

---

## North Coast Regional Water Quality Control Board

November 4, 2014

Mr. Rick Freeman  
Coddling Construction Co  
P.O. Box 3550  
Rohnert Park, CA 94928  
[rickf@coddlingconstruction.com](mailto:rickf@coddlingconstruction.com)

Dear Mr. Freeman:

Subject: Notice of Violation for Deficient BMPs and NAL Exceedance

File: Dick's Sporting Goods, Construction General Storm Water Permit, State Water Resources Control Board Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ & 2012-0006-DWQ, WDID No. 1 49C368949

On October 15, 2014, staff of the Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board) inspected the Dick's Sporting Goods construction site to determine compliance with State Water Resources Control Board Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ & 2012-0006-DWQ (hereinafter Construction General Permit or CGP). This Notice of Violation addresses violations identified during that inspection.

The CGP requires implementation of Best Management Practices (BMPs) to minimize or prevent discharges of pollutants into storm water (CGP Attachment D – Risk Level 2 Requirement A.1.2). The CGP has additional requirements, including the following to:

- Cover and berm loose stockpiled construction materials when not actively being used (CGP Attachment D – Risk Level 2 Requirement B.1.2);
- Contain and securely protect stockpiled waste material from wind and rain at all times unless actively being used (CGP Attachment D – Risk Level 2 Requirement B.2.f);
- Ensure the containment of concrete washout areas and other washout areas that may contain additional pollutants so there is no discharge into the

- underlying soil and onto the surrounding areas (CGP Attachment D – Risk Level 2 Requirement B.2.i); and
- Provide effective soil cover for inactive areas and all finished slopes, open space, utility backfill, and completed lots (CGP Attachment D – Risk Level 2 Requirement D.2).
  - Implement appropriate erosion control BMPs (runoff control and soil stabilization) in conjunction with sediment control BMPs for areas under active construction (CGP Attachment D – Risk Level 2 Requirement E.3).

We are issuing this Notice of Violation due to Codding Construction Company's failure to implement adequate BMPs as required by A.1.2, B.1.2, B.2.f, B.2.i, D.2 and E.3 of Attachment D to the CGP. During the October 15, 2014, inspection, staff sampled residual water in the south western storm drain drop inlet on site and the adjacent street gutter. Staff analyzed the water in the field for pH, and back in the office laboratory for turbidity. The results are as follows:

**Table 1 – Inspection Sample Results**

Location	Constituent	Result	NAL
Street gutter Latitude: 38.45548 Longitude: -123.72822	pH	10.02	8.5
Southwestern Drop Inlet Latitude: 38.45554 Longitude: -123.72825	pH	9.65	8.5
	Turbidity	171	250

The pH results are in excess of the CGP Numeric Action Levels (NALs) and indicate that the deficient BMPs resulted in high pH discharges to the storm drain system. On October 15, 2014, Mr. Freeman indicated that he would have the residual water in the drop inlet pumped out and properly disposed. Please provide documentation that this was done and how this water was disposed.

If you have any questions or comments regarding this Notice of Violation, please contact Kason Grady at (707) 576-2682 or [Kason.Grady@waterboards.ca.gov](mailto:Kason.Grady@waterboards.ca.gov).

Sincerely,

Original Signed By

Shin-Roei Lee  
Chief, Watershed Protection Division

141104\_Deficient\_BMPs\_NOV

Certified-Return Receipt Requested

Enclosure: 141015\_Inspection\_Photos\_Samples.pdf