

ORDER REQUIRING OLIVER KULLBERG, SUCCESSOR IN INTEREST
TO R. C. BRIGGS, AND CLARENCE AND DAVID LEVERONI TO
CEASE AND DESIST DISCHARGING WASTES CONTRARY TO
REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL
WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION

ORDER NO. 71-80

The California Regional Water Quality Control Board, San Francisco Bay Region finds:

- A. On November 16, 1961 this regional board adopted Resolution No. 384 prescribing discharge requirements covering the discharge of R. C. Briggs and Clarence and David Leveroni from a 60-unit motel, bar and restaurant known as The Lodge.
- B. Since that time, ownership of The Lodge has been transferred from R. C. Briggs to Oliver Kullberg.
- C. The discharge requirements provide, in part, as follows:

"The waste discharge shall:

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B. Be confined to the discharger's property at all times;"
- D. Inspection by board staff indicated that seepage from the oxidation ponds has occurred and a pond is overflowing, and the discharge is threatening to violate requirements for confinement to the discharger's property at all times.
- E. By letters dated May 18, 1971 and November 10, 1971 the Regional Board staff notified the discharger of the violations of requirements and requested his time schedule for corrective actions.
- F. On November 23, 1971 at 9:30 a.m. in the Alameda County Public Works Building Auditorium, 399 Elmhurst Street, Hayward, after due notice to the discharger and all other affected persons, the Regional Board conducted a public hearing at which the discharger did not appear and evidence was received concerning the discharge.
- G. The discharger is threatening to violate the requirement listed in "C" above.

IT IS HEREBY ORDERED THAT

- A. Oliver Kullberg, successor in interest to R. C. Briggs and Clarence and David Leveroni cease and desist from threatening to discharge wastes contrary to requirements listed in "C" above.
- B. Appropriate remedial or preventive action to correct the threatened violation of the Board's discharge requirements shall be completed by December 14, 1971.

- C. Oliver Kullberg, successor in interest to R. C. Briggs, and Clarence and David Leveroni are required to provide to the Board by December 17, 1971 a report, under penalty of perjury, on compliance with requirements.
- D. If, in the opinion of the Executive Officer, Oliver Kullberg, successor in interest to R. C. Briggs, and Clarence and David Leveroni fail to comply with the provisions of this order, the Executive Officer is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Fred H. Dierker, Executive Officer of the California Regional Water Quality Control Board, San Francisco Bay Region, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the Regional Board at a meeting held on November 23, 1971.

Executive Officer