS WDRs states that any discharge from a sanitary sewer system that is discharged directly or indirectly to waters of the State is prohibited.

Violation 2.

The inspection revealed that the Enrollee does not have a formal capital improvement plan. Attachment D, Section 8 of the SSS WDRs states that the Enrollee must develop a plan that includes a capital improvement plan that must include project schedules including completion dates for all portions of the capital improvement program, internal and external project funding sources for each project, and joint coordination between operation and maintenance staff, and engineering staff/consultants during planning, design, and construction of capital improvement projects, and interagency coordination with other impacted utility agencies.

Violation 3.

Review of spill reporting by the Enrollee revealed that a Category 2 and Category 3 spill have not been certified and No Spill Reports/Category 4 Spill Reports were not certified by the required time. Attachment E, Section 3 of the SSS WDRs require that Category 2 spills be certified within 15 days of the spill end date, Category 3 and 4 spills be reported and certified within 30 days after the end of the month in which the spills occur, and No Spill Reports be certified within 30 days after the end of the month in which no spills occurred.

IV. Corrective Action to Reestablish Compliance

1. Immediately implement corrective and preventative actions to bring the collection system into compliance with the SSS WDRs.
2. Submit by **June 03, 2024**, a report to the Central Valley Water Board detailing the corrective actions being taken to bring the collection system into compliance with the SSS WDRs. This report should address the violations listed in Exhibit 1 attached to this notice. The report must be submitted as a pdf via email to Mr. Howard Hold, Howard.Hold@waterboards.ca.gov , and Mr. German Myers, German.Myers@waterboards.ca.gov.

This Notice of Violation neither extends nor excuses compliance with the deadline(s) originally imposed in the SSS WDRs. However, the Board's Prosecution Team may elect not to pursue additional enforcement of the violations described in this Notice if Lake County submits evidence in accordance with the Corrective Action(s) to Reestablish Compliance due dates above.


V. Potential Liability/Fines

Pursuant to Water Code section 13350, subdivision (e), Lake County is subject to administrative civil liability of up to \$5,000 for each day in which an SSR WDRs violation occurs or \$10 for each gallon of waste discharged as a result of spills. Pursuant to Water Code section 13385, Lake County is subject to administrative civil liability of up to \$10 multiplied by the number of gallons of spilled sewage by which the volume spilled but not cleaned up exceeds 1,000 gallons. Failure to meet monitoring and reporting requirements is a violation of Water Code sections 13267 and/or 13383. Pursuant to Water Code section 13268, any person failing or refusing to furnish technical or monitoring program reports required under Water Code section 13267, or falsifying any information provided therein, is guilty of a misdemeanor and subject to an administrative civil liability of up to \$1,000 for each day the report is late. Pursuant to Water Code section 13385, the any person in violation of a Water Code section 13383 requirement is subject to administrative civil liability of up to \$10,000 for each day in which the violation occurs. The Central Valley Water Board may also refer violations to the Attorney General for judicial civil enforcement. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

VI. DOCUMENT SUBMITTAL/CONTACT INFORMATION

Requested documentation must be submitted to Howard.Hold@waterboards.ca.gov and German.Myers@waterboards.ca.gov.

Should you have any questions regarding this matter, or the contents of the attached inspection report, please contact Howard Hold at (916) 464-4679 or Howard.Hold@waterboards.ca.gov.


Digitally signed by
John J. Baum
Date: 2024.05.01
14:46:14 -07'00'

John J. Baum
Assistant Executive Officer

Enclosures:
cc electronically
w/ enclosures:

Exhibit 1 – Reported Category 1 Spills
Exhibit 2 – Lake County Southeast Regional Waste Disposal Facility Collection System
Inspection Report

cc: (via electronic mail)

Scott Hornung, Lake County
Scott.hornung@lakecountyca.gov

Tomas Eggers, State Water Resource Control Board, Office of Enforcement
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Kenny Croyle, Central Valley Regional Water Quality Control Board
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Guy Childs, Central Valley Regional Water Quality Control Board
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Xuan Luo, Central Valley Regional Water Quality Control Board
Xuan.Luo@waterboards.ca.gov

Exhibit 1

Reported Category 1 Spills

| Table 3: List of Spills Reaching Surface Water | | | | | |
|---|---------------------------|-----------------|---------------------|--|--------------------|
| Event ID | Certification Step | Category | Spill Volume | Spill Volume Reaching Surface Water | Spill Start |
| 657842 | Certified | Category 1 | 240 | 240 | 2007-09-21 |
| 705311 | Certified | Category 1 | 30 | 25 | 2007-10-15 |
| 710725 | Certified | Category 1 | 7,650 | 7,650 | 2008-01-04 |
| 710730 ³ | Certified | Category 1 | 800 | 800 | 2008-01-04 |
| 711868 ³ | Certified | Category 1 | 8,850 | 8,850 | 2008-01-25 |
| 711866 ³ | Certified | Category 1 | 9,000 | 9,000 | 2008-01-25 |
| 716938 | Certified | Category 1 | 3,450 | 50 | 2008-05-03 |
| 730621 | Certified | Category 1 | 231 | 231 | 2008-12-16 |
| 737900 | Certified | Category 1 | 300 | 300 | 2009-05-24 |
| 746762 | Certified | Category 1 | 30 | 10 | 2009-11-14 |
| 748416 | Certified | Category 1 | 4,110 | 4,110 | 2010-01-19 |
| 748485 | Certified | Category 1 | 270 | 270 | 2010-01-20 |
| 748461 | Certified | Category 1 | 15,300 | 15,300 | 2010-01-20 |
| 748804 | Certified | Category 1 | 2,280 | 2,280 | 2010-01-25 |
| 764508 | Certified | Category 1 | 3,000 | 3,000 | 2011-03-20 |
| 764763 | Certified | Category 1 | 1,365 | 1,365 | 2011-03-24 |
| 764756 | Certified | Category 1 | 9,000 | 9,000 | 2011-03-24 |
| 766961 | Certified | Category 1 | 1,250 | 125 | 2011-05-29 |
| 768663 | Certified | Category 1 | 40 | 4 | 2011-07-19 |
| 772461 | Certified | Category 1 | 200 | 10 | 2011-10-27 |
| 778381 | Certified | Category 1 | 125 | 19 | 2012-03-05 |
| 794558 | Certified | Category 1 | 45 | 45 | 2013-05-29 |
| 811175 | Certified | Category 1 | 420 | 420 | 2014-12-02 |
| 811383 | Certified | Category 1 | 31,000 | 31,000 | 2014-12-11 |
| 831500 | Certified | Category 1 | 46,950 | 46,950 | 2017-01-08 |
| 832070 | Certified | Category 1 | 180 | 180 | 2017-01-25 |
| 832905 | Certified | Category 1 | 4,200 | 1,200 | 2017-02-18 |
| 850777 | Submit Draft | Category 1 | 1,500 | 1,500 | 2018-09-03 |
| 856098 | Certified | Category 1 | 10,125 | 10,125 | 2019-02-13 |
| 856106 | Certified | Category 1 | 192,950 | 192,950 | 2019-02-13 |
| 856627 | Certified | Category 1 | 85,500 | 85,500 | 2019-02-26 |
| 856626 | Certified | Category 1 | 15,000 | 15,000 | 2019-02-26 |

³ These reported SSOs were part of Administrative Civil Liability Complaint No. R5-2008-0515, issued to Lake County on March 20, 2008.

| | | | | | |
|--|-----------|------------|---------|--------------------------|------------|
| 856657 | Certified | Category 1 | 2,430 | 2,430 | 2019-03-01 |
| 856819 | Certified | Category 1 | 5,080 | 5,080 | 2019-03-06 |
| 885305 | Certified | Category 1 | 280 | 280 | 2023-01-08 |
| 885319 | Certified | Category 1 | 1,400 | 1,400 | 2023-01-09 |
| 885320 | Certified | Category 1 | 350 | 350 | 2023-01-09 |
| 887069 | Certified | Category 1 | 40 | 40 | 2023-03-14 |
| 887225 | Certified | Category 1 | 600,000 | 600,000 | 2023-03-21 |
| Total Spill Volume Reaching Surface Water | | | | 1,057,089 gallons | |

Exhibit 2

Lake County Southeast Regional Waste Disposal Facility Collection System Report