



# California Regional Water Quality Control Board Central Coast Region



Linda S. Adams.  
Secretary for  
Environmental Protection

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<http://www.waterboards.ca.gov/centralcoast>

Arnold Schwarzenegger  
Governor

February 25, 2010

Certified Mail 7008 1140 0003 4708 6205

Mr. John Presleigh  
Department of Public Works  
Santa Cruz County  
701 Ocean Street, Room 410  
Santa Cruz, CA 95060



Dear Mr. Presleigh:

## NOTICE OF VIOLATION OF WASTE DISCHARGE REQUIREMENTS ORDER NO. 01-034, BOULDER CREEK CSA #7, SANTA CRUZ COUNTY

Waste Discharge Requirements (WDRs) Order No. 01-034 Prohibition No. 2 states, as follows:

"Discharge to areas other than designated reclamation areas and leachfield disposal areas shown in Attachment "A" is prohibited."

County staff reported two spills that occurred on January 21, 2010, in violation of the above prohibition. The first spill released 1,750 gallons of sewage to Boulder Creek. As you reported, two pumps started at the same time and overwhelmed the breaker with a current overload. The pumps subsequently failed, which allowed the spill to occur. An equipment management plan that allows wastewater pumps to become inoperative because they start simultaneously, which overloads the circuit breaker, which breaks the electrical circuit and prevents the pumps from starting is clearly inadequate.

The second spill totaled 4,500 gallons of undisinfected secondary-treated sewage that entered Boulder Creek. The cause of the spill was reported as a generator malfunction. A follow-up discussion with county staff determined you allowed the emergency generator's fuel tank to run out of fuel, which caused the pumps to stop, and the wastewater to enter the creek. A management plan that allows an emergency diesel generator's fuel tank to run dry is inadequate. That undisinfected sewage entered Boulder Creek and possibly exposed the public to pathogens further emphasizes the management plan's inadequacy.

In accordance with California Water Code (CWC) section 13267(b), you are required to submit a technical report, for approval by the Executive Officer, **by March 19, 2010**. The report shall describe how you will upgrade the equipment control processes for the Boulder Creek treatment plant, and other plants under your control where a spill can enter a surface water, to ensure the plants cannot discharge undisinfected sewage into surface waters in the future. The controls necessary to prevent the spills on January 21<sup>st</sup> should be standard components of any equipment management plan.

The Water Board requires the technical report pursuant to Section 13267 of the California Water Code. Pursuant to Section 13268 of the Water Code, a violation of a requirement made pursuant to CWC section 13267 may subject you to civil liability of up to \$1,000 per day for each day in which the violation occurs.

*California Environmental Protection Agency*

The Water Board needs the required information to evaluate your compliance with waste discharge requirements. You are required to submit this information because of violations of Order 01-034. Additional information is available in the Water Board's public file on this matter.

Any person aggrieved by this action of the Central Coast Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of the order, except that if the thirtieth day following the date of the order falls on a Saturday, Sunday, or state holiday, the petition must be received by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

If you have questions, please contact **Michael Higgins at (805) 542-4649** ([mhiggins@waterboards.ca.gov](mailto:mhiggins@waterboards.ca.gov)) or Burton Chadwick at (805) 542-4786.

Sincerely,



Michael J. Thomas  
Assistant Executive Officer

cc:

John Ricker  
Santa Cruz County Environmental Health Services Department  
701 Ocean Street, Water Quality Programs  
Santa Cruz, CA 95060-4070

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	ROUTE DATA	COPY	ATT.
1	DIRECTOR	✓	
2	ASST. DIR. SPEC. SVCS.	✓	
	RECYCLING/SOLID WASTE		
	LANDFILL OPERATIONS		
	WATER CON/FLOOD CONT.		
	STORM WATER MANG.		
	CONSTRUCT. ENG.		
3	SANITATION ENG.	✓	
	WATER & WASTEWATER		
	ASST. DIR. TRANSPORT.		
	ROAD OPS. ENG.		
	PERMITS/ENCROACH.		
	DRAINAGE OPERATIONS		
	RD. MAINT. OPERATIONS		
	RDA ENG.		
	ROAD DESIGN ENG.		
	SURVEY/DEVELOPMT.		
	TRANSP/RD. PLANNING		
	ASST. DIR. ADMIN. SVCS.		
	REAL PROPERTY/FLEET		
	CSA/PRGM ADMIN.		
	SAFETY OFFICER/LIVE OAK P.		
	PERSONNEL/MIS		