



North Coast Regional Water Quality Control Board

March 1, 2022

CERTIFIED MAIL 7021 0950 0001 6499 6803

Humboldt State University
Telonicher Marine Laboratory
c/o: Ms. Christina Koczera, Facility Manager
570 Ewing St,
Trinidad, CA 95570

Dear Ms. Koczera:

Subject: Notice of Violation: Failure to Submit Timely Reports as required in Waste Discharge Requirements Order Nos. R1-2013-0006 and 2019-0037 (NPDES PERMIT No. CA0025151)

File: Humboldt State University, Telonicher Marine Laboratory, Humboldt County, WDID No. 1B12187NHUM, NPDES Permit No. CA0025151

The North Coast Regional Water Quality Control Board (Regional Water Board) is writing to notify Humboldt State University (HSU) that, since January 1, 2019, HSU has submitted twenty (20) Self Monitoring Reports and/or other technical reports past the due dates specified in the WDR Order Nos. R1-2013-0006 and R1-2019-0037.¹ Each late submitted report is considered a violation of Water Code section 13385, subdivision (a)(2), and may be subject to discretionary penalties of up to \$10,000 per day pursuant to California Water Code (Water Code) section 13385, subdivision (c)(1).

Based on information in the California Integrated Water Quality System (CIWQS) from January 1, 2019 through December 31, 2021, the 20 late reports include Once Only, Monthly, Semi-annual, and Annual discharge monitoring reports, Stormwater Management Plan reports, and Solids Disposal Plan reports. Attachment 1 provides a complete list of the specific reports that were late. As detailed in the Attachment 1, of the 20 late reports, the Regional Water Board did not consider 5 of the late reports as violations because HSU communicated with the Regional Water Board that it had difficulties submitting reports electronically to CIWQS.

¹ WDR Order No. R1-2013-0006 was rescinded on the effective date of WDR Order No. R1-2019-0037, except for enforcement purposes.

Notice of Violation
HSU, Telonicher Marine Laboratory

March 1, 2022

The remaining 15 late reports may be subject to administrative civil liabilities for each day in which the violation occurred.²

Pursuant to Water Code section 13385, violations associated with the 15 late reports, which ranged from 1 to 132 days late, for a total of 155 days, could be subject to a potential maximum administrative civil liability of up to \$1,550,000 [(\$10,000) x (155 total days late)]. Actual assessed liability is subject to a number of factors, including factors associated with discharger conduct such as degree of culpability, history of violations, and cleanup and cooperation. HSU has a prior history of violations associated with late reporting, as described in enforcement Order No. R1-2019-0033. Since issuance of that enforcement order, HSU has demonstrated a pattern of chronic late reporting and has given no reason as to why the required reports were not submitted by the deadline.

As HSU is aware, the Regional Water Board is pursuing mandatory minimum penalties for three discharge monitoring reports that were more than 30 days past due. However, this does not preclude additional enforcement, including assessment of civil liability, for violations associated with the remaining 15 past due reports, nor for any future violations. Your timeliness in meeting future reporting deadlines will be a consideration in our recommendations regarding further enforcement.

Should you have any questions regarding the violations described in this letter, please contact Jordan Filak at, Jordan.Filak@waterboards.ca.gov or Diana Henriouille, at Diana.Henriouille@waterboards.ca.gov.

Sincerely,

Claudia E. Villacorta, P.E.
Assistant Executive Officer

220301_2021_Telonicher_NOV

Attachment: Attachment 1 Telonicher Late Reports

Certified Mail – Return Receipt requested

cc: Diana Henriouille; Diana.Henriouille@waterboards.ca.gov

Susan Ma; Susan.Ma@Waterboards.ca.gov

² Three discharge monitoring reports were submitted more than 30 days past the due dates and thus are subject to mandatory minimum penalties of \$3,000 per violation. (Water Code §§ 13385, subd. (h)(2) and 13385.1). These late reports are addressed in the Regional Water Board's February 25 letter to Humboldt State.

Attachment 1

Humboldt State University
 Telonicher Marine Laboratory (NPDES)
 WDID No. 1B12187NHUM; NPDES No. CA0025151

Late Reporting Violations

Violation Period January 1, 2019 through December 31, 2021

#	Violation Number	Violation Date	Constituent/ Description	Due Date	Date Submitted	Days Past Due	Violation Dismissed?	Dismissal Reason	Potential Maximum Penalty
1	1097897	01/15/2019	Nov 2018 monthly Report past due	Jan. 1, 2019	Jan. 15, 2019	14	N	N/A	\$140,000
2	1097895	03/15/2019	2018 Annual Report past due	March 1, 2019	March 15, 2019	14	N	N/A	\$140,000
3	1097896	03/15/2019	Second Semiannual Report for 2018 past due	March 1, 2019	March 15, 2019	14	N	N/A	\$140,000
4	1097898	03/15/2019	Jan 2019 monthly Report past due	March 1, 2019	March 15, 2019	14	N	N/A	\$140,000
5	1097899	04/10/2019	Feb 2019 monthly Report past due	April 1, 2019	April 10, 2019	9	N	N/A	\$90,000
6	1097903	06/06/2019	April 2019 monthly Report past due	June 1, 2019	June 6, 2019	5	N	N/A	\$50,000
7	1097901	12/16/2019	Oct 2019 monthly Report past due	Dec. 1, 2019	Dec. 16, 2019	15	N	N/A	\$150,000
8	1097902	01/02/2020	Nov 2019 monthly Report past due	Jan. 1, 2020	Jan. 2, 2020	1	N	N/A	\$10,000

#	Violation Number	Violation Date	Constituent/Description	Due Date	Date Submitted	Days Past Due	Violation Dismissed?	Dismissal Reason	Potential Maximum Penalty
9	1097894	02/04/2020	Q4 2019 Report past due	Feb. 3, 2020	Feb. 4, 2020	1	N	N/A	\$10,000
10	1097891	03/04/2020	2019 Annual Report past due	March 2, 2020	March 4, 2020	2	N	N/A	\$20,000
11	N/A	03/10/2020	Storm Water Management Plan/Program TECHRPT Report past due	March 1, 2020	March 10, 2020	9	Y	Discharger notified RWB staff of trouble submitting in CIWQS.	N/A
12	N/A	03/10/2020	Solids Disposal Plan TECHRPT Report past due	March 1, 2020	March 10, 2020	9	Y	Discharger notified RWB staff of trouble submitting in CIWQS.	N/A
13	1097893	03/30/2020	Second Semiannual Report for 2019 past due	March 2, 2020	March 30, 2020	28	N	N/A	\$280,000
14	1097882	08/25/2020	Q2 2020 Report past due	Aug. 1, 2020	Aug. 25, 2020	24	N	N/A	\$240,000
15	1097884	11/05/2020	Q3 2020 Report past due	Nov. 1, 2020	Nov. 5, 2020	4	N	N/A	\$40,000
16	1097880	09/10/2021	First Semiannual Report for 2021 past due	Sep. 1, 2021	Sep. 10, 2021	9	N	N/A	\$90,000
17	1096523	11/02/2021	Q3 2021 Report past due	Nov. 1, 2021	Nov. 2, 2021	1	N	N/A	\$10,000

#	Violation Number	Violation Date	Constituent/Description	Due Date	Date Submitted	Days Past Due	Violation Dismissed?	Dismissal Reason	Potential Maximum Penalty
18	N/A	12/08/2021	Q4 2021 Report past due	Feb. 1, 2021	Dec. 8, 2021	310	Y	Discharger notified RWB staff of trouble submitting in CIWQS. Report submitted via email.	N/A
19	N/A	12/08/2021	2020 Annual Report past due	March 1, 2021	Dec. 8, 2021	282	Y	Discharger notified RWB staff of trouble submitting in CIWQS. Report submitted via email.	N/A
20	N/A	12/08/2021	Second Semi-Annual Report for 2020 past due	March 1, 2021	Dec. 8, 2021	282	Y	Discharger notified RWB staff of trouble submitting in CIWQS. Report submitted via email.	N/A

Total Potential Maximum Penalty: \$1,550,000