

Stewart, Rebecca@Waterboards

From: Cali, Alex@Waterboards
Sent: Friday, May 15, 2015 8:29 AM
To: Arias, Christina@Waterboards
Cc: Becker, Eric@Waterboards; Chiu, Wayne@Waterboards; Stewart, Rebecca@Waterboards; Clemente, Chiara@Waterboards; jpape@dudek.com
Subject: FW: This mud is running into the Bay
Attachments: Video.MOV; ATT00001.htm; Video.MOV; ATT00002.htm

Hi Christina,

I received these videos from Jeff Pape last night showing a storm water discharge off of a City of San Diego construction site. If you have any further questions regarding the situation I have CC'd him on this email. Thanks.

Respectfully,

Alex Cali, EIT
Water Resource Control Engineer
Direct: (619) 521-3355
Front Desk: (619) 516-1990
California Regional Water Quality Control Board, San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108

 CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD
www.waterboards.ca.gov/sandiego/

From: Jeff Pape [<mailto:jpape@dudek.com>]
Sent: Thursday, May 14, 2015 8:07 PM
To: LHAdams@sanidiego.gov; seden@sanidiego.gov
Cc: Cali, Alex@Waterboards
Subject: This mud is running into the Bay

Stewart, Rebecca@Waterboards

From: Ballesteros, Julie <BallesterosJ@sandiego.gov>
Sent: Monday, May 18, 2015 3:43 PM
To: Arias, Christina@Waterboards
Cc: Dayton, Myrna
Subject: RE: This mud is running into the Bay
Attachments: bmp stop notice.pdf

Hi Christina,

Thank you for your e-mail. This project is a City CIP project where existing damaged concrete street sections are being replaced.

There was a lengthy meeting at the site with the contractor and City staff on Friday, May 15, 2015.

The major items discussed with the City's contractor included scheduling of work and proper BMP Implementation prior to rain events. In addition to receiving a Stop Work Notice, attached, the City has warned the contractor that they will be receiving an "unsatisfactory" on their performance evaluation. This will prevent them from bidding on City projects for 3 years. In addition, I am recommending to the City Attorney's office that we consider initiating the Notice of Default process for failing to comply with storm water regulations. We expect to lift the Stop Work Notice by tomorrow. The RE will continue to monitor the work and BMPs for the next anticipated rain event. In the meantime, Field Engineering Division's Deputy Director, Myrna Dayton, is fully aware of this issue and is also considering disciplinary actions on the RE and RE's supervisor. My staff are actively inspecting other projects that this contractor currently has with the City to provide assistance to the RE's on storm water permit enforcement.

In addition, Storm Water Division Enforcement staff were notified and dispatched on Friday, May 15, 2015. I am not aware of what enforcement actions were applied, if any. Please contact Ruth Kolb at (858)541-4328 for further information on this.

Let me know if you need any additional information.

Thanks, Julie

Julie D. Ballesteros, PE, QSD, QSP
Senior Civil Engineer
Field Engineering Division-Public Works Dept.
City of San Diego
858-573-5012

From: Arias, Christina@Waterboards [<mailto:Christina.Arias@waterboards.ca.gov>]
Sent: Friday, May 15, 2015 9:46 AM
To: TSW Storm Water Division
Cc: Ballesteros, Julie
Subject: FW: This mud is running into the Bay

Dear SWPPP

Please see email and attachments. This discharge was recorded at Leroy Street in San Diego. I don't have a cross street, sorry. The complainant says it is from a construction site. Can you please let me know how the City responds? Thanks.

-Christina

From: Cali, Alex@Waterboards
Sent: Friday, May 15, 2015 8:28 AM
To: Arias, Christina@Waterboards
Cc: Becker, Eric@Waterboards; Chiu, Wayne@Waterboards; Stewart, Rebecca@Waterboards; Clemente, Chiara@Waterboards; jpape@dudek.com
Subject: FW: This mud is running into the Bay

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From: Ballesteros, Julie <BallesterosJ@sandiego.gov>
Sent: Thursday, July 02, 2015 3:43 PM
To: Arias, Christina@Waterboards
Subject: RE: This mud is running into the Bay
Attachments: DailyInspectionReport 3-3-15.pdf; DailyInspectionReport 5-01-15.pdf; DailyInspectionReport 5-13-15.pdf; DailyInspectionReport 12-01-14.pdf; DailyInspectionReport 12-12-14.pdf; Inspection -2015-05-15.pdf; Inspection -2015-05-18.pdf; Inspection -2015-05-26.pdf

Hi Christina,
Happy 4th of July!! Crazy weather huh??
I finally complied the information you requested. My apologies for taking so long. We had some mis-communication between the RE and their supervisor.
This project started on 11/03/14. I've attached daily inspection reports as well as BMP Notices that were issued. Let me know if you have any questions.

Have a nice and safe holiday!

Julie

Julie D. Ballesteros, PE, QSD, QSP
Senior Civil Engineer - Storm Water Section
Field Engineering Division-Public Works Dept.
City of San Diego
858-573-5012

 Please consider the environment before printing this e-mail. Thank you.

From: Arias, Christina@Waterboards [mailto:Christina.Arias@waterboards.ca.gov]
Sent: Tuesday, May 19, 2015 3:27 PM
To: Ballesteros, Julie
Subject: RE: This mud is running into the Bay

Hi Julie,

My colleagues have asked that I request two more items related to this incident: 1) the approximate date that work started on this construction site, and 2) copies of previous inspection reports. Can you have someone please provide this info at your earliest convenience?

Thanks so much,

Christina

From: Ballesteros, Julie [mailto:BallesterosJ@sandiego.gov]
Sent: Monday, May 18, 2015 3:43 PM
To: Arias, Christina@Waterboards
Cc: Dayton, Myrna
Subject: RE: This mud is running into the Bay

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Subject: This mud is running into the Bay



THE CITY OF SAN DIEGO

VIA CERTIFIED MAIL and HAND DELIVERY

May 15, 2015

Mr. Mario Portillo
Portillo Concrete Inc
3527 Citrus St
Lemon Grove, CA 91945

Subject: Stop Work Notice for CIP Project FY14 Concrete Street Panel Replacement Group 2,
WBS No. B-14004, Bid No. K-14-6099-DBB-3-C

Dear Mr. Portillo,

This is a Stop Work Notice for the subject project. Your project has been determined to be in violation of San Diego Municipal Code sections 43.0304, 43.0307, 43.0308, 43.0309(b)(1)-(2), and 142.0220. As of the date of this letter, the City's Resident Engineer (RE) has issued 1 BMP Correction Notice, a copy of which is attached. The RE, as the City's Enforcement Official, is authorized to issue such notices by the City's Municipal Code, Sections 121.0205 and 121.0310. In addition, per Greenbook Section 6.4.1 e) and f), the City may pursue Termination of the Contract for Default for disregarding "laws or regulations of any public body having jurisdiction" and "continuous or repeated violations of regulatory...requirements."

As such, you are hereby required to cease and desist all work except for work related to the implementation of BMP corrections identified on the attached notices immediately. No work shall commence until the RE has confirmed that the project site is in compliance with Storm Water requirements.

Please contact the RE at 858-627-4737 to arrange a re-inspection date and time for storm water construction BMP compliance. For any questions regarding the information herein, please contact me at 858-573-5012 or via e-mail at ballesterosj@sandiego.gov.

Sincerely,

Julie Ballesteros
Senior Civil Engineer
Construction Storm Water Section



Public Works Department

Field Engineering • 9485 Aero Drive • San Diego, CA 92123
Tel (858) 627-3200 Fax (858) 627-3297



Page 2 of 2
Mr. Mario Portillo
May 15, 2015

Cc: Lisa Adams, Senior Engineer – Civil, Field Engineering Division, MS 18
Steve Eden, Resident Engineer, Field Engineering Division, MS 18
Mike Arnold, Associate Engineer - Civil, Field Engineering Division, MS 18



THE CITY OF SAN DIEGO

BMP NOTICE

STORM WATER POLLUTION PREVENTION INSPECTION
FIELD ENGINEERING DIVISION, ECP

Date: 5/15/2015
Name: Steve Eden II
Weather: rainy
Notice #: 1 Priority: _____

Project: FY14 Concrete Street Panel Replacent Group 2
Contractor: Portillo Concrete Inc Phone: (619) 466-4639
Site contact person: Dave Villasecar FAX: () _____
Owner: Mario Portillo
Permit number: W _____ Work order number: B14004
Address: Hill Street @ Leroy Street
Location: Point Loma
Site Status: 80% Grading

(grading, storm drains, underground utilities, paving, buildings, percent complete)

- Existing BMP's adequately maintained
- BMP's inadequate, adjustments needed
- Maintain SWPPP Document
- Improve Erosion Control BMP's
- Improve Sediment Control BMP's
- Improve Perimeter Control BMP's
- Improve Materials handling (i.e. Good Housekeeping: concrete wash out, site clean-up, trash, debris)
- Maintain Street Sweeping
- Maintain construction access

Comments: SWPP Document was not on site and should be @ all times.
Site was not adequately protected for the amount of area demolded and
opened up. Sedimentary discharch left sight and entered storm drain. No
Secondary Containment for Portapotty, no drip pans for equipment. Crew was
instructed to lay plastic over entire site exposed to rain along with
check-dams to slow the flow of water leaving sight.

WHITE: Contractor CANARY: SWPP Division File PINK: RE file



THE CITY OF SAN DIEGO

STEVE EDEN II

Resident Engineer

Engineering & Capital Projects

MS 18 • (858) 495-4737 • (858) 627-3297 (FAX) • email: SEden@sandiego.gov

MEMO

Monday 3/2/2015

Workers were not working during this rain event. Walked Job Site with Super Intendant Dave V. We noted & discussed many things including BMPs and how they performed. There was no run off from site. BMPs were adequate. Reminded him of incident on 55th Street & Adams Ave.

Tuesday 3/3/2015

Walked ~~Site~~ ^{Site} with Cynthia Hernandez. She observed the site, took pictures and we issued a BMP notice stating that BMPs were adequate.



DAILY INSPECTION REPORT
 THE CITY OF SAN DIEGO
 ENGINEERING & CAPITAL PROJECTS DEPARTMENT
 FIELD ENGINEERING DIVISION

Project Title: FY14 Con St. Panel Replacement Group 2
 Contractor: PCI
 Inspection Day(s): S M T W TH F S (Circle Days)
 Shift Hours Start _____ Finish _____

Page No. 1 of _____
 WO No. B14604
 Dwg# /Permit# _____
 Resident Engineer: Steve Eden II

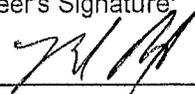
Date/ Weather Arrival, Location, Description of Operation, Departure and Summary

Max 31z
 50°
 Rain
 NO work

arrived @ 830AM (traffic) walked site with Dave V. discussed plan of attack. Said we would remove ballards @ stop sign and push traffic onto the new concrete which will allow them to demo rest of cul de sac and ready for paving. checked run off of exposed area & inspected BMP's. Departed 1045 Am. Arrived @ 55th & Adams @ 1110 w/ Dave V. observed thermoplastic stop signs, yield signs in place as well. observed asphalt for failure @ 55th & redlands. AC holding up. departed for office @ 1145AM

Equipment
Equipment No., Model & Description
On site not used
Roller
Skip loader
excavator
water buffalo

Work Force
Supv x 1

Resident Engineer's Signature: 
 Reviewed By: 

Date: _____



THE CITY OF SAN DIEGO

STEVE EDEN II

Resident Engineer

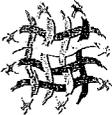
Engineering & Capital Projects

MS 18 • (858) 495-4737 • (858) 627-3297 (FAX) • email: SEden@sandiego.gov

MEMO

4/30/2015 - 5/1/2015

Wayne Jarrell noted he had
observed BMPs on the only storm drains
in area close to job site



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THE CITY OF SAN DIEGO

STEVE EDEN II

Resident Engineer

Engineering & Capital Projects

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MEMO

Wednesday 5/13/2015

observed and was able to notice infractions on concrete wash at pit from training recently. During this conversation I explained that we just learned in our training that the leaking, secondary containment around wash & porta potty were violations. They argued that they were in compliance & I explained they were not, and they couldn't rinse off trucks in exposed work area even if they were pouring over it soon. and I explained they needed to take this seriously because we were now.

Thursday 5/14/2015

observed beginning stages of BMP placement with silt fencing and straw wattle but needed to observe site in LA Jolla as well so I



did leave before they finished BMP placement. Dave called explaining the extra that they



THE CITY OF SAN DIEGO

STEVE EDEN II

Resident Engineer

Engineering & Capital Projects

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MEMO

Continued...

did rebarcing the concrete berm at top of hill to divert water runoff from entering site.

Friday 5/15/2015

observed that the BMP Placement was not adequate & ~~water~~ turbid water had left site.



DAILY INSPECTION REPORT

THE CITY OF SAN DIEGO
 ENGINEERING & CAPITAL PROJECTS DEPARTMENT
 FIELD ENGINEERING DIVISION

Project Title: FY14 Con St panel Rep. Grad 2
 Contractor: PCI
 Inspection Day(s): S M T W TH F S (Circle Days)
 Shift Hours Start _____ Finish _____

Page No. _____ of _____
 WBS / IO# B14004
 Dwg# / Permit# _____
 Resident Engineer: EDEN, STEVE

Date/ Weather Arrival, Location, Description of Operation, Departure and Summary

Wed 5/13
Pt. Clouds
60°
 Observed pour @ San Geronimo, departed to San Ysidro to meet with PCI for streets marked spots "not" to be demoed. Explained how he could approach works arrived back to San Geronimo to observe final paving. Observed backwash area location and explained this is a violation and they had to fix it now. also no secondary containment around concrete wash. Crews mobilized back to Leroy St.

Thurs 5/14
Pt. Clouds
60°
 arrived @ Transit observed pour lane to intersection on Leroy & Hill St. poured driveway on Hill St. Crews setting up BMPs for rain expected today & tomorrow building concrete curb w/ cold mix @ top of Hill to not allow water to enter from top of Hill St.

Fri 5/15
Rainy
55°
 observed that sediment has left sight and is a violation of storm water procedures. Crews cleaned area. Valerone explained the way their sump was set up was minimal @ best. instructed by Lisa Adams on site to cover area in plastic. Area cleaned & covered in plastic.

Equipment
Equipment No., Model & Description
Excavator x 2
Static Rebar x 1
Skid Loader x 1

Work Force
Super x 1
Foreman x 1
Operator x 2
Workers x 8

Resident Engineer's Signature: _____
 Reviewed By: [Signature]

Date: 5/15/2015



THE CITY OF SAN DIEGO

STEVE EDEN II

Resident Engineer

Engineering & Capital Projects

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MEMO

12/01/2014

Inspector by Kathleen Simmons states
Contractor @ end of day used flat time
to prepare for rain using swep.



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THE CITY OF SAN DIEGO

STEVE EDEN II

Resident Engineer

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MEMO

Thursday 12/11/14

noted that SSK & EL Cerntal was exposed at the end of the day. Contractor (AAvid v.) said they knew it was to rain the next day and they would ~~not~~ use the rest of the day to set up BMP's.

Friday 12/12/14

observed turbid water leaving site out of a side walk mini storm water ramp that allowed water to flow from end of culdesac into canyon @ end of culdesac. they added silt fencing, straw wattle and extra sand bags to correct BMP.



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The City of San Diego

BMP NOTICE

STORM WATER POLLUTION PREVENTION INSPECTION

Public Works - Engineering and Capital Projects
Field Engineering (858) 627-3200

DATE: 5/15/2015

NAME: Eden, Steve

WEATHER: Rain

PRIORITY: Low

PROJECT: B-14004 - FY14 Concrete Street Panel Replacement Group 2

CONTRACTOR: Portillo Concrete Inc

PHONE: 6194664639

SITE CONTACT Mario Portillo

PHONE: 6198439124

OWNER:

PERMIT NUMBER

WORK ORDER B-14004

ADDRESS:

LOCATION: Intersection of Leroy Street and Hill Street in Point Loma

SITE STATUS: Active

NOTICE OF VIOLATION:

FOLLOW UP
REQUIRED:

STOP WORK ORDER:

See San Diego Municipal Codes Sections 43.0304, 43.0307, 43.0309(b) (1)-(2), and 142.0220

COMPLIANCE DATE: 5/15/2015

CORRECTIVE ACTIONS:

- Maintenance of existing BMP needed
- Maintain SWPP Documents
- Improve Erosion Control BMP
- Improve Sediment Control BMP
- Improve Perimeter Control BMP
- Improve Materials Handling

COMMENTS:

SWPP documents were not on site and should be at all times. Site was not adequately protected for the amount of area demoed and opened up. Sedimentary discharge left sight and entered storm drain. No secondary containment was found for port-a-jon. No drip pans for equipment. Crew was instructed to lay plastic over entire area exposed to rain along with check-dams to slow the flow of water leaving site.

CONTRACTOR
SIGNATURE:



The City of San Diego

BMP NOTICE

STORM WATER POLLUTION PREVENTION INSPECTION

Public Works - Engineering and Capital Projects
Field Engineering (858) 627-3200

DATE: 5/18/2015

NAME: Eden, Steve

WEATHER: Ptly Cldy

PRIORITY: Low

PROJECT: B-14004 - FY14 Concrete Street Panel Replacement Group 2

CONTRACTOR: Portillo Concrete Inc

PHONE: 6194664639

SITE CONTACT Mario Portillo

PHONE: 6198439124

OWNER:

PERMIT NUMBER

WORK ORDER B-14004

ADDRESS:

LOCATION: Hill Street Between Akron Street and Leroy Street

SITE STATUS: Active

NOTICE OF VIOLATION:

FOLLOW UP
REQUIRED:

STOP WORK ORDER:

See San Diego Municipal Codes Sections 43.0304, 43.0307, 43.0309(b) (1)-(2), and 142.0220

CORRECTIVE ACTIONS: Improve Materials Handling

COMMENTS:

concrete truck discharging into work area and not designated area for washing out.

CONTRACTOR
SIGNATURE:



The City of San Diego

BMP NOTICE

STORM WATER POLLUTION PREVENTION INSPECTION

Public Works - Engineering and Capital Projects
Field Engineering (858) 627-3200

DATE: 5/26/2015

NAME: Eden, Steve

WEATHER: O'cast

PRIORITY: Low

PROJECT: B-14004 - FY14 Concrete Street Panel Replacement Group 2

CONTRACTOR: Portillo Concrete Inc

PHONE: 6194664639

SITE CONTACT Mario Portillo

PHONE: 6198439124

OWNER:

PERMIT NUMBER

WORK ORDER B-14004

ADDRESS: City Wide

LOCATION: Girard Avenue between Prospect street and Coast Boulevard south

SITE STATUS: Active

NOTICE OF VIOLATION:

FOLLOW UP
REQUIRED:

STOP WORK ORDER:

See San Diego Municipal Codes Sections 43.0304, 43.0307, 43.0309(b) (1)-(2), and 142.0220

COMPLIANCE DATE: 5/26/2015

CORRECTIVE ACTIONS: BMP inadequate, adjustments needed

COMMENTS:

Demoiing of pedramps and installation of pedramps with no stormdrain cover downstream of work.

CONTRACTOR
SIGNATURE: