

April 20 2015

To Whom it may concern:

The investigation into the Sonoma Valley County Sanitation District was a result of my complaint. The Settlement is unacceptable because the investigation was not properly carried out and is incomplete.

On May 14, 2014 the Discharge Permit for Sonoma Valley County Sanitation District (SVCSDD) was expired and need to be reissued. I opposed the issuing of that Discharge Permit sighting that SVCSDD was in violation of the current Discharge Permit and would be in violation upon signing a current Discharge Permit. It states very clearly on the permit that the discharger may not release sewage from their collection system:

" Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 C.F.R. § 122.41(a).)

Definitions:

15. Waste, waste discharge, discharge of waste, and discharge are used interchangeably in the permit. The requirements of the permit apply to the entire volume of water, and the material therein, that is disposed of to surface and ground waters of the State of California.

69B69BA. Discharge Prohibitions

1. Prohibitions in this Order

a. Discharge Prohibition III.A (No discharge other than as described in this Order): This prohibition is based on 40 C.F.R. section 122.21(a) and Water Code section 13260, which require filing an application and Report of Waste Discharge before a discharge can occur. Discharges not described in the application and Report of Waste Discharge, and subsequently in this Order, are prohibited.

c. Discharge Prohibition III.C (No bypass of untreated wastewater): This prohibition is based on 40 C.F.R. section 122.41(m). See Federal Standard Provisions, Attachment D, section G.

e. Discharge Prohibition III.E (No sewer overflows): This prohibition is based on Basin Plan Prohibition 15 (Table 4-1) and the CWA, which prohibits the discharge of wastewater to surface waters except as authorized under an NPDES permit. Publicly owned treatment works must achieve secondary treatment at a minimum and any more stringent limitations necessary to meet water quality standards (33 U.S.C. § 1311[b][1][B and C]).

A sanitary sewer overflow that results in the discharge of raw sewage or wastewater not meeting this Order's effluent limitations to surface waters is therefore prohibited under the CWA and the Basin Plan.

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1. Neither the treatment nor the discharge of pollutants shall create pollution, contamination, or nuisance as defined by California Water Code Section 13050.
2. Collection, treatment, storage, and disposal systems shall be operated in a manner that precludes public contact with wastewater, except in cases where excluding the public is infeasible, such as private property.

Definitions:

15. Waste, waste discharge, discharge of waste, and discharge are used interchangeably in the permit. The requirements of the permit apply to the entire volume of water, and the material therein, that is disposed of to surface and ground waters of the State of California."

I submitted my complaint and attended the May 14 2014 meeting in Oakland Ca. I stood before the SF Water Board and stated my case sighting all of the numerous dry weather overflows as well as numerous different budget reports from 1994 forward that explained the state of the leaking collection systems. I will state them again below. It was decided to issue the Discharge Permit but to launch an investigation into the violations that I had brought to light.

The investigation done by the SF Water Board does not include any of the violations I mentioned in my comments or that I raised at the meeting when I stood before the board.

SVCS D has been rolling the same "In 1994 (/1997) a study was done of the collection system that showed 10 of the 120 miles of district pipeline needs to be repaired or replaced due to deterioration or insufficient capacity" from 1994 to the current 2018 budget reports. SVCS D is never going to make those repairs unless you as the SF Water Board, who's job it is to protect the waters of the United States as well as the ground water, make them do it.

The settlement in question only looks at a very small window of wet weather overflows (from Aug 2010 - Jan 2015) and a creek rehabilitation. The trunk lines that the SF Water Board is suggesting be voluntarily repaired by the private land owners has nothing to do with the "45 million dollars" needed to repair the system. It has been 21 years of leaking sewage into the ground. You have knowledge that these violations are occurring and it is unacceptable. Your job is to protect water so I brought the situation to your attention of the state of the collection system of SVCS D and the leaks that have been ongoing for the last 21 years. Your investigation was not thorough and not one bit of the information that I brought forth was looked into at all.

Please see quotes from the sighted budgets and reports below:

SONOMA COUNTY WATER AGENCY CAPITAL PROJECTS 2013- 2018

"IN 2002 SVCSO COMPLETED A STUDY TO COMPLY WITH 1999 NOTICE OF VIOLATION THAT IDENTIFIED AREAS IN THE COLLECTION SYSTEM WHERE REPLACEMENT OR REPAIRS ARE NEEDED MOST. THE STUDY IDENTIFIED 45 MILLION DOLLARS OF TRUNK MAIN AND COLLECTION SYSTEM REPAIRS."

SONOMA VALLEY COUNTY SANITATION BUDGET SUMMARY 2012 - 2013

"IN 1994 A STUDY OF THE COLLECTION SYSTEM SHOWED THAT 10 OR THE 120 MILES OF DISTRICT PIPELINE NEEDS TO BE REPAIRED OR REPLACED DUE TO DETERIORATION OR INSUFFICIENT CAPACITY. IN 1999 THE DISTRICT COMPLETED A WET WEATHER STUDY THAT IDENTIFIED AREAS IN THE COLLECTION SYSTEM WHERE REPAIRS AND OR REPLACEMENT PROJECTS ARE MOST NEEDED. IT IS ESTIMATED THAT REQUIRE IN THE ORDER OF 3 MILLION DOLLARS PER YEAR."

SONOMA VALLEY COUNTY SANITATION DIST 2007 - REVISED 2012

"IN 1994 A STUDY OF THE COLLECTION SYSTEM SHOWED THAT 10 OR THE 120 MILES OF DISTRICT PIPELINE NEEDS TO BE REPAIRED OR REPLACED DUE TO DETERIORATION OR INSUFFICIENT CAPACITY. IN 1999 THE DISTRICT COMPLETED A WET WEATHER STUDY THAT IDENTIFIED AREAS IN THE COLLECTION SYSTEM WHERE REPAIRS AND OR REPLACEMENT PROJECTS ARE MOST NEEDED. DISTRICT CAPITAL EXPENDITURES ARE EXPECTED TO TOTAL OVER 20 MILLION OVER THE NEXT 5 YEARS."

COUNTY OF SONOMA MUNICIPAL SERVICE REVIEW 2004

"THE COLLECTION SYSTEM NEEDS OVER 40 MILLION DOLLARS OF WORK IN THE FUTURE. PROJECTS IN THE COUNTY'S CIP PLANNED FOR THE NEXT 5 YEARS INCLUDE THE MAIN SEWER TRUNK REPLACEMENT AND WILL LIKELY TOTAL OVER 5 MILLION DOLLARS."

SONOMA VALLEY COUNTY SANITATION DISTRICT HAS BEEN DEFERRING REPAIRS TO THE COLLECTION SYSTEM SINCE 1999 AND EVERY 5 YEARS THEY SIGN A DISCHARGE PERMIT THAT STATES THAT THE COLLECTION SYSTEM MUST BE MAINTAINED AND REPAIRED AND THAT RELEASING UNTREATED SEWAGE FROM THE COLLECTION SYSTEM IS PROHIBITED.

The investigation into Sonoma Valley County Sanitation District was instigated as a result of my complaint. The investigation was short sided and not complete therefore the settlement is incomplete and does not encompass the full scope of the repairs that need to be completed by SVCSO so that they are in compliance.

Thank you,

Anna Gomez

