

# COUNTY OF MONTEREY

## PUBLIC WORKS, FACILITIES AND PARKS



Randell Ishii, MS, PE, TE, PTOE, Director

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### MEMORANDUM

**Date:** August 14, 2023

**To:** District 1 Supervisor Luis A. Alejo, Chair;  
District 2 Supervisor Glenn Church, Vice-Chair;  
District 3 Supervisor Chris Lopez;  
District 4 Supervisor Wendy Root-Askew;  
District 5 Supervisor Mary Adams

**From:** Randell Ishii, MS, PE, TE, PTOE, Director Public Works, Facilities and Parks

DocuSigned by:  
Randell Ishii  
C09779208FE94F3...

**Subject:** Notice of Violation from the Regional Water Quality Control Board (RWQCB), Central Coast Division, to Pajaro County Sanitation District (PCSD), dated August 11, 2023

**cc:** Sonia M. De La Rosa, County Administrative Officer  
Les Girard, County Counsel  
Nick Chiulos, Assistant County Administrative Officer  
Enrique Saavedra, P.E., Chief of Public Works  
Tom Moss, P.G., Senior Water Resources Hydrologist  
Tom Bonigut, P.E., Assistant Director Public Works, Facilities and Parks  
Ric Encarnacion, Environmental Health Bureau Chief  
Valerie Ralph, Clerk of the Board  
Nick Pasculli, Director County Communications  
Maia Carroll, Coordinator County Communications

This memorandum is to inform the Board of Supervisors that Public Works, Facilities and Parks (PWFP) – Special Districts has received a Notice of Violation (NOV) for the Pajaro County Sanitation District (PCSD) from the Regional Water Quality Control Board (RWQCB), Central Coast Division. The NOV was received and dated August 11, 2023.

In June 2022, as directed by the RWQCB, staff prepared and submitted a pre-audit questionnaire for the PCSD wastewater collection system. In March 2023, State Water Resources Control Board (SWRCB) staff and RWQCB staff performed an audit of PCSD wastewater system and its operations. They were accompanied by PWFP staff during field visits and requested meetings. They have concluded their audit, and have tendered a NOV. The NOV cites various deficiencies, inclusive of system conditions, administrative procedures, reporting, and operations. Near-term, the RWQCB requires a plan for compliance. The RWQCB has provided additional time to submit this plan, due to the appeal and reasoning by County staff.

Staff did inform the RWQCB and SWRCB that the County was on a path to transfer the sewer collection systems to another entity. However, the RWQCB and SWRCB stated that the violations are from the past and must be dealt with here in the present.

One of the NOV requirements is the creation and adoption of a Sanitary Sewer System Management Plan (SSMP), as well as Overflow Emergency Response Plan (OERP), a Fats, Oils and Grease (FOG) plan, and operating procedures. The SSMP and OERP are requirements by the State since approximately 2006 (called

2006-003-DWQ). This is outside of staff expertise and capacity, so staff have already acquired a proposal for creating these SSMP and OERP documents from one of the on-call consultants who specialize in water and wastewater. The RWQCB and SWRCB intends to audit the other County sewer collection systems: Boronda County Sanitation District (BCSD), and the collection portion of CSA-75 Chualar sewer system, and have issued pre-audit questionnaires to initiate the process. Since these sewer collection systems also lack these same documents and procedures, the proposal includes creation of these same documents for BCSD and CSA-75 Chualar.

The cost to prepare a SSMP for Pajaro, Chualar, and Boronda totals approximately \$250,000 as provided in the proposal. None of these systems anticipated this unexpected cost in their FY 24 Proposed or Adopted Budgets. None of the systems have funding ability for this compliance work. Staff will be bringing this to the Budget Committee at its earliest opportunity seeking funding and support.

Going forward, staff will be dedicating time and resources to begin addressing these items in the NOV where feasible.

Attachments:

Attachment A – NOV dated August 11, 2023

RYI/ryi:tm:es

# Attachment A



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## Central Coast Regional Water Quality Control Board

August 11, 2023

Tom Moss  
Senior Water Resources Hydrologist  
Monterey County Public Works  
1441 Schilling Place, 2<sup>nd</sup> Floor  
Salinas, CA 93901  
MossT@co.monterey.ca.us

**VIA ELECTRONIC AND CERTIFIED MAIL**  
Certified Mail No. 7022 3330 0002 1258 7399

### **NOTICE OF VIOLATION – PAJARO COUNTY SANITATION DISTRICT COLLECTION SYSTEM, WIDID 3SSO18097, ORDER NOS. 2022-0103-DWQ, 2006- 0003-DWQ, AND 2013-0058-EXEC**

Dear Tom Moss:

Pajaro County Sanitation District's (Enrollee) sanitary sewer collection system is operated by Monterey County Public Works. The collection system conveys wastewater to the city of Watsonville's wastewater treatment facility. The collection system is regulated by State Water Resources Control Board (State Water Board) Order No. 2022-0103-DWQ, *Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems* (2022 SSS WDRs),<sup>1</sup> which was adopted December 6, 2022, with an effective date of June 5, 2023.

Prior to the 2022 SSS WDRs, the collection system was regulated by Order No. 2006-0003-DWQ, *Statewide General Waste Discharge Requirements for Sanitary Sewer Systems* (2006 SSS WDRs).<sup>2</sup> The 2006 SSS WDRs were adopted on May 2, 2006, and amended by Monitoring Reporting Program Order No. WQ 2013-0058-EXEC on August 6, 2013.

The 2022 and 2006 SSS WDRs contain waste discharge requirements and monitoring and reporting programs 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.

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<sup>1</sup> To access the 2022 SSS WDRs go to the following link:  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2022/wqo\\_2022-0103-dwq.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2022/wqo_2022-0103-dwq.pdf)

<sup>2</sup> To access the 2006 SSS WDRs go to the following link:  
[https://www.waterboards.ca.gov/water\\_issues/programs/sso/docs/2006-003-dwq-sanitary-sewer-systems-waste-discharge-requirements\\_remediated.pdf](https://www.waterboards.ca.gov/water_issues/programs/sso/docs/2006-003-dwq-sanitary-sewer-systems-waste-discharge-requirements_remediated.pdf)

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JANE GRAY, CHAIR | MATTHEW T. KEELING, EXECUTIVE OFFICER

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895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401 | [www.waterboards.ca.gov/centralcoast](http://www.waterboards.ca.gov/centralcoast)

Wastewater and its components meet the definition of wastes under the Porter-Cologne Water Quality Act. If sewage is discharged from any portion of the collection system it may threaten public health, beneficial uses of waters of the state, and the environment.

On March 7, 2023, State Water Board staff conducted an inspection of the collection system to evaluate compliance with the 2006 SSS WDRs. Since the inspection, the Enrollee enrolled in and is subject to the 2022 SSS WDRs, which became effective on June 5, 2023. On June 19, 2023, the State Water Board transmitted the inspection results to the Enrollee. On July 14, 2023, State Water Board staff and Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff met with the Enrollee to provide an overview of the inspection findings and identified deficiencies, discuss improvements needed and timing for corrective actions, get an update from the county on current and planned emergency work on the collection system resulting from impacts from the March 2023 flooding, and briefly discuss the status of compliance for the other county-owned and operated collection systems. At the July 14, 2023 meeting, the State Water Board and Central Coast Water Board asked the Enrollee to follow up with an estimate of how long it needs to prepare a plan to correct deficiencies. On July 24, 2023, the Enrollee sent the Central Coast Water Board a letter stating it would submit the remaining documents requested during the inspection by August 31, 2023. The State Water Board has already completed the inspection, so at this point, the Central Coast Water Board recommends the county instead focus on implementing actions to get into compliance with the 2022 SSS WDRs.

The Enrollee is hereby notified that it has violated and has deficiencies with the 2006 SSS WDRs, as listed in Exhibit 1 – Inspection Findings, attached to this notice of violation. By violating the 2006 SSS WDRs and through spills from the collection system, the Enrollee has violated California Water Code sections 13350, 13385, 13267 and/or 13383. The Enrollee's compliance issues with the 2006 SSS WDRs are related to requirements that are the same or similar to requirements in the 2022 SSS WDRs. Exhibit 1 identifies the relevant 2022 SSS WDRs requirements for each identified violation and deficiency of 2006 SSS WDRs requirements. If the Enrollee does not correct the compliance issues with the 2006 SSS WDR, it will likely be in violation of the applicable 2022 SSS WDR requirements.

**You are required to do the following:**

1. Immediately implement corrective and preventative actions to bring the collection system into compliance with the 2022 SSS WDRs.
2. By October 13, 2023, submit a report to the Central Coast Water Board and State Water Board detailing the corrective actions you are taking to bring the collection system into compliance with the 2022 SSS WDRs. The report must include associated timelines for corrective actions that will be taken. This report should address the violations and areas of concern listed in Exhibit 1 – Inspection Findings, attached to this notice. The report must be submitted to Tamara Anderson at [Tamara.Anderson@waterboards.ca.gov](mailto:Tamara.Anderson@waterboards.ca.gov) and Jamie Johnson at [Jamie.Johnson@waterboards.ca.gov](mailto:Jamie.Johnson@waterboards.ca.gov).

The Central Coast Water Board is providing the Enrollee more time to develop this report than it normally would for similar cases due to the catastrophic flooding that occurred in the Pajaro area in March 2023. Monterey County Public Works also operates other collection systems. As discussed during the July 14, 2023 meeting, the county must ensure that its other collection systems also comply with the 2022 SSS WDRs.

Pursuant to Water Code section 13350, subdivision (e), the Enrollee 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, the Enrollee 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 Coast Water Board may also refer violations to the Attorney General for judicial civil enforcement. The Central Coast Water Board reserves its right to take any enforcement actions authorized by law.

Should you have any questions about this matter, please contact Central Coast Water Board Enforcement Unit staff Tamara Anderson at (805) 594-3334 / [Tamara.Anderson@waterboards.ca.gov](mailto:Tamara.Anderson@waterboards.ca.gov).

Sincerely,

*for* Thea S. Tryon  
Assistant Executive Officer

Enclosure:  
Exhibit 1 – Inspection Findings

cc: (via electronic mail)

Randell Ishii, Monterey County  
[IshiiR@co.monterey.ca.us](mailto:IshiiR@co.monterey.ca.us)

Lynette Redman, Monterey County

Pajaro County Sanitation District

- 4 -

August 11, 2023

RedmanL@co.monterey.ca.us

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**Exhibit 1**

**Inspection Findings**



**Table 1: Violations**

<b>Violation</b>	<b>Requirement</b>	<b>Description</b>
1. The Enrollee spilled 201,050 gallons of untreated sewage that reached surface waters (see Table 3 below) between 04/29/2013 and 05/15/2023.	Prohibition C.1 of the 2006 SSS WDRs. <sup>3</sup>  Clean Water Act § 301.  Prohibitions 4.1 and 4.2 of the 2022 SSS WDRs. <sup>4, 5</sup>	Any of the sanitary sewer overflows (SSO) where waste was discharged into waters of the state or United States are violations of the SSS WDRs.  Additionally, SSOs occurred on March 11 and 12, 2023, due to a levee break and were reported to the California Governor's Office of Emergency Services (CalOES) but were not reported to CIWQS. The CalOES spill reports identify the volume as unknown, but state that the sewage flowed into the Pajaro River, which leads to Monterey Bay and the Pacific Ocean.  2006 SSS WDRs Prohibition C.1 prohibits any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States.  2022 SSS WDRs Prohibition 4.1 prohibits any discharge that has the potential to reach surface waters of the state; Prohibition 4.2 prohibits any discharge from a sanitary sewer system to waters of the state. <sup>6</sup>
2. The Enrollee failed to develop and implement a written sewer system management plan (SSMP).	Provision D.11, D.13, and D.14 of the 2006 SSS WDRs.  Specifications 5.2, 5.3, 5.4 and 5.5 of the 2022 SSS WDRs. <sup>7</sup>	The Enrollee has not developed or implemented an SSMP. This includes mandatory elements such as an operation and maintenance program, an overflow emergency response plan (OERP), a fats, oils, and grease (FOG) control plan, a system evaluation and capacity assurance plan, a communication program, and program audits. Since an SSMP was never developed, it was never approved by the

<sup>3</sup> 2006 SSS WDRs refers to Order No. 2006-0003-DWQ, *Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*.

<sup>4</sup> 2022 SSS WDRs refers to Order No. 2002-0103-DWQ, *Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems*, which went into effect on June 5, 2023.

<sup>5</sup> This violation occurred prior to the applicability of the 2022 SSS WDRs. This citation is provided to inform the Enrollee of current, applicable requirements.

<sup>6</sup> See footnote number 6.

<sup>7</sup> See footnote number 6.

<b>Table 1: Violations</b>		
<b>Violation</b>	<b>Requirement</b>	<b>Description</b>
		<p>Enrollee's governing board and no updates have been completed.</p> <p>2006 SSS WDRs Provision D.11 requires the Enrollee to develop and implement a written SSMP, while Provision D.13 outlines the mandatory elements of the SSMP. Provision D.14 requires the SSMP and implementation plan be certified by the Enrollee and presented to the Enrollee's governing board for approval at a public meeting. Additionally, the SSMP must be updated every five years.</p> <p>Specification 5.2 of the 2022 SSS WDRs requires the Enrollee develop and implement an updated sewer system management plan that must address, at minimum, the required SSMP elements in Attachment D. Specifications 5.3, 5.4, and 5.5 require that the Enrollee's legally responsible official certify the SSMP, that an internal audit of the SSMP be performed every three years, and that the SSMP be updated every six years. For an existing Enrollee under the 2006 SSS WDRs that certified Continuation of Existing Regulatory Coverage under the 2022 SSS WDRs, the SSMP must be uploaded to CIWQS within six months of the adoption date of the 2022 SSS WDRs.<sup>8</sup></p>
3. The Enrollee does not have any written standard operating procedures (SOPs).	<p>Provisions D.8 and D.13(iv)(b) of the 2006 SSS WDRs.</p> <p>Specification 5.2 and Attachment D, Sections 5.2, 7, and 8.1 of</p>	<p>Provision D.8 of the 2006 SSS WDRs requires the Enrollee to properly manage, operate, and maintain all parts of the sanitary sewer system and be adequately trained and possess adequate knowledge. Provision D.13(iv)(b) of the SSS WDRs requires the Enrollee to describe routine preventative operation and maintenance activities.</p> <p>Specification 5.2 of the 2022 SSS WDRs requires the Enrollee's SSMP include</p>

<sup>8</sup> See footnote number 6.

<b>Table 1: Violations</b>		
<b>Violation</b>	<b>Requirement</b>	<b>Description</b>
	the 2022 SSS WDRs. <sup>9</sup>	procedures for the management, operation, and maintenance of the sanitary sewer system. The procedures must address the implementation of current standard industry practices through available equipment, technologies, and strategies. Attachment D, Section 5.2 requires procedures for the inspection and testing of newly constructed, newly installed, repaired, and rehabilitated system pipelines, pumps, and other equipment and appurtenances. Attachment D, Section 7 requires procedures for a sewer pipe blockage control program. Attachment D, Section 8.1 requires procedures for system evaluation and condition assessment, including evaluating sanitary sewer system assets, assessing system conditions, maintaining documents and recordkeeping, and more. <sup>10</sup>
4. The Enrollee failed to complete regular visual and TV inspections of sewer pipes.	Provision D.13(iv)(c) of the 2006 SSS WDRs.  Specifications 5.6 and 5.7, and Attachment D, Sections 4.2 and 8.1 of the 2022 SSS WDRs. <sup>11</sup>	The inspection revealed that the Enrollee does not have a schedule currently in place for regular closed-circuit television (CCTV) inspections of sewer mainlines. Additionally, the Enrollee does not own a CCTV camera, instead relying on third-party contractors to perform visual inspections.  Prior to 2022, only 19 percent of the Enrollee's system had been visually inspected. While they have since visually inspected the remainder of their gravity mainlines, only a small portion of their force main has been inspected. Furthermore, while a five-year inspection cycle has been recommended, this has not been programmatically set up.  2006 SSS WDRs Provision D.13(iv)(c) requires the Enrollee have a rehabilitation and replacement program that includes regular visual and TV inspections of

<sup>9</sup> See footnote number 6.

<sup>10</sup> See footnote number 6.

<sup>11</sup> See footnote number 6.

<b>Table 1: Violations</b>		
<b>Violation</b>	<b>Requirement</b>	<b>Description</b>
		<p>manholes and sewer pipes. This provision also requires a system for ranking the condition of sewer pipes.</p> <p>Specification 5.6 requires the Enrollee proactively prioritize condition assessments to address ongoing system resilience while Specification 5.7 requires the Enrollee to allocate the necessary resources for full implementation of its SSMP. Attachment D, Section 4.2 of the 2022 SSS WDRs requires the Enrollee have a scheduling system that includes regular visual and CCTV inspections of manholes and sewer pipes. Section 8.1 requires system conditions be assessed using visual observations, video surveillance and/or other comparable system inspection methods.<sup>12</sup></p>
5. The Enrollee failed to complete regular cleaning of sewer pipes and manholes.	<p>Provision D.13(iv)(b) of the 2006 SSS WDRs.</p> <p>Specifications 5.6 and 5.7, and Attachment D, Sections 4.2 and 8 of the 2022 SSS WDRs.<sup>13</sup></p>	<p>The inspection revealed that the Enrollee does not perform cleaning of sewer mains and manholes on a set, regular schedule. Additionally, the Enrollee does not own a combo jetter unit to perform cleaning themselves, instead relying on third-party contractors.</p> <p>Furthermore, cleaning schedules are only tracked through maintenance logs and accounting. While annual cleaning has been recommended, this has not been programmatically set up.</p> <p>2006 SSS WDRs Provision D.13(iv)(b) requires the Enrollee have a system for scheduling regular maintenance and cleaning of the sanitary sewer system. This provision also requires the Enrollee have a system to document scheduled and conducted activities.</p>

<sup>12</sup> See footnote number 6.

<sup>13</sup> See footnote number 6.

<b>Table 1: Violations</b>		
<b>Violation</b>	<b>Requirement</b>	<b>Description</b>
		Specification 5.6 requires the Enrollee proactively prioritize operation and maintenance and condition assessments to address ongoing system resilience, while Specification 5.7 requires the Enrollee to allocate the necessary resources for system operation, maintenance, and repair. Attachment D, Section 4.2 of the 2022 SSS WDRs requires the Enrollee to have a scheduling system that includes maintenance activities. Section 8 requires routine evaluation and assessment of system conditions. <sup>14</sup>
6. The Enrollee failed to develop and implement an OERP.	Provision D.13(vi) of the 2006 SSS WDRs.  Attachment D, Section 6 of the 2022 SSS WDRs. <sup>15</sup>	The Enrollee does not have an OERP. The Enrollee stated that they do have an SSO procedure and information sheet, but this has not been provided.  The 2006 SSS WDRs Provision D.13(vi) requires the Enrollee to develop and implement an OERP and outlines the required elements.  Attachment D, Section 6 of the 2022 SSS WDRs requires the Enrollee include an up-to-date spill emergency response plan as part of its SSMP. <sup>16</sup>
7. The Enrollee failed to prepare and implement a fats, oil, and grease (FOG) control program.	Provision D.13(vii) of the 2006 SSS WDRs.  Attachment D, Section 7 of the 2022 SSS WDRs. <sup>17</sup>	The Enrollee does not have any sort of FOG control program and does not inspect food service establishments (FSEs). FOG was visible within the wet wells at the Pajaro, Colonial, and Las Lomas lift stations.  Provision D.13(vii) of the 2006 SSS WDRs requires the Enrollee to prepare and implement a FOG source control program, including maintenance and BMP requirements.

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<sup>14</sup> See footnote number 6.

<sup>15</sup> See footnote number 6.

<sup>16</sup> See footnote number 6.

<sup>17</sup> See footnote number 6.

**Table 1: Violations**

Violation	Requirement	Description
		Attachment D, Section 7 of the 2022 SSS WDRs requires the Enrollee to develop a sewer pipe blockage control program that addresses fats, oils, grease, rags, and debris. The program should include source control measures, BMP requirements, and maintenance requirements. <sup>18</sup>
8. The Enrollee failed to report seven SSOs to CIWQS.	Provision D.5 of the 2006 SSS WDRs.  Amended MRP Order 2013-0058-EXEC. <sup>19</sup>  Specification 5.13 and Attachment E1, Section 3 of the 2022 SSS WDRs. <sup>20</sup>	A review of the California Governor's Office of Emergency Services (CalOES) hazardous materials spill reports found seven SSOs between 2019 and 2023 that were not reported to CIWQS.  The CalOES control numbers for these spills are 19-2426, 19-5205, 21-4289, 23-0008, 23-0564, 23-1780, and 23-2024.  Provision D.5 of the 2006 SSS WDRs requires all SSOs be reported in accordance with section G, General Monitoring and Reporting Requirements. The 2013 MRP outlines the timeframes by which each SSO must be submitted.  Specification 5.13 of the 2022 SSS WDRs requires the Enrollee comply with notification, monitoring, reporting, and recordkeeping requirements in Attachment E1. Attachment E1, Section 3 requires that for Category 1 and 2 spills a draft spill report be submitted to CIWQS within three business days while Category 3 and 4 spills must be reported to CIWQS within 30 calendar days after the end of the month in which they occurred. <sup>21</sup>
9. The Enrollee failed to update its CIWQS collection system	Amended MRP Order 2013-0058-EXEC.	Review of the CIWQS online SSO database showed two separate times when the Enrollee did not complete and certify its collection system questionnaire every 12

<sup>18</sup> See footnote number 6.<sup>19</sup> Amended MRP Order 2013-0058-EXEC, also referenced as the 2013 MRP, refers to Order No. WQ 2013-0058-EXEC, *Amended Monitoring and Reporting Program for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*.<sup>20</sup> See footnote number 6.<sup>21</sup> See footnote number 6.

**Table 1: Violations**

<b>Violation</b>	<b>Requirement</b>	<b>Description</b>
questionnaire to accurately reflect current information at least every 12 months.	Specification 5.13.2 and Attachment D, Section 4.3 of the 2022 SSS WDRs. <sup>22</sup>	<p>months. These time periods are April 29, 2016, to December 1, 2017 (19 months) and October 9, 2019, to January 26, 2023 (over 3 years).</p> <p>2006 SSS WDRs section G.3 and 2013 MRP section C.8(iii) requires the Enrollee to complete and certify the collection system questionnaire in CIWQS at least every 12 months.</p> <p>Specification 5.13.2 of the 2022 SSS WDRs requires the Enrollee to submit an annual report (previously termed the collection system questionnaire) by April 1 of each year for the calendar year. Attachment D, Section 4.3 requires the Enrollee provide training on a regular basis that covers electronic CIWQS reporting procedures for staff submitting data.<sup>23</sup></p>
10. The Enrollee failed to submit a “No Spill” certification statement for 58 different months within the required timeframe.	<p>Amended MRP Order 2013-0058-EXEC.</p> <p>Attachment D, Section 4.3 and Attachment E1, Section 3.7 of the 2022 SSS WDRs.<sup>24</sup></p>	<p>Review of the CIWQS online SSO database showed 58 months when the Enrollee failed to submit a “No Spill” certification statement within the required 30-day timeframe. In 2022, every month except December was certified past the requirement. In 2021, every month except August was certified past the requirement. In 2020, every month except April and July was certified past the requirement. In 2019, the months of January, February, June, July, and October through December were certified past the requirement. In 2018, the months of May, September, October, and December were certified past the requirement. In 2017, the months of February and April through October were certified past the requirement. In 2016, the months of January, April, July, September, and December were certified past the requirement. In 2015, the month of September was certified past the</p>

<sup>22</sup> See footnote number 6.<sup>23</sup> See footnote number 6.<sup>24</sup> See footnote number 6.



<b>Table 1: Violations</b>		
<b>Violation</b>	<b>Requirement</b>	<b>Description</b>
		<p>requirement. In 2013, the month of June was certified past the requirement.</p> <p>2013 MRP section C.4(iii) requires that within 30 calendar days after the end of each calendar month or within 30 calendar days after the end of each quarter where no spills occurred, the Enrollee must submit a “No Spill” certification statement in the CIWQS online SSO database.</p> <p>Attachment D, Section 4.3 requires the Enrollee provide training on a regular basis that covers electronic CIWQS reporting procedures for staff submitting data. Attachment E1, Section 3.7 of the 2022 SSS WDRs requires that within 30 calendar days after the end of each calendar month where no spills occurred, the Enrollee must submit a “No Spill” certification statement.<sup>25</sup></p>
11. The Enrollee failed to meet the 3-business day draft reporting requirement for three individual Category 1 SSOs.	<p>Amended MRP Order No. 2013-0058-EXEC.</p> <p>Attachment D, Section 4.3 and Attachment E1, Section 3.1.1 of the 2022 SSS WDRs.<sup>26</sup></p>	<p>The Enrollee failed to meet the 3-business day draft reporting requirement for three Category 1 SSOs: SSO IDs 886316, 833077, and 793731.</p> <p>2013 MRP section C.4(i)(a) requires a draft Category 1 or Category 2 SSO report to be submitted to the CIWQS Online SSO Database within three business days.</p> <p>Attachment D, Section 4.3 of the 2022 SSS WDRs requires the Enrollee to provide training on a regular basis that covers electronic CIWQS reporting procedures for staff submitting data. Attachment E1, Section 3.1.1 requires that within three business days of the Enrollee’s knowledge of a Category 1 spill, the Enrollee shall submit a draft spill report to the online CIWQS sanitary sewer database.<sup>27</sup></p>

<sup>25</sup> See footnote number 6.

<sup>26</sup> See footnote number 6.

<sup>27</sup> See footnote number 6.



**Table 1: Violations**

<b>Violation</b>	<b>Requirement</b>	<b>Description</b>
12. The Enrollee failed to meet the 15-day certification requirement for three individual Category 1 SSOs.	Amended MRP Order No. 2013-0058-EXEC.  Attachment D, Section 4.3 and Attachment E1, Section 3.1.2 of the 2022 SSS WDRs. <sup>28</sup>	The Enrollee failed to meet the 15-day certification requirement for three Category 1 SSOs: SSO IDs 886316, 833077, and 793731.  2013 MRP section C.4(i)(b) requires a final Category 1 or Category 2 SSO report to be certified through the CIWQS online SSO database within 15 calendar days of the end date of the SSO.  Attachment D, Section 4.3 of the 2022 SSS WDRs requires the Enrollee to provide training on a regular basis that covers electronic CIWQS reporting procedures for staff submitting data. Attachment E1, Section 3.1.2 requires that within 15 calendar days of the spill end date, the Enrollee shall submit a certified spill report for Category 1 spills to the online CIWQS sanitary sewer database. <sup>29</sup>
13. The Enrollee failed to meet the 30-calendar day certification requirement for four individual Category 3 SSOs.	Amended MRP Order No. 2013-0058-EXEC.  Attachment D, Section 4.3 and Attachment E1, Section 3.3 of the 2022 SSS WDRs. <sup>30</sup>	The Enrollee failed to meet the 30-calendar day certification requirement for four individual Category 3 SSOs: SSO IDs 886353, 854374, 827882, and 817585.  2013 MRP section C.4(ii) requires a Category 3 SSO report to be certified within 30 calendar days after the end of the calendar month in which the SSO occurs.  Attachment D, Section 4.3 of the 2022 SSS WDRs requires the Enrollee to provide training on a regular basis that covers electronic CIWQS reporting procedures for staff submitting data. Attachment E1, Section 3.3 requires that the Enrollee report and certify all Category 3 spills to the online CIWQS sanitary sewer database within 30 calendar days after the end of the month in which the spills occurred. <sup>31</sup>

<sup>28</sup> See footnote number 6.<sup>29</sup> See footnote number 6.<sup>30</sup> See footnote number 6.<sup>31</sup> See footnote number 6.

<b>Table 2: Deficiencies</b>		
<b>Deficiency</b>	<b>Requirement</b>	<b>Description</b>
1. The Enrollee does not have written procedures for determining SSO start time or volume estimation.	Provision D.13(vi)(b) of the 2006 SSS WDRs.  Attachment E1, Sections 2.2 and 3.1.1 of the 2022 SSS WDRs. <sup>32</sup>	2006 SSS WDRs Provision D.13(vi)(b) requires a program to ensure appropriate response to all overflows.  Attachment E1, Section 2.2 of the 2022 SSS WDRs requires the Enrollee estimate the total spill volume using updated estimation techniques, calculations, and documentation for electronic reporting. Attachment E1, Section 3.1 requires the Enrollee include the spill start date and time in the draft and certified spill reports for Category 1, 2, and 3 spills. <sup>33</sup>
2. The Enrollee has limited funding for capital improvement projects.	Provisions D.9 and D.13(iv)(c) of the 2006 SSS WDRs.  Specifications 5.6, 5.7, Attachment D Section 8.4 of the 2022 SSS WDRs. <sup>34</sup>	Several projects were identified in a May 2022 capital improvement plan summary from a condition assessment completed in September 2020. While some additional inspections have been completed and some repairs to lift stations have been made, the remaining work and projects are on hold pending budget approval and identifying funding sources.  Provision D.9 of the 2006 SSS WDRs requires the Enrollee to allocate adequate resources for the operation, maintenance, and repair of their sanitary sewer system. Provision D.13(iv)(c) requires the Enrollee to develop a capital improvement plan that includes a schedule for developing the funds needed for the capital improvement plan.  Specification 5.6 of the 2022 SSS WDRs requires the Enrollee include and implement system-specific procedures in its SSMP to proactively prioritize repair and rehabilitation. Specification 5.7 requires the Enrollee to establish and maintain a means to manage all necessary revenues and expenditures related to the sanitary sewer system and to

<sup>32</sup> This deficiency occurred prior to the applicability of the 2022 SSS WDRs. This citation is provided to inform the Enrollee of current, applicable requirements.

<sup>33</sup> See footnote number 33.

<sup>34</sup> See footnote number 33.

<b>Table 2: Deficiencies</b>		
<b>Deficiency</b>	<b>Requirement</b>	<b>Description</b>
		allocate the necessary resources to its sewer system management program for compliance with the 2022 SSS WDRs, full implementation of the updated SSMP, as well as system operation, maintenance, and repair. Attachment D, Section 8.4 requires the Enrollee have a capital improvement plan that includes project schedules, completion dates, and funding sources for each project. <sup>35</sup>
3. The Enrollee provides minimal training for employees.	Provisions D.8 and D.13(iv)(d) of the 2006 SSS WDRs.  Attachment D, Section 4.3 of the 2022 SSS WDRs. <sup>36</sup>	<p>While some initial training is provided to field operators upon hire, such as how to perform cleaning, what personal protective equipment (PPE) is required, how to test the pump stations, how to test the generators, and so forth, there is no recurring or refresher training provided. Additionally, there are no SOPs for staff to reference on proper steps and procedures.</p> <p>Provision D.8 of the 2006 SSS WDRs requires the Enrollee to ensure that system operators are adequately trained and possess adequate knowledge, skills, and abilities. Provision D.13(iv)(d) requires the Enrollee to provide training on a regular basis for staff in operations and maintenance.</p> <p>Attachment D, Section 4.3 of the 2022 SSS WDRs requires the Enrollee provide in-house and external training on a regular basis for sanitary sewer system operations and maintenance staff and contractors that covers the requirements of the 2022 SSS WDRs, the Enrollee's spill emergency response plan procedures and practice drills, skilled estimation of spill volume for field operators, and electronic CIWQS reporting procedures for staff submitting data.<sup>37</sup></p>
4. The Enrollee does minimal to no maintenance on check valves.	Provision D.8 of the 2006 SSS WDRs.	Conflicting information was provided on this topic. During our inspection of the Pajaro lift station, we were told that the Enrollee does not exercise the valves. During our inspection

<sup>35</sup> See footnote number 33.<sup>36</sup> See footnote number 33.<sup>37</sup> See footnote number 33.

<b>Table 2: Deficiencies</b>		
<b>Deficiency</b>	<b>Requirement</b>	<b>Description</b>
	Specification 5.19 and Attachment D, Section 4.2 of the 2022 SSS WDRs. <sup>38</sup>	<p>of the Colonial lift station, we were told they exercise and clean the valves maybe once a year.</p> <p>Provision D.8 of the 2006 SSS WDRs requires the Enrollee to properly manage, operate, and maintain all parts of the sanitary sewer system.</p> <p>Specification 5.19 of the 2022 SSS WDRs requires the Enrollee to maintain any facility or treatment and control system designed to contain and convey sewage in good working order. Attachment D, Section 4.2 requires the Enrollee have a scheduling system that includes maintenance activities.<sup>39</sup></p>
5. The Enrollee does not hold regular meetings between engineering and operations staff.	<p>Provision D.8 of the 2006 SSS WDRs.</p> <p>Attachment D, Section 8.4 of the 2022 SSS WDRs.<sup>40</sup></p>	<p>The inspection found that the Enrollee does not hold regular meetings between engineering and operations staff to discuss issues in the collection system or solutions.</p> <p>Provision D.8 of the 2006 SSS WDRs requires the Enrollee to properly manage, operate, and maintain all parts of the sanitary sewer system.</p> <p>Attachment D, Section 8.4 of the 2022 SSS WDRs requires the Enrollee have a capital improvement plan that includes joint coordination between operation and maintenance staff and engineering staff/consultants during planning, design, and construction of capital improvement projects.<sup>41</sup></p>
6. The Enrollee does not properly maintain manholes.	Provisions D.8 and D.13(iv)(c) of the 2006 SSS WDRs.	<p>All manholes visited during the site inspection were found to have defects such as pitting, pocking, and rust.</p> <p>Provision D.8 of the 2006 SSS WDRs requires the Enrollee to properly manage, operate, and maintain all parts of the sanitary</p>

<sup>38</sup> See footnote number 33.

<sup>39</sup> See footnote number 33.

<sup>40</sup> See footnote number 33.

<sup>41</sup> See footnote number 33.

<b>Table 2: Deficiencies</b>		
<b>Deficiency</b>	<b>Requirement</b>	<b>Description</b>
	Specifications 5.6, 5.7, and 5.19, and Attachment D, Section 8.4 of the 2022 SSS WDRs. <sup>42</sup>	<p>sewer system. Provision D.13(iv)(c) requires a rehabilitation and replacement plan to identify and prioritize system deficiencies, including a capital improvement plan which addresses proper management and protection of infrastructure assets.</p> <p>Specification 5.6 requires the Enrollee proactively prioritize repair and rehabilitation to address ongoing system resilience, while Specification 5.7 requires the Enrollee to allocate the necessary resources for system operation, maintenance, and repair. Specification 5.19 of the 2022 SSS WDRs requires the Enrollee to maintain any facility designed to contain or convey sewage in good working order. Attachment D, Section 8.4 requires the Enrollee have a capital improvement plan that includes project schedules, completion dates, and funding sources for each project.<sup>43</sup></p>
7. The Enrollee does not have a public outreach program regarding rags and “flushable” wipes.	<p>Provisions D.3 and D.8 of the 2006 SSS WDRs.</p> <p>Attachment D, Section 7 of the 2022 SSS WDRs.<sup>44</sup></p>	<p>The Enrollee does not have a public outreach program regarding rags and “flushable” wipes, despite this being a known problem. The Enrollee stated during the inspection that rags and “flushable” wipes have caused SSOs, gotten stuck in their pipes, prevented them from fully inspecting their force main, and jammed up their pumps.</p> <p>Provision D.3 of the 2006 SSS WDRs requires the Enrollee to take all feasible steps to eliminate SSOs. Provision D.8 requires the Enrollee to properly manage, operate, and maintain all parts of the sanitary sewer system.</p> <p>Attachment D, Section 7 of the 2022 SSS WDRs requires the Enrollee to develop a sewer pipe blockage control program that addresses fats, oils, grease, rags, and debris. The program should include an</p>

<sup>42</sup> See footnote number 33.

<sup>43</sup> See footnote number 33.

<sup>44</sup> See footnote number 33.

<b>Table 2: Deficiencies</b>		
<b>Deficiency</b>	<b>Requirement</b>	<b>Description</b>
		implementation plan and schedule for a public education and outreach program that promotes proper disposal of pipe-blocking substances. <sup>45</sup>
8. The Enrollee does not have existing inflow and infiltration (I/I) or root control programs.	<p>Provisions D.3, D.10, and D.13(viii)(c) of the 2006 SSS WDRs.</p> <p>Specification 5.10 and Attachment D, Section 8.2 of the 2022 SSS WDRs.<sup>46</sup></p>	<p>The Enrollee does not have existing I/I or root control programs despite acknowledgement during the inspection that infiltration can be a problem as they have old clay pipes. Infiltration during rain events could contribute to system capacity issues and SSOs.</p> <p>Provision D.3 of the 2006 SSS WDRs requires the Enrollee to take all feasible steps to eliminate SSOs. Provision D.10 requires the Enrollee to provide adequate capacity to convey base flows and peak flows, including flows related to wet weather events. Provision D.13(viii)(c) requires the Enrollee to prepare and implement a capital improvement plan that addresses hydraulic deficiencies such as including inflow and infiltration (I/I) reduction programs.</p> <p>Specification 5.10 of the 2022 SSS WDRs requires the Enrollee to maintain system capacity necessary to convey wet weather peak flows consistent with designated local historic storms. Furthermore, the design storms must take into account system-specific stormwater contributions via inflow and infiltration. Attachment D, Section 8.2 requires the Enrollee assess the capacity of systems subject to increased infiltration and inflow due to larger and/or higher-intensity storm events as a result of climate change.<sup>47</sup></p>

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<sup>45</sup> See footnote number 33.

<sup>46</sup> See footnote number 33.

<sup>47</sup> See footnote number 33.

<b>Table 3: List of SSOs Reaching Surface Water Reported in CIWQS</b>						
<b>Spill ID</b>	<b>SSO Start Date</b>	<b>SSO Category</b>	<b>SSO Volume</b>	<b>Volume of SSO Recovered</b>	<b>Volume of SSO Reaching Surface Water</b>	<b>SSO Failure Point</b>
793731	4/29/2013	Category 1	1,000	750	250	Other
833077	2/18/2017	Category 1	500,000	0	200,000	Manhole
886316	4/8/2020	Category 1	900	100	800	Pump Station
Total Volume of Reported SSO Reaching Surface Water = 201,050 Gallons						