
North Coast Regional Water Quality Control Board

September 19, 2016

Mr. Greg Sparks
gsparks@ci.eureka.ca.gov
City of Eureka
531 K Street-Room 208
Eureka, CA 95501-1146

Dear Mr. Sparks:

Subject: Notice of Violation of State Water Resources Control Board Order No. 2014-0057-DWQ General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Small MS4 General Permit)

File: City of Eureka, Small MS4 General Permit, WDID No. 1 12M2000120

The City of Eureka (Permittee) is hereby given notice that it has violated section E.9.a. of the Small MS4 General Permit for failure to submit a complete and up-to-date outfall map as required by fiscal year 2014/2015 (Year 2) permit requirements.

I. Background

The Permittee owns and operates a municipal separate storm sewer system subject to the requirements and schedule set forth in the Small MS4 General Permit. On January 15, 2016, Regional Water Board Staff (Staff) conducted an inspection to determine the Permittee's compliance with the Small MS4 General Permit, sections E.9.a Outfall Mapping, E.11.a. Inventory of Permittee-Owned and Operated Facilities and E.11.b. Map of Permittee-Owned or Operated Facilities. On January 25, 2016, Staff transmitted the findings of the inspection to the Permittee. Findings included an incomplete outfall map. The Permittee was required to comply with section E.9.a. of the Small MS4 General Permit by the end of Year 2 or no later than June 30, 2015. On February 25, 2016, the Permittee provided a compliance schedule to complete the outfall mapping requirements. The Permittee stated the outfall map would be completed within 90 days (May 25, 2016). On June 13, 2016, the Permittee stated the outfall maps were not complete, but would be completed by early July. To date, the Permittee has yet to submit the completed outfall map.

II. Applicable Requirements

In accordance with the Small MS4 General Permit, the Permittee is required to meet the following:

Section E.9.a Outfall Mapping

Within the second year of the effective date of the permit, the Permittee shall create and maintain an up-to-date and accurate outfall map.

III. Alleged Violations

The Permittee violated Section E.9.a. of the Small MS4 General Permit by failing to submit a complete and up-to-date outfall map. The Small MS4 General Permit includes specific components that are required to be included on each outfall map. The Permittee's outfall map does not include the priority area (E.9.a.ii.c.) and it does not include an identification of outfalls sampled during the 2014/2015 fiscal year (E.9.a.ii.d.).

IV. Future Enforcement Action

The Permittee must immediately comply with section E.9.a of the Small MS4 General Permit. Please note that correcting the conditions of non-compliance with the Small MS4 General Permit does not preclude enforcement action for the violations alleged in this notice. The Regional Water Board reserves its rights to fully enforce the law by taking enforcement actions such as a cease and desist order, time schedule order, administrative civil liabilities, and referral to the State Attorney General. Administrative liabilities may be assessed beginning with the date that a violation first occurred. The liabilities can be up to \$1,000 per day per violation pursuant to Water Code section 13268.

Should you have any questions regarding this matter, please contact Colleen Hunt, of my staff at colleen.hunt@waterboards.ca.gov or 707-576-2831.

Sincerely,

Claudia Villacorta
Point Source and Groundwater Protection Division Chief

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Certified Return Receipt Requested

cc: Mr. Travis Clohessy, City of Eureka, tclohessy@ci.eureka.ca.gov
Mr. Brian Gerving, City of Eureka, bgerving@ci.eureka.ca.gov