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## North Coast Regional Water Quality Control Board

May 05, 2023

Mr. Tim Burke, GLS Tracking Number: 559330291  
Mr. Dean Kerstetter, Executive Vice President  
Humboldt Sawmill Company  
Scotia Sawmill and Cogeneration Plant  
125 Main Street  
Scotia, CA 95565  
[tburke@mendoco.com](mailto:tburke@mendoco.com)  
[dkerstetter@mendoco.com](mailto:dkerstetter@mendoco.com)

Dear Mr. Kerstetter:

**Subject:** **Notice of Violation** of the Clean Water Act and State Water Resources Control Board Order No. 2014-0057 DWQ General Permit for Stormwater Discharges Associated with Industrial Activities (Amended 2018) (Industrial General Permit) for the Scotia Sawmill and Cogeneration Plant

**File:** Scotia Sawmill and Cogeneration Plant, 125 Main Street, Scotia, Humboldt County, WDID No. 1 12I027974

The Humboldt Sawmill Company is hereby given notice that it has violated the federal Clean Water Act section 301 (33 U.S.C. 1311), State Water Resources Control Board Order No. 2014-0057 DWQ General Permit for Stormwater Discharges Associated with Industrial Activities (Amended 2018) (Industrial General Permit), Waste Discharge Requirements Order R1-2012-0065, and the Water Quality Control Plan for the North Coast Region. These violations are discussed in detail below.

### Background

The Humboldt Sawmill Company presently owns the 247-acre facility (Facility) in Scotia in Humboldt County. At the Facility, the Humboldt Sawmill Company

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HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

**Scotia Sawmill and Cogeneration Plant**

processes lumber for sale and to generate power at its cogeneration plant. The Company's tenant, Kansas Asphalt Timber Operations, operates an asphalt batch plant and conducts the associated gravel operations on 5.5 acres at the southernmost portion of the Facility. The Facility's runoff is discharged directly to the Eel River, to tributaries to the Eel River, and into a log pond off-site, which is owned and operated by the Scotia Community Services District (CSD).

Stormwater Multiple Application and Report Tracking System (SMARTS) documents identify the Humboldt Redwood Company as the previous owner and operator for the sawmill, the cogeneration plant, and the asphalt plant on the Facility, having filed for permit coverage in 2008. In 2018, the Humboldt Sawmill Company took over permit coverage and operating the sawmill and cogeneration plant, while Humboldt Redwood Company continued to operate the asphalt plant. Prior to the inspection, Kansas Asphalt Timber Operations began operating the asphalt plant. Following the inspection, they filed for permit coverage for the asphalt plant as a tenant to Humboldt Sawmill Company who continues to own the entire 247-acre Facility. This Notice of Violation is issued to the Humboldt Sawmill Company as owner of the 247-acre Facility, and as the operator for the sawmill and cogeneration plant.

On May 9 and 10, 2022, Regional Water Board State Water Board and U.S. EPA staff inspected the Facility during heavy rain<sup>1</sup> and observed several violations of the Industrial General Permit (IGP) requirements as described in the inspection memo.

On October 18, 2022, the inspection memo was provided to the Discharger and uploaded to SMARTS on the same day.

On March 3, 2023, the Discharger provided written comments on the inspection memo to the North Coast Regional Water Board and this NOV considers those comments.

**Alleged Violations**

As the operator of the Scotia Sawmill and Cogeneration Plant, the Humboldt Sawmill Company is hereby given notice that it has violated the federal Clean Water Act section 301 (33 U.S.C. 1311), Waste Discharge Requirements Order R1-2012-0065 Discharge Prohibitions, the Water Quality Control Plan for the North Coast Region, and the following sections of the Industrial General Permit:

1. Section X. SWPPP, Subsection E.3.a, Site Map, Stormwater drainage areas
2. Section X. SWPPP, Subsection E.3.b, Site Map, Stormwater conveyance systems
3. Section X. SWPPP, Subsection E.3.c, Site Map, Structural control measures
4. Section X. SWPPP, Subsection E.3.e, Site Map, Materials and spill locations

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<sup>1</sup> [Local Climatological Data Station Details: ROHNERVILLE AIRPORT, CA US, WBAN:00396 | Climate Data Online \(CDO\) | National Climatic Data Center \(NCDC\) \(noaa.gov\)](https://www.ncei.noaa.gov/cdo-web/datasets/LCD/stations/WBAN:00396/detail), (<https://www.ncei.noaa.gov/cdo-web/datasets/LCD/stations/WBAN:00396/detail>) Rohnerville Airport Rain Gauge Station

## Scotia Sawmill and Cogeneration Plant

5. Section X. SWPPP, Subsection E.3.f, Site Map, Areas of industrial activities
6. Section X. SWPPP, Subsection F, List of Industrial Materials
7. Section X. SWPPP, Subsection G, Potential Pollutant Sources
8. Section X. SWPPP, Subsection H.1.a.iv, Wash water
9. Section X. SWPPP, Subsection H.1.a.v, Cover industrial materials
10. Section X. SWPPP, Subsection H.1.a.vii, Industrial material to storm drain
11. Section X. SWPPP, Subsection H.1.c, Spill and Leak Prevention
12. Section X. SWPPP, Subsection H.1.d.i, Prevent handling Materials
13. Section X. SWPPP, Subsection H.1.d.iv, Stormwater and stockpiles
14. Section X. SWPPP, Subsection H.1.d.v, Spills of industrial materials
15. Section X. SWPPP, Subsection H.1.e.iv, Divert stormwater
16. Section X. SWPPP, Subsection H.1.e.v, Sediment basin design
17. Section X. SWPPP, Subsection H.6, Design Storm Standards
18. Section XI. Monitoring, Subsection B.4., Representative sampling
19. Section XI. Monitoring, Subsection B.6.c, Additional parameters
20. Section XI. Monitoring, Subsection B.6.d, SIC parameters.

These violations may subject the Humboldt Sawmill Company to administrative liability pursuant to California Water Code section 13385.

These provisions are included in detail in Attachment A.

This letter notifies the Discharger that it has violated provisions of the IGP. Each provision of the IGP violated is identified, but due to the volume of violations, the specific individual violations are often represented by an example. For example, staff estimate seeing over forty instances of Violation 1 where the site map did not accurately reflect the drainage and flow areas on the Facility. A general description and some examples are provided in the description below, but please see the inspection reports for further information. North Coast Regional Water Board Staff are willing to meet with your representatives to identify each individual violation.

***Violations 1 through 5:***

Per Section X.E.3. of the IGP, a discharger shall include information on the site map including: drainage areas, flow direction, all stormwater collection and conveyance systems, structural control measures, impervious areas, locations where materials are stored with exposure to precipitation, locations of significant spills, and all areas of industrial activity.

The Facility site map available in SMARTS dated November 8, 2021, and uploaded by the Discharger, did not reflect the Facility's condition at the time of the May 2022 inspection. Facility conditions were significantly different than those represented on the Facility' site map. Per Regional Water Board staff observations and document review, the following permit requirements were not met:

***Violation 1:***

Section X.E.3.a: The site map does not correctly show all drainage areas and flow directions. Each drainage area shown on the site map includes multiple storm drain inlets each of which should be included as their own tributary area (Site Map 1 and 2, as referenced in the May 9-10, 2022 Inspection Memo). Flow arrows indicating surface flow direction on the site map were incorrect in many locations across the Facility (Site Map 1 and 2). Storm drain pipes coming from the adjacent roadway and town into Drainage Areas 2 and 3 are shown on the site map with no associated offsite drainage areas (Site Map 1 and 2). Areas of run-on from Highway 101 were observed in the field but not included on the Facility map (Site Map 2). Many storm drain lines were shown on the site map without any inlet or connection points (Site Map 1 and 2).

***Violation 2:***

Section X.E.3.b: Inlets are shown on the site map that no longer exist, while other inlets were identified in the field that were not present on the site map. Other structures such as valves were also missing from the site map.

Storm drain lines and outfalls were included on the site map indicating discharge from the Facility from Drainage Area 3 into the Scotia CSD wastewater treatment plant's aeration ponds (Site Map 1). However, Facility staff said during the inspection that these pipes were no longer present and were incorrectly shown on the site map. Facility staff could not explain where the storm drain lines discharge.

Storm drain inlets were observed along the eastern edge of the Planer Building that were not included on the site map (Site Map 1 and Attachment B, the May 9-10, 2023, Inspection Memo (Inspection) picture 20d). Storm drain inlets near the staff parking area that are shown on the site map were no longer present (Site Map 2). Additional storm drain inlets and/or valve boxes within the paved log deck are also shown on the site map but not present (Site Map 2 and Inspection pictures 1h, 1i, 1f). Additional storm drain structures and outfall pipes were observed near 002-OUT by the Ball Field that were not on the site map and that Facility staff were unable to identify if these outfall pipes were from their facility, or where the discharge was from (Site Map 2).

***Violation 3:***

Section X.E.3.c: Structural controls such as secondary containment and berms and barriers were not shown on the site map. The oil water separator in the fueling area was present on-site but not shown on the site map as an advanced BMP (Inspection picture 10a).

***Violation 4:***

Section X.E.3.e: Locations of materials are not identified on the site map, including stockpiles of bottom ash, hazardous materials collected from vehicle washing, and industrial materials and wastes. Stockpiles of bottom ash were observed all along the edge of the log pond adjacent to the Cogen facility (Inspection pictures 18c, 18d, and 18e) as well as along the north edge between the garage and the Cogen facility (pictures 16c, 16b, and 17a). Stockpiles of material washed from vehicles and stored prior to being disposed of as hazardous material were located immediately south of the wash bay within the garage building and exposed to rain (pictures 14a, 14b, and 14c). Large spills of sulfuric acid were observed on the pavement between the Cogen facility and the log pond but were not indicated on the site map (pictures 19a, 19b). Staining was also observed around the hypochlorite tank adjacent to the Cogen facility indicating materials had been stored there (picture 19c).

***Violation 5:***

Section X.E.3.f: All areas where industrial activities occur are not identified on the site map. The locations of chemical storage for hypochlorite observed on-site were not included on the site map (Site Map 1 and Inspection picture 19c). Areas associated with cogeneration were also not indicated on the site map (Site Map 1 and pictures 17a, 17b, 17c, 18a, 18b, 18c, 19c, 19d). Areas where equipment was washed and maintained adjacent to the garage and as observed were also not included on the site map (pictures 14a, 14b, and 14c).

***Violation 6:***

Per Section X. SWPPP, Subsection F: The SWPPP does not include in its List of Industrial Materials bottom ash as well as industrial chemicals such as sulfuric acid and hypochlorite though they were observed at the Facility adjacent to the Cogen facility and placed along the edge of the log pond (Inspection pictures 18c, 18d, 18e, 19a, 19b, and 19c).

***Violation 7:***

Per Section X. SWPPP, Subsection G: The SWPPP does not include a complete assessment of potential pollutant sources including bottom ash and industrial chemicals such as sulfuric acid and hypochlorite though they were observed at the Facility adjacent to the Cogeneration Plant and placed along the edge of the log pond. Not all areas where industrial processes and material handling and storage take place are identified. Areas where there is evidence of significant spills are not identified as required in the SWPPP (Inspection pictures 18c, 18d, 18e, 19a, 19b, and 19c). Stockpiles of material washed from vehicles and stored prior to being disposed of as hazardous material were located immediately south of the wash bay within the garage building and exposed to rain (pictures 14a, 14b, and 14c).

**Violation 8:**

Per Section X. SWPPP, Subsection H.1.a.iv: Wash water was being discharged without BMP controls in place. Wash water was discharging onto a paved surface that drains into the adjacent storm drain system that ultimately discharges to the Eel River (Inspection pictures 14a, 14b, 14c). The unauthorized discharge of wash water violates the IGP discharge prohibitions as well as the discharge provisions of the Water Quality Control Plan for the North Coast Region, also known as the Basin Plan.<sup>2</sup>

**Violation 9:**

Per Section X.H.1.a.v: Stored industrial materials at the Facility were not covered. The Discharger failed to cover the stockpiles of material such as sawdust, bottom ash, and fine woody debris that can be readily mobilized through contact with stormwater. Uncovered stockpiles of sawdust were observed adjacent to the Planer building as well as throughout the sawmill in multiple locations and in large quantities (Inspection pictures 1g, 2g, 3a, 3b, and 20a). Large stockpiles of bottom ash were observed at the Facility placed along the edge of the log pond adjacent to the Cogeneration Plant as well as along the northern edge of the Cogen facility (pictures 16c, 16b, 17a, 18a, 18c, 18d, and 18e). Uncovered piles of industrial materials such as bark were also observed on the paved log deck in multiple large piles (pictures 2h, 2i, and 3e).

**Violation 10:**

Per Section X. SWPPP, Subsection H.1.a.vii: Industrial materials such as bottom ash, sawdust, wood debris, and hydrocarbons were discharging into the stormwater conveyance system. Stormwater runoff with a sheen was observed at the Facility discharging to multiple storm drain inlets between the Sawmill Planer Building and the Former Lumber Storage Building (Inspection pictures 1a, 1b, 1c, 1d, 1e, 1h). Sawdust and woody debris wood observed discharging into multiple storm drain inlets throughout drainage area 7 on the paved log deck and the industrial area adjacent to the sawmill and planer building (pictures 1h, 1i, 1j, 19d, 20d). Evidence of bottom ash discharge was observed adjacent to the Cogeneration Plant into the log pond (19d). Sheen was observed discharging into multiple storm drain inlets within the Cogen facility area (17b).

**Violation 11:**

Per Section X. SWPPP, Subsection H.1.c: Evidence of substantial and persistent spills of chemicals such as sulfuric acid and hypochlorite were observed on the ground around the chemical storage tanks. No containment mechanism was

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<sup>2</sup> [The Basin Plan](https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/) is available online at  
([https://www.waterboards.ca.gov/northcoast/water\\_issues/programs/basin\\_plan/](https://www.waterboards.ca.gov/northcoast/water_issues/programs/basin_plan/))

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observed that would prevent the discharge of material spilled when these chemicals are dispensed from these tanks (Inspection pictures 19a, 19b, 19c).

**Violation 12:**

Per Section X.H.1.d.i: Industrial materials or wastes that can be readily mobilized by contact with storm water such as fine wood debris and bottom ash materials were observed outside exposed to rain with no effective BMPs in place during rain on May 9, 2022. These materials were discharging to the Log Pond or retention pond on its way to Eel River and were not controlled by preventing or minimizing the handling of these materials and wastes during the storm event. On the first day of inspection during heavy rain industrial activities were being conducted that involved, sawdust, woody debris, mud, silt, and bottom ash materials was observed (Inspection pictures 2a, 2b, 2c, 2j, 3a, 3b, and 4a).

**Violation 13:**

Per Section X.H.1.d.iv: The Discharger failed to divert run-on and storm water generated from within the Facility away from all stockpiled materials during the rain event on May 9, 2022. Stockpiles throughout the Facility were uncovered and placed within drainage flow paths (Inspection pictures 1g, 2h, 2i, 3a, 14b, 16a, 16b, 17a, 18d, and 20a).

**Violation 14:**

Per Section X.H.1.d.v: Evidence of substantial and persistent spills of chemicals, such as sulfuric acid and hypochlorite, as well as oily material under equipment, and accumulated materials washed from equipment and vehicles (14a, 14b, 14c and 15), were observed on the ground without spill containment or cleanup activities being initiated by the Discharger. Stormwater was observed discharging into storm drain inlets with a sheen during rain. Oily material was observed on the ground below equipment (Inspection picture 17b). Large areas of the pavement surrounding the sulfuric acid storage tanks were stained (Inspection pictures 18c, 18d, 18e, 19a, 19b, and 19c). No effort was made during the course of the two-day inspection by Facility staff to clean up or contain the spilled material.

**Violation 15:**

Per Section X.H.1.e.iv: The Discharger failed to divert stormwater runoff away from erodible material such as sawdust, fine woody material, and accumulated sediment. Large stockpiles of sawdust and fine woody material were present throughout the Facility in discharge flow paths and within standing water (Inspection pictures 1f, 1g, 1h, 2c, 2f, 2g, 2h, 2i, 3a, 3c, 3d, 3e, 4a, 4b, 4c, 4d, 18d, 19d, 20a).

***Violation 16:***

Per Section X.H.1.e.v: The Discharger has failed to comply with the design storm standard requirement for the constructed retention pond that receives the majority of untreated runoff from the industrial areas. Based on Facility staff's statement at the time of the inspection, there are no existing volume- based or flow-based calculations to demonstrate that the pond is sized to meet the requirements of the IGP. When asked directly if the ponds on the Facility had been sized in accordance with design requirements and if calculations, designs, and specifications were available, Facility staff stated that none of these items existed and that the ponds had simply been built to utilize available space. Subsequent to the date of the inspection, the Discharger provided supplemental calculations associated with this pond<sup>3</sup>. However, these calculations also fail to demonstrate that the pond has been designed to meet the sizing requirements of the IGP.

***Violation 17:***

Per Section X.H.6: The Discharger has failed to comply with the design storm standard requirement for the constructed retention pond that receives the majority of untreated runoff from the industrial areas as required for all sediment basins.

***Violation 18:***

Per Section XI.B.4: The Discharger has failed to collect samples that are representative of the Facility's discharge from all drainage areas. Due to the fact that there are numerous locations where run-on enters the Facility and commingles with discharge from the Facility without adequate characterization of the run-on the combined discharge is not fully representative of the facilities runoff. Additionally, the separately permitted wastewater discharge from the Cogeneration Plant authorized under National Pollution Discharge Elimination System (NPDES) Order No. R1-2012-0065 is commingling with industrial stormwater through a slotted drain resulting in a commingled flow. The discharge of stormwater is specifically prohibited by Discharge Prohibition III.C.

***Violation 19:***

Per Section XI.B.6.c: The Discharger has failed to conduct an accurate Potential Pollutant Source Assessment. It would be reasonable and expected that a facility of this type would need to analyze its discharge for additional parameters beyond the standard minimums identified in the IGP. At a minimum, the discharge should be analyzed for Biochemical Oxygen Demand (BOD) which is considered by US

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<sup>3</sup> 2022 Updated SWPPP uploaded to SMARTS in October 19, 2022, Appendix D

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EPA as a pollutant of concern for timber operations<sup>4</sup>. Also, the Discharger failed to analyze samples for Aluminum, Copper and Chromium, which is considered by US EPA as pollutant of concerns for Steam Electric Generating Facilities<sup>5</sup>.

**Violation 20:**

Per Section XI.B.6.d: The Discharger has failed to analyze all collected samples for all additional applicable parameters associated with the Facility's multiple standard industrial classification (SIC) codes, per Table 1 of the IGP. The Discharger has enrolled two separate SIC codes under a single waste discharger identification WDID number under the IGP. As such, all parameters required for both SIC codes must be sampled for at all discharge points. The Discharger has failed to do this and instead has bifurcated its monitoring such that samples are only analyzed for the parameters associated with its individual SIC code.

Based on both SIC codes 2421 and 4911 listed in SMARTS, all collected samples must be analyzed for the minimum parameters (total suspended solids, pH, and Oil and Grease), as well as for zinc, chemical oxygen demand (COD) and iron. However, per the submitted sampling reports, not all collected samples were analyzed for iron as required.

**Enforcement**

We encourage you to take steps to correct the violations as soon as possible to protect water quality and to minimize Humboldt Sawmill Company's exposure to additional liability. Many of the existing conditions, as observed and documented in the Inspection Memo, may represent continuing violations, and are subject to administrative liabilities assessed for each day for each violation beginning with the first day of violation.

Correcting the conditions of non-compliance at the Facility does not preclude enforcement for the violations alleged in this notice. As noted above, the Regional Water Board reserves its right to fully enforce the law against any violation and threatened violation by taking enforcement actions such as issuing a cleanup and abatement order or time schedule order, seeking administrative civil liabilities, and referring this matter to the California Attorney General's office for enforcement.

Administrative civil liabilities may be assessed by the Regional Water Board for up to \$10,000 for each day a violation occurs for each violation, including up to \$10 per gallon

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<sup>4</sup> [Pages 2 and 3](https://www.epa.gov/sites/default/files/2015-10/documents/sector_a_timber.pdf) (https://www.epa.gov/sites/default/files/2015-10/documents/sector\_a\_timber.pdf).

<sup>5</sup> [Page 3](https://www.epa.gov/sites/default/files/2015-10/documents/sector_o_steamelectricpower.pdf) (https://www.epa.gov/sites/default/files/2015-10/documents/sector\_o\_steamelectricpower.pdf).

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of waste discharged minus 1,000 gallons not cleaned up, pursuant to Water Code section 13385.

If you have questions about this Notice of Violation (NOV), please contact Regional Water Board Staff Farzad Kasmaei at [Farzad.Kasmaei@waterboards.ca.gov](mailto:Farzad.Kasmaei@waterboards.ca.gov) or Senior Water Resource Control Engineer Heaven Moore at [Heaven.Moore@waterboards.ca.gov](mailto:Heaven.Moore@waterboards.ca.gov). Additionally, we are available to meet with you if you wish to discuss this letter or the permit requirements in further detail. For any legal questions, please contact Laura Drabandt, Attorney IV with the State Water Quality Control Board Office of Enforcement at [Laura.Drabandt@waterboards.ca.gov](mailto:Laura.Drabandt@waterboards.ca.gov).

Sincerely,

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

**Enclosures**

Attachment A – Regulatory Citations

Attachment B – May 9 and 10, 2022 Inspection Memo

**cc:**

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## Attachment A – Regulatory Citations

Regulatory Section	Citation
<p><b>Violations 1 through 5:</b> Industrial General Permit Section X. SWPPP, Subsection E.3, subsections a through f</p>	<p>The Discharger shall include the following information on the site map:</p> <ul style="list-style-type: none"> <li>a. The facility boundary, storm water drainage areas within the facility boundary, and portions of any drainage area impacted by discharges from surrounding areas. Include the flow direction of each drainage area, on-facility surface water bodies, areas of soil erosion, and location(s) of nearby water bodies (such as rivers, lakes, wetlands, etc.) or municipal storm drain inlets that may receive the facility's industrial storm water discharges and authorized NSWDDs;</li> <li>b. Locations of storm water collection and conveyance systems, associated discharge locations, and direction of flow. Include any sample locations if different than the identified discharge locations;</li> <li>c. Locations and descriptions of structural control measures<sup>11</sup> that affect industrial storm water discharges, authorized NSWDDs, and/or run-on;</li> <li>e. Locations where materials are directly exposed to precipitation and the locations where identified significant spills or leaks (Section X.G.1.d) have occurred; and</li> <li>f. Areas of industrial activity subject to this General Permit. Identify all industrial storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and material reuse areas, and other areas of industrial activity that may have potential pollutant sources.</li> </ul>
<p><b>Violation 6:</b> Industrial General Permit Section X. SWPPP, Subsection F</p>	<p>The Discharger shall ensure the SWPPP includes a list of industrial materials handled at the facility, and the locations where each material is stored, received, shipped, and handled, as well as the typical quantities and handling frequency.</p>

Regulatory Section	Citation
<b>Violation 7:</b> Industrial General Permit Section X. SWPPP, Subsection G	Potential Pollutant Sources <sup>6</sup>
<b>Violation 8:</b> Industrial General Permit Section X. SWPPP, Subsection H.1.a.iv	Good Housekeeping: The Discharger shall ensure that all facility areas impacted by rinse/wash waters are cleaned as soon as possible.
<b>Violation 9:</b> Industrial General Permit Section X. SWPPP, Subsection H.1.a.v	Good Housekeeping: The Discharger shall cover all stored industrial materials that can be readily mobilized by contact with storm water
<b>Violation 10:</b> Industrial General Permit Section X. SWPPP, Subsection H.1.a.vii	Good Housekeeping: The Discharger shall prevent disposal of any rinse/wash waters or industrial materials into the storm water conveyance system.
<b>Violation 11:</b> Industrial General Permit Section X. SWPPP, Subsection H.1.c	Spill and Leak Prevention and Response The Discharger shall: i. Establish procedures and/or controls to minimize spills and leaks; ii. Develop and implement spill and leak response procedures to prevent industrial materials from discharging through the storm water conveyance system. Spilled or leaked industrial materials shall be cleaned promptly and disposed of properly; iii. Identify and describe all necessary and appropriate spill and leak response equipment, location(s) of spill and leak response equipment, and spill or leak response equipment maintenance procedures; and, iv. Identify and train appropriate spill and leak response personnel.

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<sup>6</sup> Industrial General Permit

Regulatory Section	Citation
<p><b>Violation 12:</b> Industrial General Permit Section X. SWPPP, Subsection H.1.d.i</p>	<p>Material Handling and Waste Management: The Discharger shall prevent or minimize handling of industrial materials or wastes that can be readily mobilized by contact with storm water during a storm event</p>
<p><b>Violation 13:</b> Industrial General Permit Section X. SWPPP, Subsection H.1.d.iv</p>	<p>Material Handling and Waste Management: The Discharger shall divert run-on and storm water generated from within the facility away from all stockpiled materials.</p>
<p><b>Violation 14:</b> Industrial General Permit Section X. SWPPP, Subsection H.1.d.v</p>	<p>Material Handling and Waste Management: The Discharger shall clean all spills of industrial materials or wastes that occur during handling in accordance with the spill response procedures (Section X.H.1.c)</p>
<p><b>Violations 15 and 16:</b> Industrial General Permit Section X. SWPPP, Subsections H.1.e.iv and v</p>	<p>Erosion and Sediment Controls For each erodible surface facility location identified in the SWPPP (Section X.G.1.f), the Discharger shall: iv. Divert run-on and storm water generated from within the facility away from all erodible materials; and,  v. If sediment basins are implemented, ensure compliance with the design storm standards in Section X.H.6.</p>

<p><b>Violation 17:</b> Industrial General Permit Section X. SWPPP, Subsection H.6</p>	<p><b>Design Storm Standard for Treatment Control BMPs</b> All new treatment control BMPs employed by the Discharger to comply with Section X.H.2 Advanced BMPs and new sediment basins installed after the effective date of this order shall be designed to comply with design storm standards in this Section, except as provided in an Industrial Activity BMP Demonstration (Section XII.D.2.a). A Factor of Safety shall be incorporated into the design of all treatment control BMPs to ensure that storm water is sufficiently treated throughout the life of the treatment control BMPs. The design storm standards for treatment control BMPs are as follows:</p> <p>a. Volume-based BMPs: The Discharger, at a minimum, shall calculate<sup>13</sup> the volume to be treated using one of the following methods:</p> <p>i. The volume of runoff produced from an 85th percentile 24-hour storm event, as determined from local, historical rainfall records;</p> <p>ii. The volume of runoff produced by the 85th percentile 24-hour storm event, determined as the maximized capture runoff volume for the facility, from the formula recommended in the Water Environment Federation's Manual of Practice;<sup>14</sup> or,</p> <p>iii. The volume of annual runoff required to achieve 80% or more treatment, determined in accordance with the methodology set forth in the latest edition of California Stormwater Best Management Practices Handbook<sup>15</sup>, using local, historical rainfall records.</p> <p>b. Flow-based BMPs: The Discharger shall calculate the flow needed to be treated using one of the following methods:</p> <p>i. The maximum flow rate of runoff produced from a rainfall intensity of at least 0.2 inches per hour for each hour of a storm event;</p> <p>ii. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from local historical rainfall records, multiplied by a factor of two; or,</p> <p>iii. The maximum flow rate of runoff, as determined using local historical rainfall records, that achieves approximately the same reduction in total pollutant loads as would be achieved by treatment of the 85th percentile hourly rainfall intensity multiplied by a factor of two.</p>
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Regulatory Section	Citation
<p><b>Violation 18:</b> Industrial General Permit Section XI. Monitoring, Subsection B.4</p>	<p>Except as provided in Section XI.C.4 (Representative Sampling Reduction), samples shall be collected from each drainage area at all discharge locations. The samples must be:</p> <ul style="list-style-type: none"> <li>a. Representative of storm water associated with industrial activities and any commingled authorized NSWDS; or,</li> <li>b. Associated with the discharge of contained storm water.</li> </ul>
<p><b>Violation 19:</b> Industrial General Permit Section XI. Monitoring, Subsection B.6.c</p>	<p>The Discharger shall analyze all collected samples for the following parameters: Additional parameters identified by the Discharger on a facility-specific basis that serve as indicators of the presence of all industrial pollutants identified in the pollutant source assessment (Section X.G.2). These additional parameters may be modified (added or removed) in accordance with any updated SWPPP pollutant source assessment</p>
<p><b>Violation 20:</b> Industrial General Permit Section XI. Monitoring, Subsection B.6.d</p>	<p>The Discharger shall analyze all collected samples for the following parameters: Additional applicable parameters listed in Table 1 below. These parameters are dependent on the facility Standard Industrial Classification (SIC) code(s)</p>

Attachment B – May 9 and 10, 2022 Inspection Memo