

**Prosecution Team Index of Exhibits**  
**Administrative Civil Liability Complaint No. R3-2014-0002**  
**Central Coast Regional Water Quality Control Board**  
**May 23, 2014**

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26. March 5, 2014, 13267 Order and Time Schedule Order and Workplan

\* To save space here, the Prosecution Team submits only the cover pages of the relevant self-monitoring reports. The Discharger's complete self-monitoring reports from 4<sup>th</sup> quarter 2008 and forward are kept in the Central Coast Water Board's electronic content management system available for public review. Older documents are kept in hard copy within the Central Coast Water Board's filing room. We hereby incorporate such documents into our evidentiary submission by reference, pursuant to California Code of Regulations, title 23, section 648.3.

## Exhibit

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
81 Higuera Street, Suite 200  
San Luis Obispo, California 93401-5414

WASTE DISCHARGE REQUIREMENTS ORDER NO. 99-136  
Waste Discharger Identification No.: 3 440113001

FOR

THE INN AT PASATIEMPO, ADVENTCO HOLDING CORPORATION, PASATIEMPO  
INVESTMENTS, PASATIEMPO II INVESTMENTS, AND RICHARD S. GREGERSEN  
Santa Cruz County

The California Regional Water Quality Control Board, Central Coast Region (hereafter Board), finds:

1. A California limited partnership, Pasatiempo Investments (Pasatiempo I), owns an 88% interest in The Inn at Pasatiempo (The Inn). The General Partner of Pasatiempo Investments is Richard S. Gregersen. The remaining 12% interest in The Inn is owned by a California limited partnership Pasatiempo II Investments (Pasatiempo II).
2. On April 9, 1993, Mr. Gregersen filed a Report of Waste Discharge (ROWD) stating that the operator of The Inn at Pasatiempo was Adventco Holding Corporation (Adventco) and the owner was Pasatiempo II Investments. Based on that ROWD, waste discharge requirements were issued only to Pasatiempo II Investments and Adventco Holding Corporation. Adventco Holding Corporation was named as the Discharger.
3. Adventco, Pasatiempo I, Pasatiempo II, and Richard S. Gregersen (hereafter Discharger) own and operate The Inn at Pasatiempo (The Inn). The Inn consists of a motel, restaurant, bar, swimming pool, and conference rooms. The Inn is located at 555 Highway 17, approximately 1 mile north of the City of Santa Cruz, as shown on Attachment "A" of this Order.
4. The discharge consists primarily of domestic wastewater, combined with commercial wastewater from the restaurant.
5. The facility has two independent treatment/disposal systems. The first system serves the main building, which includes the restaurant, bar, and buildings A and B. This system consists of individual septic tanks, grease interceptors, an effluent pumping station, a distribution box, and eleven (11) subsurface drainlines, as shown on Attachment "B" of this Order. The second system serves building C and the cottages. This system consists of a large septic tank (7500 gallons), a 1500-gallon holding tank, an effluent pump, a distribution box, ten (10) subsurface drainlines, and an overflow drainline, as shown on Attachment "C" of this Order.
6. Wastewater flow generated by the Discharger varies seasonally. Peak flows of 10,000 gallons per day (gpd) are expected during one hundred percent occupancy. Average flows are reported as 5000 gpd. The design capacity of the property's system is rated for 12,000 gpd.
7. The Water Quality Control Plan, Central Coastal Basin, (Basin Plan) was revised and adopted by the Board on September 8, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a

- strategy for protecting beneficial uses of State waters.
8. Present and anticipated beneficial uses of San Lorenzo River that could be affected by the discharge include:
    - a. Domestic and municipal supply;
    - b. Agricultural supply;
    - c. Ground water recharge;
    - d. Industrial service supply;
    - e. Water contact recreation;
    - f. Non-contact water recreation;
    - g. Wildlife habitat;
    - h. Cold fresh-water habitat;
    - i. Fish migration;
    - j. Fish spawning
    - k. Preservation of Biological Habitats of Special Significance;
    - l. Rare, Threatened, or Endangered Species;
    - m. Fresh Water Replenishment and,
    - n. Commercial and Sport Fishing.A
  9. Present and anticipated uses of groundwater in the vicinity of the discharge include:
    - a. Domestic supply;
    - b. Agricultural supply;
    - c. Industrial process supply; and,
    - d. Industrial service supply. A
  10. Resolution 95-04 amends the Central Coast Region Water Quality Control Plan, to incorporate the "Wastewater Management Plan for the San Lorenzo River Watershed, County of San Cruz" and "San Lorenzo Nitrate Management Plan Phase II Final Report" by reference and requires individual onsite wastewater disposal systems to comply with both plans. Chapter 8 of the Nitrate Management Plan, Section 8.2.1, management measure 7, requires the Regional Board to require reduction of nitrogen in discharges in accordance with standards in the Nitrate Management Plan. These standards require a minimum of 50% reduction of nitrogen when discharges equal or exceed 2000 gallons per day.
  11. This order requires a 50 percent reduction of nitrogen in effluent, consistent with Resolution No. 95-04.A
  12. These Waste Discharge Requirements are for an existing facility and are exempt from provisions of the California Environmental Quality Act (Public Resources Code, Section 21100 et seq.) in accordance with Section 15301, Chapter 3, Title 14, of the California Code of Regulations.
  13. Discharge of waste is a privilege, not a right, and authorization to discharge is conditional upon the discharge complying with provisions of Division 7 of the California Water Code and any more stringent effluent limitations necessary to implement water quality control plans, to protect beneficial uses, and to prevent nuisance. Compliance with this Order should assure this and mitigate any potential adverse changes in water quality due to the discharge.
  14. On October 29, 1999, the Board notified the Discharger and interested agencies and persons of its intent to issue Waste Discharge Requirements for the discharge and has provided them with a copy of the proposed Order and an opportunity to submit written views and comments.
  15. After considering all comments pertaining to this discharge during a public hearing on November 19, 1999, this Order was found consistent with the above findings.
- IT IS HEREBY ORDERED, pursuant to authority in Section 13263 of the California Water Code, the Discharger, its agents, successors, and assigns, may discharge waste provided compliance is maintained with following:
- (Note: Other prohibitions and conditions, definitions, and the method of determining compliance are contained in the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements" dated January 1984. Applicable paragraphs are referenced in paragraph D.2. of this Order.)

Requirements specified in the proposed Order are based on the Basin Plan, Administrative Procedures Manual (SWRCB), and staff's professional judgment. Throughout the proposed Order and Monitoring and Reporting Program superscripts are provided to indicate source of specified requirements. The superscripts are defined below.

- A = Basin Plan
- B = Administrative Procedures Manual (SWRCB)

Requirements not referenced are based on staff's professional judgement.

**A. PROHIBITIONS**

1. Discharge to areas other than the leachfield disposal area shown in Attachments "B" and "C" or to the City of Santa Cruz wastewater collection system is prohibited.
2. Discharge of any wastes including overflow, bypass, and seepage from transport, treatment, or disposal systems to adjacent drainageways or adjacent properties is prohibited.
3. Bypass of the enhanced onsite wastewater treatment facility and/or discharge of untreated or partially treated wastes directly to subsurface disposal areas is prohibited.

**B. DISCHARGE SPECIFICATIONS**

1. Daily flow averaged over each month shall not exceed 12,000 gallons (45.4 m3).
2. Effluent discharged to the leachfield disposal area shall not exceed the following limits:

Parameter	Maximum	Units
Total Dissolved Solids	600	mg/l
Sodium	125	mg/l
Chloride	125	mg/l

3. Total Nitrogen in wastewater shall be reduced by at least 50 percent prior to subsurface disposal.<sup>A</sup> Compliance will be determined from samples taken at points before and after extended treatment.

4. Effluent discharge to disposal areas shall not have a pH less than 6.5 or greater than 8.3.<sup>A</sup>
5. Surface drainage shall be excluded from disposal areas. Disposal areas must be graded to preclude rain water from ponding on the ground surface.
6. Discharge to leachfields shall remain underground at all times.
7. The dosing pump stations shall be provided with high and low level alarms, readily audible or visible to maintenance personnel.
8. Risers to ground surface with inspection lids shall be installed over septic tank and leachfields to facilitate inspection and/or solids removal.

**C. GROUND WATER LIMITATIONS**

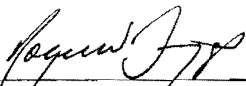
1. The discharge shall not cause nitrate concentrations in the ground water down gradient of the disposal area to exceed 10 mg/l (as N)<sup>A</sup> or background concentrations, whichever is less.
2. The discharge shall not cause a statistically significant increase of mineral constituent concentrations in underlying ground water, as determined by comparison of samples collected from wells located up gradient and down gradient of the disposal areas.

**D. PROVISIONS**

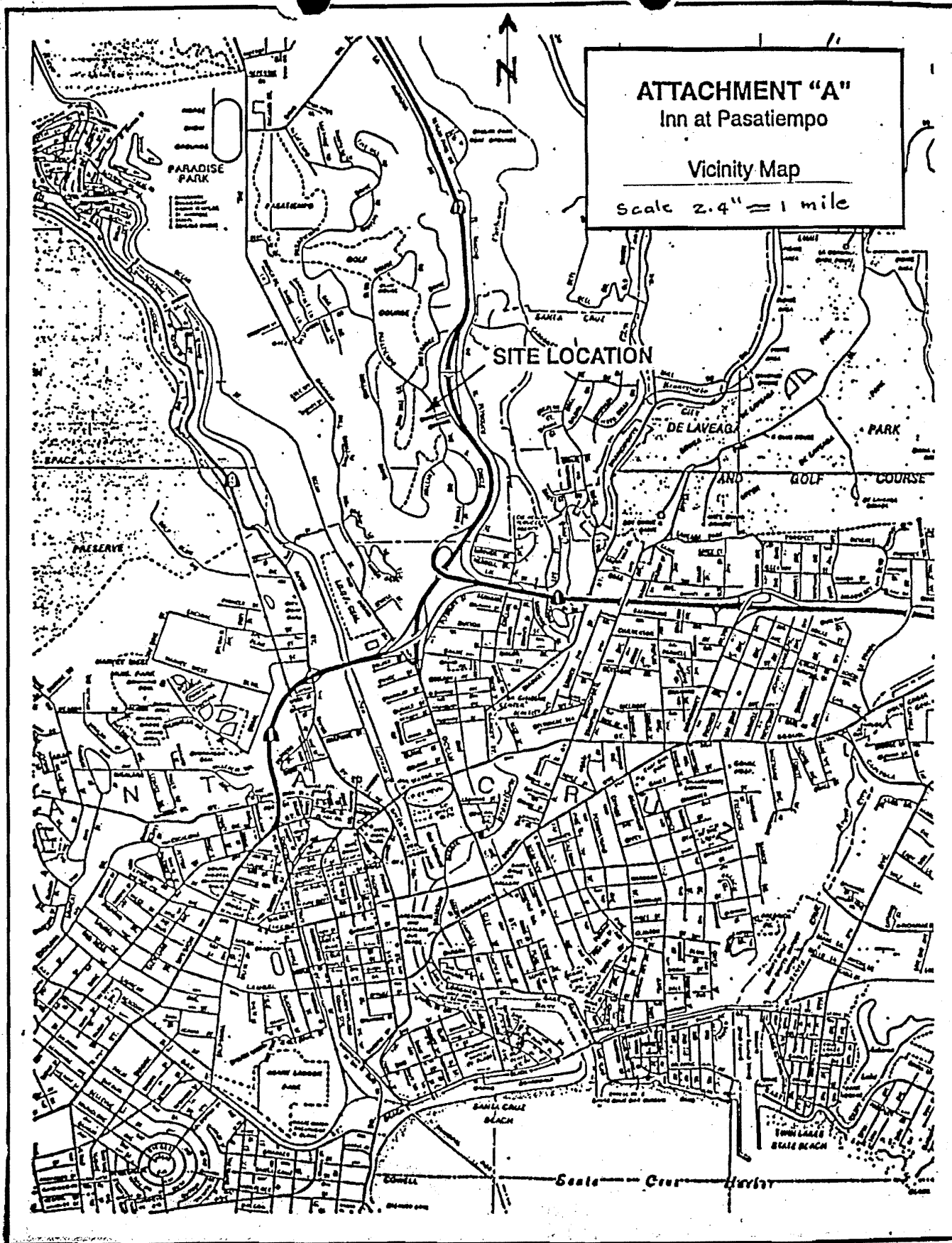
1. The Dischargers shall immediately comply with Resolution No. 95-04 conditions that require nitrogen control measures that achieve at least 50 % reduction in nitrogen from wastewater discharged from onsite wastewater disposal systems. The Dischargers shall comply with Resolution 95-04 by installing enhanced onsite wastewater treatment or cease discharging by connecting to the City sewer system.
2. The discharge shall not cause nitrate concentrations in the ground water down gradient of the disposal area to exceed a concentration which is based on one-hundred and thirty percent of the ground water nitrate

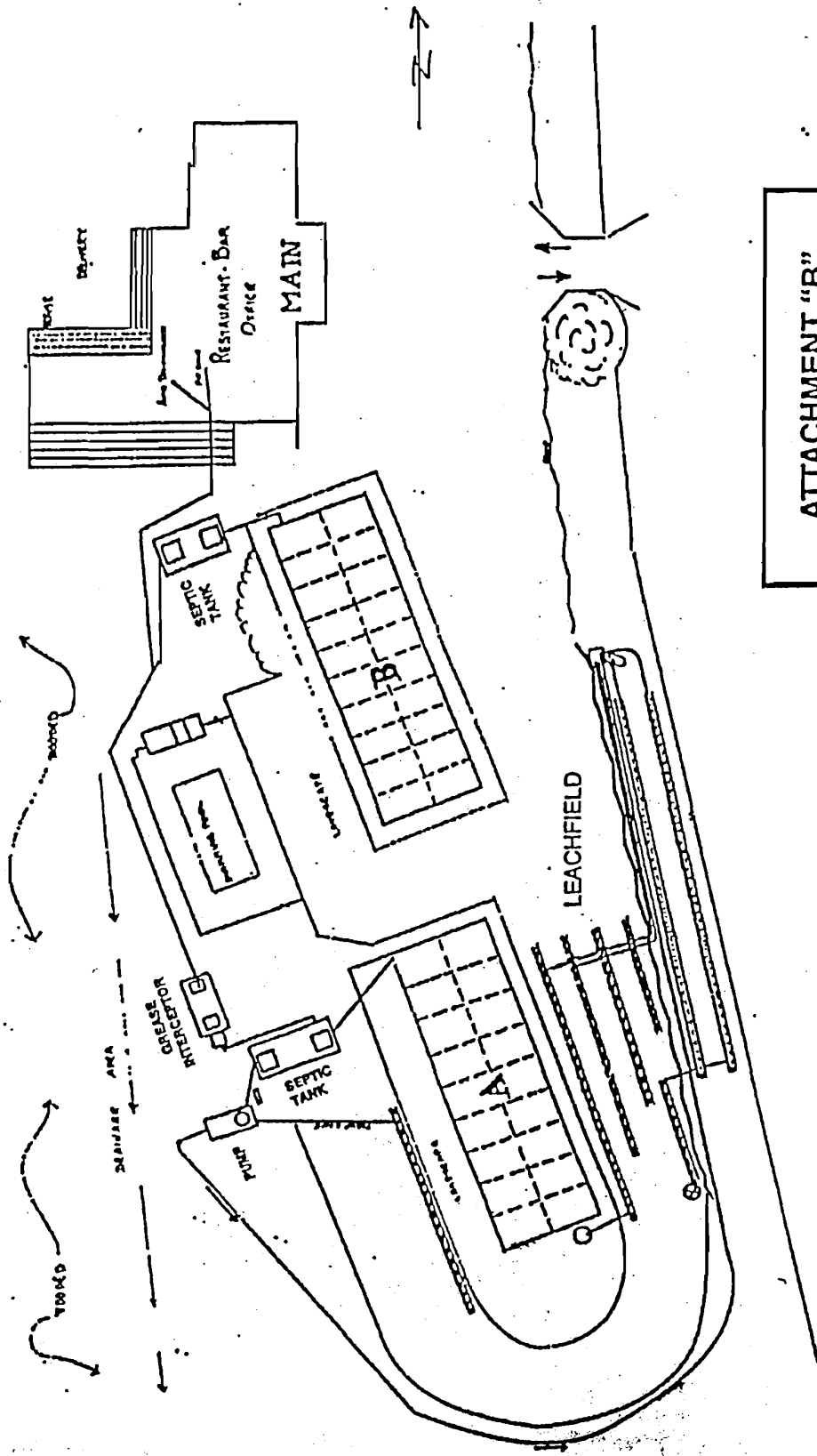
- concentration up gradient of the disposal area, but at no time shall the discharge cause ground water down gradient of the disposal area to exceed 10 mg/l (as N).
3. The revised Monitoring and Reporting Program requires the Dischargers to monitor treatment plant nitrogen removal efficiency, flow rate to the leachfield, and performance of the leachfield for a minimum of 18 months. After 18 months, Discharger shall submit reports analyzing the treatment plant nitrogen removal efficiency, flow rate to the leachfield, and performance of the leachfield. Regional Board staff will evaluate the reports to determine nitrogen removal efficiency of the wastewater treatment plant, leachfield performance, and ability of the leachfield to handle additional flow.
  4. The Discharger shall comply with "Monitoring and Reporting Program No. 99-136," and any amendments thereto, as specified by the Executive Officer.
  5. The Discharger shall comply with all items of the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements" dated January 1984, except A.4., 6., 8., 11., 17.; C.8., and 16.
  6. Pursuant to Title 23, Division 3, Chapter 9, of the California Code of Regulations, the Discharger must submit a written report to the Executive Officer not later than November 19, 2005 addressing:
    - a. Whether there will be changes in the continuity, character, location, or volume of the discharge; and,
    - b. Whether, in their opinion, there is any portion of the Order that is incorrect, obsolete, or otherwise need of revision.
  7. **Adoption of this order does waive the Board's right to take any enforcement action authorized by law for previous violations of WDR Order No. 94-30, CDO 95-15 and any other order or directive of the RWQCB.**

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 19, 1999.

  
\_\_\_\_\_  
Executive Officer

H:HEK/SLR/PERMITS/PASATIEMPO/99-136 WDR





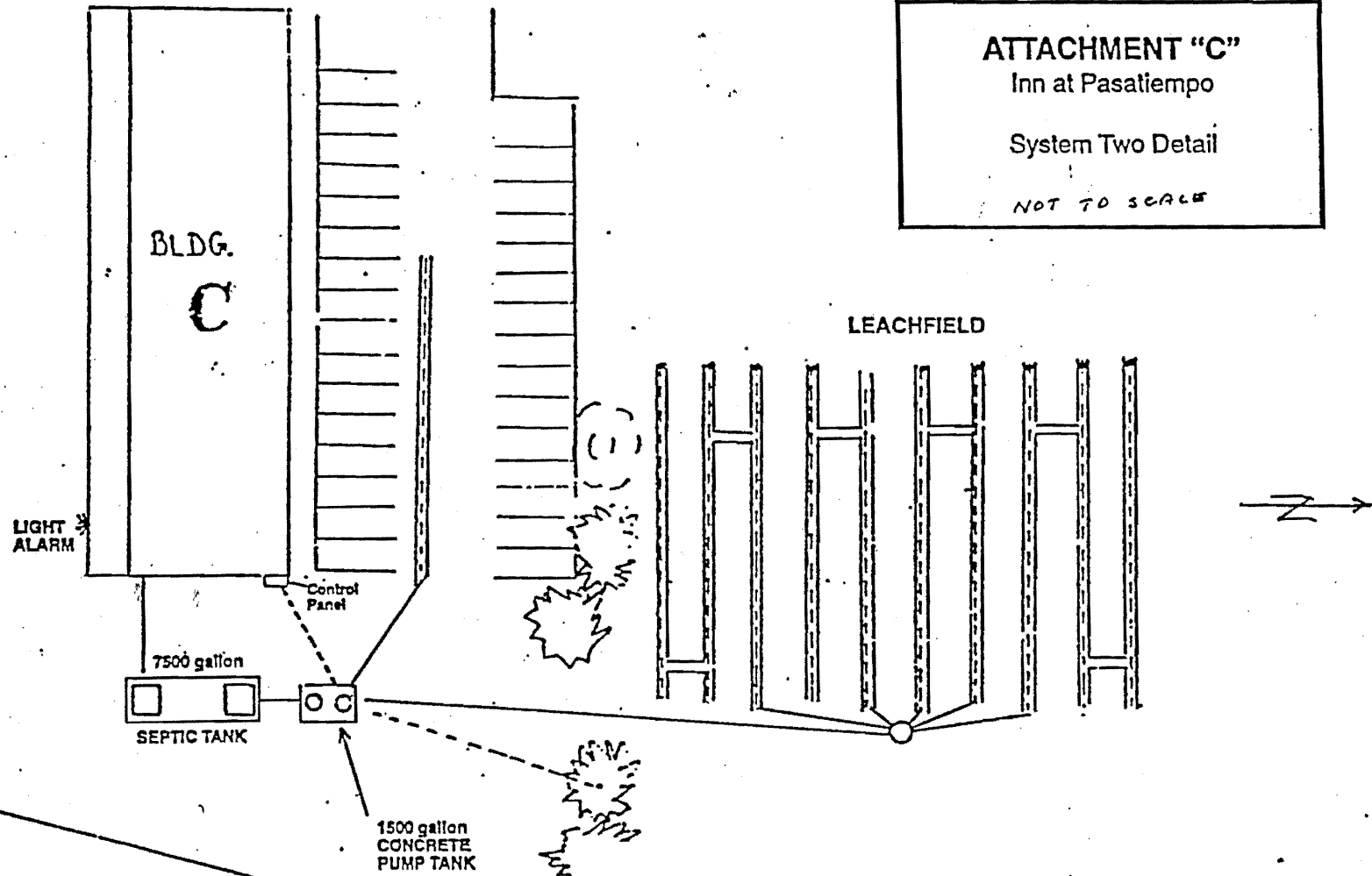
**ATTACHMENT "B"**  
 Inn at Pasatiempo  
 System One Detail  
 NOT TO SCALE

**ATTACHMENT "C"**

Inn at Pasatiempo

System Two Detail

NOT TO SCALE





**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**MONITORING AND REPORTING PROGRAM No. 99-136**

**FOR**

**THE INN AT PASATIEMPO, ADVENTCO HOLDING CORPORATION, PASATIEMPO  
INVESTMENTS, PASATIEMPO II INVESTMENTS, AND RICHARD S. GREGERSEN, SANTA  
CRUZ COUNTY**

**Revised February 28, 2001**

**INFLUENT MONITORING**

Representative influent samples entering the enhanced onsite wastewater treatment system shall be collected before treatment and analyzed for the following:

<u>Constituent</u>	<u>Units</u>	<u>Sample Type</u>	<u>Sample Frequency</u>
Total Dissolved Solids	mg/L	Grab	Monthly
Biochemical Oxygen Demand (BOD <sub>5</sub> )	"	"	"
Suspended Solids	"	"	"
Sodium Chloride	"	"	"
Grease and Oil	"	"	"
Organic Nitrogen (N)	"	"	*Every two weeks
Nitrate (N)	"	"	"
Nitrite (N)	"	"	"
Ammonia (N)	"	"	"

(N) – All nitrogen data shall be reported as nitrogen.

\*Staff requires monitoring every two weeks for the Nitrogen series (Organic Nitrogen, Nitrate, Nitrite, Ammonia) for a minimum of 18 months. After August 1, 2002 Discharger shall submit a report analyzing the nitrogen removal efficiency of the wastewater treatment plant. Regional Board staff will evaluate the report to determine system performance.

**EFFLUENT MONITORING**

Representative effluent samples shall be collected from enhanced onsite wastewater treatment system prior to leachfield disposal and analyzed for the following:

<u>Constituent</u>	<u>Units</u>	<u>Sample Type</u>	<u>Sampling Frequency</u>
Flow to Leachfields	gal/day	Metered	Daily
Total Dissolved Solids	mg/L	Grab	Monthly
Biochemical Oxygen Demand (BOD <sub>5</sub> )	"	"	"
Suspended Solids	"	"	"
Sodium	"	"	"

<u>Constituent</u>	<u>Units</u>	<u>Sample Type</u>	<u>Sampling Frequency</u>
Chloride	"	"	Monthly
Organic Nitrogen (N)	"	"	*Every two weeks
Nitrate (N)	"	"	"
Nitrite (N)	"	"	"
Ammonia (N)	"	"	"

(N) – All nitrogen data shall be reported as nitrogen.

After August 1, 2002 the Discharger shall submit a report detailing flow rates to the leachfield and performance of the leachfield. Regional Board staff will evaluate the report to determine the leachfield performance and the ability of the leachfield to handle additional flow.

Representative effluent samples shall be collected from septic tank C prior to leachfield disposal and analyzed for the following:

<u>Constituent</u>	<u>Units</u>	<u>Sample Type</u>	<u>Sampling Frequency</u>
Flow to Leachfields	gal/day	Metered	Daily
Total Dissolved Solids	mg/L	Grab	Monthly
Biochemical Oxygen Demand (BOD <sub>5</sub> )	"	"	"
Suspended Solids	"	"	"
Sodium Chloride	"	"	"
Organic Nitrogen (N)	"	"	*Every two weeks
Nitrate (N)	"	"	"
Nitrite (N)	"	"	"
Ammonia (N)	"	"	"

(N) – All nitrogen data shall be reported as nitrogen.

#### Septic Tank Monitoring

Septic tank access ports (septic tanks for buildings A, B, and C) shall be opened and measured for the following items:

<u>Measurement</u>	<u>Units</u>	<u>Type of Measurement</u>	<u>Minimum Measuring Frequency</u>
Distance of scum layer from bottom of outlet device	in	Staff Gauge	Semi-annually (June & December)
Distance of sludge layer from bottom of outlet device	in	Staff Gauge	"

Tanks shall be cleaned when it appears either a) the bottom of the scum layer will be within 4 in of the bottom of the outlet device before the next scheduled inspection, or b) the sludge level will be within 10 in of the outlet device before the next scheduled inspection.

**Grease Trap Monitoring**

Access ports for restaurant grease trap(s) shall be opened and measured for presence or absence of grease. Trap(s) shall be cleaned when grease is present in the access port or when it appears that grease may be bypassing the trap.

**Leachfield Monitoring**

Ponding in the disposal area shall be monitored by measuring water level in the leachfield daily. Discharger shall maintain a log of disposal area inspections.

**Septic System Pumping and Disposal**

Discharger shall maintain a daily log of the volume of septage (daily flow) and date of all septic tank pump outs.

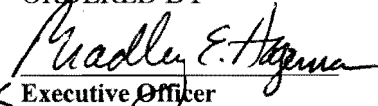
**Water Supply Monitoring**

Discharger shall sample and analyze its water in accordance with the following:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Analysis of Frequency</u>
Total Dissolved Solids (TDS)	mg/l	Grab	Quarterly (March, June, Sept., Dec.)
Sodium	mg/l	Grab	"
Chloride	mg/l	Grab	"
Nitrate (as N)	mg/l	Grab	"
pH		Grab	"

**Reporting**

The Dischargers shall submit quarterly reports for Daily Flow, Leachfield Monitoring, and Septic System Pumping and Disposal. The Dischargers shall submit quarterly reports for Effluent Flow (except for daily flow), Septic Tank Monitoring, Groundwater Monitoring, and Supply Water Monitoring. Quarterly reports shall be submitted by the 15<sup>th</sup> day of January, April, July, and October.

ORDERED BY  
  
Executive Officer  
3/9/01  
Date

## Exhibit 3

### **Daniel F. Simon, P.E.**

Civil and Environmental Engineering

Siskiyou County, California Republic

Roger W. Briggs, Executive Officer

04/28/2011

Mike Higgins,

California Regional Water Quality Control Board (RWQCB)

895 Aerovista Place, Suite 101

San Luis Obispo, Calif. 93401

### **Re: Forward Letter for the 3<sup>rd</sup> Quarter Report- 2010**

The Inn at Pasatiempo Discharge Requirement Order No. 99-136;

Pasatiempo Drive, Santa Cruz County, California

Greetings:

This letter forwards the quarterly report referenced above. The data presented by Water Sampling Services (WSS) appears representative. WSS provided limited sampling per the revised order of the RWQCB.

### **Flows:**

Previous years flow history is relied on for reporting.

### **Nitrogen Reduction Compliance**

Table 1 summarizes the total nitrogen reduction (TNR) based on the Buildings A/B and Kitchen production of wastewater. **Influent total nitrogen** was not available, past history was used for influent total nitrogen. These historical values of Table 1 are from specific sampling points for representing raw wastewater. Effluent concentrations of TN came from the LPT, as a composite sample for Buildings A/B & the Kitchen, as reported in the monthly sampling results attached. For Building C, there is historical TNR already established. Total Nitrogen was not sampled for Building C- Effluent.

Table 1. Nitrogen Reduction – A/B-Kitchen @ LPT – 3<sup>rd</sup> Quarter 2010  
(For further details, see Table 1A)

<b>Date:</b>	<b>NR</b>	<b>Result</b>
• 07/2010:	84.9%	Compliant
• 08/2010:	79.2%	Compliant
• 09/2010:	19.3%	Non-Compliant

412 S. Main Street, Suite #2, Yreka, California 96097 530-598-9671

**Daniel F. Simon, P.E.**

Civil and Environmental Engineering

Siskiyou County, California Republic

Roger W. Briggs, Executive Officer

04/28/2011

Mike Higgins,

California Regional Water Quality Control Board (RWQCB)

895 Aerovista Place, Suite 101

San Luis Obispo, Calif. 93401

**Re: Forward Letter for the 4<sup>th</sup> Quarter Report- 2010**

The Inn at Pasatiempo Discharge Requirement Order No. 99-136;

Pasatiempo Drive, Santa Cruz County, California

Greetings:

This letter forwards the quarterly report referenced above. The data presented by Water Sampling Services (WSS) appears representative. WSS provided limited sampling per the revised order of the RWQCB.

**Flows:**

Previous years flow history is relied on for reporting.

**Nitrogen Reduction Compliance**

Table 1 summarizes the total nitrogen reduction (TNR) based on the Buildings A/B and Kitchen production of wastewater. Sampled **Influent total nitrogen** was not available, therefore, past history was used for influent total nitrogen. These historical values of Table 1 are from specific sampling points for representing raw wastewater. Effluent concentrations of TN came from the LPT, as a composite sample for Buildings A/B & the Kitchen, as reported in the monthly sampling results attached. For Building C, there is historical TNR already established. Total Nitrogen was not sampled for Building C- Effluent.

Table 1. Nitrogen Reduction – A/B-Kitchen @ LPT – 4<sup>th</sup> Quarter 2010  
(For further details, see Table 1A)

<b>Date:</b>	<b>NR</b>	<b>Result</b>
• 10/2010:	91.9%	Compliant
• 11/2010:	67.3%	Compliant
• 12/2010:	86.7%	Compliant

## Exhibit 5

### **Daniel F. Simon, P.E.**

Civil and Environmental Engineering

Siskiyou County, California Republic

Roger W. Briggs, Executive Officer

04/28/2011

Mike Higgins,

California Regional Water Quality Control Board (RWQCB)

895 Aerovista Place, Suite 101

San Luis Obispo, Calif. 93401

#### Re: Forward Letter for the 1<sup>st</sup> Quarter Report- 2011

The Inn at Pasatiempo Discharge Requirement Order No. 99-136;

Pasatiempo Drive, Santa Cruz County, California

Greetings:

This letter forwards the quarterly report referenced above. The data presented by Water Sampling Services (WSS) appears representative. WSS provided limited sampling per the revised order of the RWQCB.

#### **Flows:**

Previous years flow history is relied on for reporting.

#### **Nitrogen Reduction Compliance**

Table 1 summarizes the total nitrogen reduction (TNR) based on the Buildings A/B and Kitchen production of wastewater. Sampled **Influent total nitrogen** was not available, therefore, past history was used for influent total nitrogen. These historical values of Table 1 are from specific sampling points for representing raw wastewater. Effluent concentrations of TN came from the LPT, as a composite sample for Buildings A/B & the Kitchen, as reported in the monthly sampling results attached. For Building C, there is historical TNR already established. Total Nitrogen was not sampled for Building C- Effluent.

Table 1. Nitrogen Reduction – A/B-Kitchen @ LPT – 1<sup>st</sup> Quarter 2011  
(For further details, see Table 1A)

<b>Date:</b>	<b>NR</b>	<b>Result</b>
• 01/2011:	91.8%	Compliant
• 02/2011:	76.8%	Compliant
• 03/2011:	75.1%	Compliant

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412 S. Main Street, Suite #2, Yreka, California 96097 530-598-9671

Exhibit 6

**Daniel F. Simon, P.E.**

Civil and Environmental Engineering

Siskiyou County, California Republic

Roger W. Briggs, Executive Officer

08/22/2012

Mike Higgins,

California Regional Water Quality Control Board (RWQCB)

895 Aerovista Place, Suite 101

San Luis Obispo, Calif. 93401

Re: Forward Letter for the **1<sup>st</sup> Quarter Report- 2012**

The Inn at Pasatiempo Discharge Requirement Order No. 99-136;

Pasatiempo Drive, Santa Cruz County, California

Greetings:

This letter forwards the quarterly report referenced above. The data presented by Water Sampling Services (WSS) appears representative. WSS provided limited sampling per the revised order of the RWQCB.

**Flows:**

Previous years flow history is relied on for reporting.

**Nitrogen Reduction Compliance**

Table 1 summarizes the total nitrogen reduction (TNR) based on the Buildings A/B and Kitchen production of wastewater. Sampled **Influent total nitrogen** was not available, therefore, past history was used for influent total nitrogen. These historical values of Table 1 are from specific sampling points for representing raw wastewater. Effluent concentrations of TN came from the LPT, as a composite sample for Buildings A/B & the Kitchen, as reported in the monthly sampling results attached. For Building C, there is historical TNR already established. Total Nitrogen was not sampled for Building C- Effluent.

Table 1. Nitrogen Reduction – A/B-Kitchen @ LPT – 1<sup>st</sup> Quarter 2012

(For further details, see Table 1A)

<b><u>Date:</u></b>	<b><u>NR</u></b>	<b><u>Result</u></b>
• 01/2012:	85.5%	Compliant
• 02/2012:	83.7%	Compliant
• 03/2012:	52.0%	Compliant

412 S. Main Street, Suite #2, Yreka, California 96097 530-598-9671

Exhibit 7

**Daniel F. Simon, P.E.**

Civil and Environmental Engineering

Siskiyou County, California Republic

Roger W. Briggs, Executive Officer  
Mike Higgins,  
California Regional Water Quality Control Board (RWQCB)  
895 Aerovista Place, Suite 101  
San Luis Obispo, Calif. 93401

08/22/2012

**Re: Forward Letter for the 2<sup>nd</sup> Quarter Report- 2012**

The Inn at Pasatiempo Discharge Requirement Order No. 99-136;  
Pasatiempo Drive, Santa Cruz County, California

**Greetings:**

This letter forwards the quarterly report referenced above. The data presented by Water Sampling Services (WSS) appears representative. WSS provided limited sampling per the revised order of the RWQCB.

**Flows:**

Previous years flow history is relied on for reporting.

**Nitrogen Reduction Compliance**

Table 1 summarizes the total nitrogen reduction (TNR) based on the Buildings A/B and Kitchen production of wastewater. Sampled **Influent total nitrogen** was not available, therefore, past history was used for influent total nitrogen. These historical values of Table 1 are from specific sampling points for representing raw wastewater. Effluent concentrations of TN came from the LPT, as a composite sample for Buildings A/B & the Kitchen, as reported in the monthly sampling results attached. For Building C, there is historical TNR already established. Total Nitrogen was not sampled for Building C- Effluent.

Table 1. Nitrogen Reduction – A/B-Kitchen @ LPT – 2<sup>nd</sup> Quarter 2012  
(For further details, see Table 1A)

<b>Date:</b>	<b>NR</b>	<b>Result</b>
• 04/2012:	72.2%	Compliant
• 05/2012:	92.3%	Compliant
• 06/2012:	45.8%	Non-Compliant

412 S. Main Street, Suite #2, Yreka, California 96097 530-598-9671



## Exhibit 8

### **Daniel F. Simon, P.E.**

Civil and Environmental Engineering

Siskiyou County, California Republic

Roger W. Briggs, Executive Officer  
or agent...

03/09/2013

California Regional Water Quality Control Board (RWQCB)  
895 Aerovista Place, Suite 101  
San Luis Obispo, Calif. 93401

### **Re: Forward Letter for the 3<sup>rd</sup> Quarter Report- 2012**

The Inn at Pasatiempo Discharge Requirement Order No. 99-136;  
Pasatiempo Drive, Santa Cruz County, California

### Greetings:

This letter forwards the quarterly report referenced above. The data is provided through sampling by Water Sampling Services (WSS). WSS provided limited sampling per previous arrangements with the RWQCB.

### Flows:

Previous years flow history is relied on for reporting.

### Nitrogen Reduction Compliance

Table 1 summarizes the total nitrogen reduction (TNR) based on the Buildings A/B and Kitchen production of wastewater. Sampled **Influent total nitrogen** was not available, therefore, past history was used for influent total nitrogen. These historical values of Table 1 are from specific sampling points for representing raw wastewater. Effluent concentrations of TN came from the LPT, as a composite sample for Buildings A/B & the Kitchen, as reported in the monthly sampling results attached. For Building C, there is historical TNR already established. Total Nitrogen was not sampled for Building C- Effluent.

Table 1. Nitrogen Reduction – A/B-Kitchen @ LPT – 3<sup>rd</sup> Quarter 2012  
(For further details, see Table 1A)

<u>Date:</u>	<u>NR</u>	<u>Result</u>
• 07/2012:	72.5%	Compliant
• 08/2012:	--- ---	No data for August, 2012
• 09/2012:	10.3%	Non-Compliant

412 S. Main Street, Suite #2, Yreka, California 96097 530-598-9671

## Exhibit 9

### **Daniel F. Simon, P.E.**

Civil and Environmental Engineering

Siskiyou County, California Republic

Roger W. Briggs, Executive Officer  
or agent...

03/09/2013

California Regional Water Quality Control Board (RWQCB)  
895 Aerovista Place, Suite 101  
San Luis Obispo, Calif. 93401

#### **Re: Forward Letter for the 4<sup>th</sup> Quarter Report- 2012**

The Inn at Pasatiempo Discharge Requirement Order No. 99-136;  
Pasatiempo Drive, Santa Cruz County, California

Greetings:

This letter forwards the quarterly report referenced above. The data is provided through sampling by Water Sampling Services (WSS). WSS provided limited sampling per previous arrangements with the RWQCB.

#### **Flows:**

Previous years flow history is relied on for reporting.

#### **Nitrogen Reduction Compliance**

Table 1 summarizes the total nitrogen reduction (TNR) based on the Buildings A/B and Kitchen production of wastewater. Sampled **Influent total nitrogen** was not available, therefore, past history was used for influent total nitrogen. These historical values of Table 1 are from specific sampling points for representing raw wastewater. Effluent concentrations of TN came from the LPT, as a composite sample for Buildings A/B & the Kitchen, as reported in the monthly sampling results attached. For Building C, there is historical TNR already established. Total Nitrogen was not sampled for Building C- Effluent.

Table 1. Nitrogen Reduction – A/B-Kitchen @ LPT – 4<sup>th</sup> Quarter 2012  
(For further details, see Table 1A)

<b>Date:</b>	<b>NR</b>	<b>Result</b>
• 10/2012:	86.1%	Compliant
• 11/2012:	78.8%	Compliant
• 12/2012:	91.4%	Compliant

412 S. Main Street, Suite #2, Yreka, California 96097 530-598-9671

## Exhibit 10

### **Daniel F. Simon, P.E.**

Civil and Environmental Engineering

Siskiyou County, California Republic

Roger W. Briggs, Executive Officer  
or agent...

04/15/2013

California Regional Water Quality Control Board (RWQCB)  
895 Aerovista Place, Suite 101  
San Luis Obispo, Calif. 93401

### **Re: Forward Letter for the 1<sup>st</sup> Quarter Report- 2013**

The Inn at Pasatiempo Discharge Requirement Order No. 99-136;  
Pasatiempo Drive, Santa Cruz County, California

Greetings:

This letter forwards the quarterly report referenced above. The data is provided through sampling by Water Sampling Services (WSS). WSS provided limited sampling per previous arrangements with the RWQCB.

### **Flows:**

Previous years flow history is relied on for reporting.

### **Nitrogen Reduction Compliance**

Table 1 summarizes the total nitrogen reduction (TNR) based on the Buildings A/B and Kitchen production of wastewater. Sampled **Influent total nitrogen** was not available, therefore, past history was used for influent total nitrogen. These historical values of Table 1 are from specific sampling points for representing raw wastewater. Effluent concentrations of TN came from the LPT, as a composite sample for Buildings A/B & the Kitchen, as reported in the monthly sampling results attached. For Building C, there is historical TNR already established. Total Nitrogen was not sampled for Building C- Effluent.

**Table 1.** Nitrogen Reduction – A/B-Kitchen @ LPT – 1<sup>st</sup> Quarter 2013  
(For further details, see Table 1A)

<b>Date:</b>	<b>NR</b>	<b>Result</b>
• 01/2013:	62.5%	Compliant
• 02/2013:	81.2%	Compliant
• 03/2013:	0%	Non-Compliant

**Average for the 1<sup>st</sup> Quarter 2013: 47.9%.**

It should be noted that typically, TNR should be at least 12% without treatment (as discovered in Building C with no treatment.) Therefore, with this averaged in, the TNR for the 1<sup>st</sup> Quarter 2013 should practically be more than 50%, and therefore in compliance with the discharge order.

---

412 S. Main Street, Suite #2, Yreka, California 96097 530-598-9671

Exhibit 11

**Daniel F. Simon, P.E.**

Civil and Environmental Engineering

Siskiyou County, California Republic

Roger W. Briggs, Executive Officer  
or agent...

09/05/2013

California Regional Water Quality Control Board (RWQCB)  
895 Aerovista Place, Suite 101  
San Luis Obispo, Calif. 93401

via Jeff Gregersen

**Re: Forward Letter for the 2<sup>nd</sup> Quarter Report- 2013**

The Inn at Pasatiempo Discharge Requirement Order No. 99-136;  
Pasatiempo Drive, Santa Cruz County, California

Greetings:

This letter forwards the quarterly report referenced above. The data is provided through sampling by Water Sampling Services (WSS). WSS provided limited sampling per previous arrangements with the RWQCB.

**Flows:**

Previous years flow history is relied on for reporting.

**Nitrogen Reduction Compliance**

Table 1 summarizes the total nitrogen reduction (TNR) based on the Buildings A/B production of wastewater. Sampled **Influent total nitrogen** was not available, therefore, past history (and estimates) was used for influent total nitrogen. These historical values of Table 1 are from specific sampling points for representing raw wastewater. Effluent concentrations of TN came from the LPT, as a composite sample for only Buildings A/B, as the Kitchen flow is null due to remodeling. For Building C, there is historical TNR already established. Total Nitrogen was not sampled for Building C- Effluent.

**Table 1.** Nitrogen Reduction – A/B-Kitchen @ LPT – 2<sup>nd</sup> Quarter 2013  
(For further details, see Table 1A)

<b>Date:</b>	<b>NR</b>	<b>Result</b>
• 04/2013:	? %	Non-Compliant
• 05/2013:	?%	Non-Compliant
• 06/2013:	?%	Non-Compliant

**Average for the 2<sup>nd</sup> Quarter 2013: Non-compliant**

It should be noted that typically, TNR should be at least 12% without treatment (as discovered from historical results from Building C with no treatment.) In addition, the Kitchen Grease Traps reduced nitrogen substantially due to the grease and anaerobic activity. These flows are

412 S. Main Street, Suite #2, Yreka, California 96097 530-598-9671

## Exhibit 12

**From:** [North\\_Jill@Waterboards](mailto:North_Jill@Waterboards)  
**To:** [North\\_Jill@Waterboards](mailto:North_Jill@Waterboards)  
**Subject:** FW: TRANSMITTAL OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R3-2014-0002  
**Date:** Thursday, March 13, 2014 3:00:45 PM  
**Attachments:** [PAS-3RD QUARTER 2011.pdf](#)

---

---

**From:** Jeff Gregersen [<mailto:jeff@pnwest.com>]  
**Sent:** Saturday, December 28, 2013 10:15 AM  
**To:** 'Jeff Gregersen'; Tauriainen, Andrew@Waterboards; Jahr, Jessica@Waterboards; Kendrick, Kelley@Waterboards; brent@pnwest.com; richard@pnwest.com  
**Cc:** North, Jill@Waterboards; Packard, Harvey@Waterboards; DeMartini, Cecile@Waterboards; Harris, Ken@Waterboards; Thomas, Michael@Waterboards; Stanley, Todd@Waterboards  
**Subject:** RE: TRANSMITTAL OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R3-2014-0002

Good Morning Jeff,

Thank you for the submission of this late report. You need to resend this email to the entire Enforcement Group since it is one of the documents listed in the ACL as being 'never submitted'.

Thank you,

### Cecile DeMartini

Water Resources Control Engineer  
Central Coast Regional Water Quality Control Board  
email: [cdemartini@waterboards.ca.gov](mailto:cdemartini@waterboards.ca.gov)

**From:** Jeff Gregersen [<mailto:jeff@pnwest.com>]  
**Sent:** Monday, December 16, 2013 4:57 PM  
**To:** DeMartini, Cecile@Waterboards  
**Subject:** The Inn at Pasatiempo 3rd Quarter Reports 2011

Cecile,

I hope your day is going well. Please find attached the following:

3<sup>rd</sup> Quarter 2011 Reports

I have been going through this package and noticed you had not received this report. Please let me know if you have any questions.

Jeff

---

**From:** Jeff Gregersen [<mailto:jeff@pnwest.com>]  
**Sent:** Saturday, November 30, 2013 5:39 PM  
**To:** 'Tauriainen, Andrew@Waterboards'; 'Jahr, Jessica@Waterboards'; 'Kendrick, Kelley@Waterboards'; 'brent@pnwest.com'; 'richard@pnwest.com'  
**Cc:** 'North, Jill@Waterboards'; 'Packard, Harvey@Waterboards'; 'DeMartini, Cecile@Waterboards'; 'Harris, Ken@Waterboards'; 'Thomas, Michael@Waterboards'; 'Stanley, Todd@Waterboards'  
**Subject:** RE: TRANSMITTAL OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R3-2014-0002

Gentlepersons,

Please find attached Richard Gregersen's request for a delay of the hearing as discussed in his communication, he has been severely ill and unable to attend to these matters currently

Jeff

---

**From:** Tauriainen, Andrew@Waterboards [<mailto:Andrew.Tauriainen@waterboards.ca.gov>]  
**Sent:** Tuesday, November 26, 2013 6:46 PM  
**To:** Jahr, Jessica@Waterboards; Kendrick, Kelley@Waterboards; [brent@pnwest.com](mailto:brent@pnwest.com); [jeff@pnwest.com](mailto:jeff@pnwest.com); [richard@pnwest.com](mailto:richard@pnwest.com)  
**Cc:** North, Jill@Waterboards; Packard, Harvey@Waterboards; DeMartini, Cecile@Waterboards; Harris, Ken@Waterboards; Thomas, Michael@Waterboards; Stanley, Todd@Waterboards  
**Subject:** RE: TRANSMITTAL OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R3-2014-0002

The Prosecution Team sent the ACLC packet by certified mail on November 6. The certified mail packet apparently was not picked up or signed for at the delivery address, and it is unclear if the dischargers affirmatively refused the certified mail. The Prosecution Team therefore arranged for personal service, which was achieved on November 21 for Pasatiempo Investments, Pasatiempo II Investments and Aventco Holding Company. The packet was drop served for Richard Gregersen on November 25. I will forward the formal proofs of service when I receive them from the process server.

Given these unusual delays in service, the Prosecution Team would not be adverse to extending the Important Deadlines on pages 6 and 7 of the Notice of Public Hearing & Procedures by reasonable amounts. The Prosecution Team suggests the following modifications:

- December 3 - Dischargers' objections to the hearing procedures
- December 10 - Final hearing procedures issued
- December 11 - Designated party status requests
- December 13 - Oppositions to designated party requests
- December 18 - Advisory Staff decision on requests for designated party status
- December 20 - Dischargers' deadline to submit waiver (based on November 20 email delivery)
- December 23 - Prosecution Staff's Written Evidence, Testimony, Exhibits and Policy Statements
- January 3 - Remaining Designated Parties' Written Evidence, Testimony, Exhibits and Policy Statements
- January 10 - All Designated Parties' deadline for rebuttal, evidentiary objections, requests for additional time at hearing, requests for pre-hearing conference
- January 14 - Interested Persons' deadline for written non-evidentiary policy statements
- January 15 - Advisory Staff issues decision on requests for pre-hearing conference, and rulings on evidentiary objections, if any
- January 31 - Hearing

This message is copied to all parties.

Andrew Tauriainen, Senior Staff Counsel  
State Water Resources Control Board  
Office of Enforcement  
1001 I Street, 16th Floor  
Sacramento, CA 95814  
tel: (916) 341-5445  
fax: (916)341-5896  
[atauriainen@waterboards.ca.gov](mailto:atauriainen@waterboards.ca.gov)

\*\*\*CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

---

**From:** Jahr, Jessica@Waterboards  
**Sent:** Tuesday, November 26, 2013 3:06 PM  
**To:** Kendrick, Kelley@Waterboards; [brent@pnwest.com](mailto:brent@pnwest.com); [jeff@pnwest.com](mailto:jeff@pnwest.com); [richard@pnwest.com](mailto:richard@pnwest.com)  
**Cc:** North, Jill@Waterboards; Packard, Harvey@Waterboards; DeMartini, Cecile@Waterboards; Tauriainen, Andrew@Waterboards; Harris, Ken@Waterboards; Thomas, Michael@Waterboards; Stanley, Todd@Waterboards  
**Subject:** RE: TRANSMITTAL OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R3-2014-0002

To the Parties in ACL Complaint No. R3-2014-0002:

When did the dischargers receive the ACL Complaint? There seems to be some confusion regarding whether the dischargers received the ACL Complaint on November 6<sup>th</sup> or whether they did not receive it until November 20<sup>th</sup>.

In order to preserve the prohibition on ex parte communications, if either the discharger or the prosecution team replies to this email, please use "reply all" so that all parties are included in the response.

Jessica Jahr  
Staff Counsel  
Office of Chief Counsel  
State Water Resources Control Board  
1001 I Street, Sacramento, CA 95814  
Telephone: (916) 341-5168  
Fax: (916) 341-5199  
[JJahr@waterboards.ca.gov](mailto:JJahr@waterboards.ca.gov)

---

**From:** Kendrick, Kelley@Waterboards  
**Sent:** Wednesday, November 20, 2013 8:34 AM  
**To:** [brent@pnwest.com](mailto:brent@pnwest.com); [jeff@pnwest.com](mailto:jeff@pnwest.com); [richard@pnwest.com](mailto:richard@pnwest.com)  
**Cc:** North, Jill@Waterboards; Packard, Harvey@Waterboards; DeMartini, Cecile@Waterboards; Tauriainen, Andrew@Waterboards; Harris, Ken@Waterboards; Jahr, Jessica@Waterboards; Thomas, Michael@Waterboards; Stanley, Todd@Waterboards; [env012@co.santa-cruz.ca.us](mailto:env012@co.santa-cruz.ca.us); [Dpw059@co.santa-cruz.ca.us](mailto:Dpw059@co.santa-cruz.ca.us); [dpwwweb@co.santa-cruz.ca.us](mailto:dpwwweb@co.santa-cruz.ca.us); [dseidel@cityofsantacruz.com](mailto:dseidel@cityofsantacruz.com)  
**Subject:** TRANSMITTAL OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R3-2014-0002

**TRANSMITTAL OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R3-2014-0002  
AND DRAFT CEASE AND DESIST ORDER NO. R3-2014-0004 TO PASATIEMPO INVESTMENTS, LP; PASATIEMPO II INVESTMENTS; RICHARD S. GREGERSEN; AND ADVENTCO HOLDING COMPANY REGARDING REPORTING VIOLATIONS AND WASTE DISCHARGE REQUIREMENTS VIOLATIONS.**

The Central Coast Regional Water Quality Control Board is increasing its efforts to transmit correspondence and other information electronically, reducing the amount of paper used, and increasing the speed of which

information is distributed. Therefore, you are receiving the attached correspondence for the subject site from the Central Coast Water Board in a Portable Data Format (PDF) and will not receive a hard copy unless requested. If you need help opening this document please refer to the link below:  
<http://www.adobe.com/products/acrobat/readstep2.html>





EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Central Coast Regional Water Quality Control Board

August 21, 2012

Mr. Jeff Gregersen  
The Inn at Pasatiempo  
555 Highway 17  
Santa Cruz, California 95060

CERTIFIED MAIL 7008 3230 0000 4723 2328

Mr. Gregersen:

**NOTICE OF VIOLATION: FAILURE TO SUBMIT REPORTS, INSUFFICIENT DATA, AND EFFLUENT TOTAL DISSOLVED SOLIDS EXCEEDING PERMITTED LIMITS FOR WASTE DISCHARGE REQUIREMENTS (WDR) ORDER NO. 99-136; THE INN AT PASATIEMPO, 555 HIGHWAY 17, SANTA CRUZ, CA, 95060, WDID No. 3 440113001**

Central Coast Water Board (hereafter, "Water Board") staff has not received multiple self-monitoring reports (SMRs) as required by WDR Order No. 99-136. The Inn at Pasatiempo (hereafter "Discharger") failed to submit the following SMRs:

- 3<sup>rd</sup> Quarter of 2010 Self-Monitoring Report. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 893497
- 4<sup>th</sup> Quarter of 2010 Self-Monitoring Report. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 930868.
- 1<sup>st</sup> Quarter of 2011 Self-Monitoring Report. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 927144.
- 3<sup>rd</sup> Quarter of 2011 Self-Monitoring Report. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 927145.
- 1<sup>st</sup> Quarter of 2012 Self-Monitoring Report. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 927146.

Based on the 2<sup>nd</sup> quarter 2011 SMR submitted by the Discharger in October 2011, Water Board staff recorded the following violations to WDR Order No. 99-136:

- Total Dissolved Solids Daily Maximum limit is 600 mg/L and reported value was 850 mg/L on May 31, 2011. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 931730.

- Total Dissolved Solids Daily Maximum limit is 600 mg/L and reported value was 720 mg/L on June 13, 2011. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 908158.
- Total Nitrogen Percent Reduction limit is 50% and reported value was 27.5% on April 21, 2011. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 931732.
- Failure to report effluent Chloride concentration. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 931784.
- Failure to report effluent Sodium concentration. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 931785.
- Failure to report effluent Biological Oxygen Demand. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 931786.
- Failure to report effluent flow to leach fields. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 931787
- Failure to report effluent Organic Nitrogen. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 931788

Based on the 4<sup>th</sup> quarter 2011 SMR submitted by the Discharger in May 2012, Water Board staff recorded the following violations to WDR Order No. 99-136:

- Total Dissolved Solids Daily Maximum limit is 600 mg/L and reported value was 800 mg/L on November 18, 2011. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 927177.
- Total Dissolved Solids Daily Maximum limit is 600 mg/L and reported value was 700 mg/L on December 19, 2011. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 927180.
- Failure to report effluent Chloride concentration. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 927179.
- Failure to report effluent Sodium concentration. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 927178.
- Failure to report effluent Biological Oxygen Demand. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 927200.
- Failure to report effluent Organic Nitrogen. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 931792

- Failure to report effluent flow to leach fields. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 927197.

The Discharger is required to provide a certified, written response **no later than September 17, 2012**, that either confirms the correction of the violations or identifies a date by which the Discharger will correct the violations.

The Discharger must take immediate corrective action to address these violations and prevent them from continuing to occur. The above violations of WDR Order No. 99-136 subject the Discharger to further enforcement action pursuant to the California Water Code, including monetary penalties for each day of each violation.

Nothing in this letter relieves you of liability for past violations of the WDR Order or Monitoring and Reporting Program, and the Water Board reserves the right to pursue enforcement action, including imposition of administrative civil liability, for all past violations or for any additional violations that occur before you provide complete reports.

WDR Order No. 99-136, Provision D.4, requires the Discharger to comply with Monitoring and Reporting Program No. 99-136 (revised February 28, 2001), and that requirement is made pursuant to California Water Code section 13267. Pursuant to Water Code section 13268, any person failing or refusing to furnish monitoring program reports is subject to civil liability in an amount up to \$1,000 for each day the violation occurs if imposed by the Water Board, or up to \$5,000 for each day the violation occurs if imposed by the superior court. The Water Board requires the monitoring reports to determine the Discharger's compliance with WDR Order No. 99-136, and because, based on the available data, you are responsible for the discharge.

Water Board records indicate a long-standing pattern of Discharger non-compliance and multiple informal enforcement actions in response. Water Board staff will consider the Discharger's history of violations in making any recommendation for further enforcement.

If you have any questions, please contact **Cecile DeMartini at (805) 542-4782 or by email at [cdemartini@waterboards.ca.gov](mailto:cdemartini@waterboards.ca.gov)** or Chris Adair at (805) 549-3761.

Sincerely,



cn=Harvey C. Packard, o=Central Coast  
Regional Water Quality Control Board,  
ou,  
email=hpackard@waterboards.ca.gov,  
c=US  
2012.08.21 08:06:50 -07'00'

for Kenneth A. Harris Jr  
Interim Acting Executive Officer

cc:

John Ricker, via email to [env012@co.santa-cruz.ca.us](mailto:env012@co.santa-cruz.ca.us)  
John Swenson, via email to [dpw059@co.santa-cruz.ca.us](mailto:dpw059@co.santa-cruz.ca.us)  
John Presleigh, via email to [dpwweb@co.santa-cruz.ca.us](mailto:dpwweb@co.santa-cruz.ca.us)  
Todd Stanley, via email to [tstanley@waterboards.ca.gov](mailto:tstanley@waterboards.ca.gov)

S:\WDR\WDR Facilities\Santa Cruz Co\Adventco Holding Corporation - The Inn at Pasatiempo\Inn at Pasatiempo  
NOV-08162012.docx

CIWQS Regulatory Measure ID 386303, Party ID 831, Place ID 263437

<sup>1</sup> The California Integrated Water Quality System (CIWQS) is a statewide database of compliance data. Further information is available at [http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/).

**DeMartini, Cecile@Waterboards**

---

RE: Inn at Pasatiempo Rpts  
**From:** Jeff Gregersen [jeff@pnwest.com]  
**To:** DeMartini, Cecile@Waterboards  
**Date:** Thu, Mar 7, 2013 10:51 PM CT

I just received the reports today from Water Sampling Services. I have sent them to Dan Simon for review and should have them by the end of the week. I will get the other information for you asap.

Jeff

---

**From:** DeMartini, Cecile@Waterboards [mailto:[Cecile.DeMartini@waterboards.ca.gov](mailto:Cecile.DeMartini@waterboards.ca.gov)]  
**Sent:** Thursday, March 07, 2013 2:49 PM  
**To:** [jeff@pnwest.com](mailto:jeff@pnwest.com)  
**Cc:** North, Jill@Waterboards  
**Subject:** RE: Inn at Pasatiempo Rpts

Hi Jeff,

I've still not received the 3<sup>rd</sup> and 4<sup>th</sup> Quarter 2012 reports for the Inn at Pasatiempo. When will I see them? I have some more questions for you.

1. How far from the city sewer hook up is the Inn ?
2. What is the approx.. cost to hook up?
3. Didn't you have Creegan and D'angelo do a report on the cost/feasability for hook up? If yes, please send me a copy of the report.

Thank you,

**Cecile DeMartini**

Water Resources Control Engineer  
Central Coast Regional Water Quality Control Board  
email: [cdemartini@waterboards.ca.gov](mailto:cdemartini@waterboards.ca.gov)

---

**From:** DeMartini, Cecile@Waterboards  
**Sent:** Monday, February 11, 2013 4:03 PM  
**To:** '[jeff@pnwest.com](mailto:jeff@pnwest.com)'  
**Cc:** North, Jill@Waterboards  
**Subject:** Inn at Pasatiempo Rpts

Jeff,

I've not received the 3<sup>rd</sup> and 4<sup>th</sup> quarter reports for the Inn at Pasatiempo facility. Can you please let me know the status of the reports?

Thank you,

**Cecile DeMartini**

Water Resources Control Engineer  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906  
Phone: (805) 542-4782

Fax: (805) 543-0397

email: [cdemartini@waterboards.ca.gov](mailto:cdemartini@waterboards.ca.gov)



# California Regional Water Quality Control Board

## Central Coast Region



Winston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb3>  
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5427  
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis  
Governor

February 14, 2001

CERTIFIED: 7000 0520 0019 0359 9026

Mr. Richard Gregersen, President  
Adventco Holding Corporation  
2055 Summerside Drive, Suite 250  
San Jose, CA 95122

Dear Mr. Gregersen:

**NOTICE OF VIOLATION (NOV) - FAILURE TO COMPLY WITH WASTE DISCHARGE REQUIREMENTS ORDER NO. 99-136 AND MONITORING AND REPORTING PROGRAM ORDER NO. 99-136, ADVENTCO HOLDING CORPORATION, PASATIEMPO INVESTMENTS, PASATIEMPO II INVESTMENTS, AND RICHARD S. GREGERSEN, THE INN AT PASATIEMPO, SANTA CRUZ COUNTY**

Your January 25, 2001 quarterly monitoring report was missing influent data for October, November, and December 2000. The report was also missing effluent data for December 2000. The report did contain data collected in January, however this cannot be used for December. Additionally, failure to submit influent data does not provide the regional board with sufficient information to determine compliance for nitrogen reduction. For the data received, the following violations occurred (total dissolved solids = TDS):

	<u>TDS</u>	<u>Chloride</u>	<u>Sodium</u>
October 2000	845 mg/l	151 mg/l	
November 2000	850 mg/l	190 mg/l	150 mg/l
December 2000	No data received		
Order Limitation	600 mg/l max	125 mg/l max	125 mg/l max

The Board recognizes that the wastewater treatment system became operational on January 30, 2001. Therefore collection of influent data was not possible. Similarly it was not possible to achieve nitrogen reduction during the last quarter since the wastewater system was not operational. However, your report made no attempt to summarize or qualify the lack of data submitted.

The violations of TDS, chloride, and sodium are not acceptable. Prepare a report documenting how you intend to achieve compliance with Order No. 99-136 for TDS, chloride, and sodium. Submit a complete report to the Regional Board Executive Officer by March 2, 2001.

Finally, the Board will not tolerate continued non-compliance with Order No. 99-136. Failure to submit required reports is a violation of Section 13267 of the California Water Code and is sufficient cause to assess an administrative civil liability of up to \$1,000 per day for each day the required

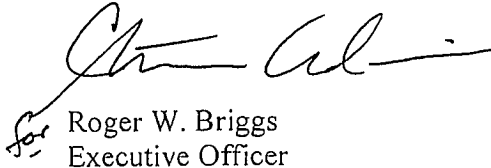
*California Environmental Protection Agency*



Recycled Paper

report is late (Section 13268 of the Water Code). Future late or incomplete reports shall be sufficient cause to assess an administrative civil liability. If you have questions, please call Howard Kolb at 805-549-3332 at Chris Adair at 805-549-3761.

Sincerely,

  
for Roger W. Briggs  
Executive Officer

H:HEK/SLR/PERMITS/WDR/Adventco Holding, The Inn at Pasatiempo/NOV 99-136 02-09-01  
Task Code: 112-01  
File: Adventco Holding, The Inn at Pasatiempo





# California Regional Water Quality Control Board Central Coast Region



Winston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>  
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411  
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis  
Governor

August 6, 2001

**CERTIFIED:**  
7000 0520 0019 0360 0357

Mr. Richard Gregersen, President  
Adventco Holding Corporation  
2055 Summerside Drive, Suite 250  
San Jose, CA 95122

Dear Mr. Gregersen:

**NOTICE OF VIOLATION (NOV) - FAILURE TO COMPLY WITH WASTE DISCHARGE REQUIREMENTS ORDER NO. 99-136 AND MONITORING AND REPORTING PROGRAM ORDER NO. 99-136, ADVENTCO HOLDING CORPORATION, PASATIEMPO INVESTMENTS, PASATIEMPO II INVESTMENTS, AND RICHARD S. GREGERSEN, THE INN AT PASATIEMPO, SANTA CRUZ COUNTY**

On April 16, 2001, the Regional Board received your monitoring report for the first quarter of 2001. Upon review, Regional Board staff has the following comments (Please note that all information/report requests are made pursuant to California Water Code Section 13267):

1. Monitoring and Reporting Program (MRP) No. 99-136 requires that effluent flow to the leachfields be metered daily. Effluent flows to the leachfields from buildings A/B were not recorded for the entire quarter. Regional Board staff cannot determine your facility's compliance with the effluent flow limitations of Order No. 99-136 without flow data. Your report indicates that a meter was installed on March 30<sup>th</sup>/31<sup>st</sup>. Please comment on the reasoning for such a long period of disrepair, and how your operation and maintenance practices may be changed to expeditiously complete such tasks in the future. Submit your comments no later than September 3, 2001.
2. MRP No. 99-136 requires influent monitoring each month. No influent sampling was conducted for January 2001.
3. Order No. 99-136 contains effluent limitations for total dissolved solids (TDS), sodium, and chloride. Data reported for buildings A/B exceeded the applicable effluent limits, as follows:

	TDS mg/L	Chloride mg/L	Sodium mg/L
Order No. 99-136 Discharge Specification	600	125	125
January 2001	940	270	205
February 2001	810	180	130
March 2001	830	190	130

Our February 14, 2001 Notice of Violation (NOV) cited similar violations, and required a report on how compliance would be achieved with these effluent limitations. Your letter dated March 2, 2001 reported that changes in water softener salts and dishwashing chemicals had been implemented to address these issues.

Effluent samples subsequently collected on March 27 indicate that compliance has not yet been

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achieved. If continued non-compliance was confirmed in the monitoring conducted for April, May, and June 2001, submit a report documenting what further steps will be taken to achieve compliance with TDS, sodium, and chloride effluent limits in Order No. 99-136. The report must be submitted to the Regional Board Executive Officer no later than September 3, 2001.

4. Order No. 99-136 also requires a 50% reduction of nitrogen in effluent. As acknowledged in our February 14, 2001 NOV, your facility's enhanced onsite wastewater treatment system was not installed and operational until January 30, 2001. All nitrogen analytical results submitted in your quarterly report, as well as the results of Regional Board staff's sampling on February 21, 2001, indicate that compliance with the nitrogen reduction requirement was not achieved.

Compliance with nitrogen reduction requirements for your facility are based on the performance of the entire system (treatment units A/B and C). As such, compliance must be determined by taking into account the different flows treated by each unit. This is done by proportioning the removal efficiencies of each unit in accordance with the flows each one treats. This, however, cannot be done at this time because you have failed to provide metered flow data for treatment unit A/B.

The tables below summarize the data you reported, and the percent removal for each wastewater treatment unit (A/B and C). These calculations are based on concentrations alone, and do not consider the flow rates for each unit. The calculations, however, illustrate that neither treatment unit is achieving a 50% reduction in nitrogen, and therefore that the entire system cannot be achieving the required reduction.

Percent removal is calculated using the following formula:  $\% \text{ removal} = \frac{(\text{inf} - \text{eff})}{(\text{inf})} \times 100$

**Discharger Sampling: February 21, 2001**

	A/B INF	A/B EFF	A/B % REMOVAL	C INF	C EFF	C % REMOVAL
	mg/L	mg/L	%	mg/L	mg/L	%
Organic-N	1	6		2	1	
Ammonia-N	33	17		43	26	
Nitrate-N	1	1		1	1	
Nitrite-N	1	1		1	1	
Totals	36	25		47	29	38

**Regional Board Sampling: February 21, 2001**

	A/B INF	A/B EFF	A/B % REMOVAL	C INF	C EFF	C % REMOVAL
	mg/L	mg/L	%	mg/L	mg/L	%
Organic-N	15	20				
Ammonia-N	32	22				
Nitrate-N	1	1				
Nitrite-N	0.1	0.1				
Totals	48.1	43.1	10			no samples

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**Discharger Sampling: February 28, 2001**

	A/B INF	A/B EFF	A/B % REMOVAL	C INF	C EFF	C % REMOVAL
	mg/L	mg/L	%	mg/L	mg/L	%
Organic-N	5	9.9		2.3	0.3	
Ammonia-N	44	42		47	31	
Nitrate-N	0.5	0.5		0.5	0.5	
Nitrite-N	0.5	0.5		0.5	0.5	
<b>Totals</b>	50	52.9	<b>Nitrogen increased</b>	50.3	32.3	<b>36</b>

**Discharger Sampling: March 13, 2001**

	A/B INF	A/B EFF	A/B % REMOVAL	C INF	C EFF	C % REMOVAL
	mg/L	mg/L	%	mg/L	mg/L	%
Organic-N	4.4	16		1	1	
Ammonia-N	40	36		46	38	
Nitrate-N	1	1		1	1	
Nitrite-N	0.5	0.5		0.5	0.5	
<b>Totals</b>	45.9	53.5	<b>Nitrogen increased</b>	48.5	40.5	<b>16</b>

**Discharger Sampling: March 27, 2001**

	A/B INF	A/B EFF	A/B % REMOVAL	C INF	C EFF	C % REMOVAL
	mg/L	mg/L	%	mg/L	mg/L	%
Organic-N	6.2	14		0.5	0.5	
Ammonia-N	40	36		46	31	
Nitrate-N	1.3	1.6		1	1	
Nitrite-N	0.5	0.5		0.5	0.5	
<b>Totals</b>	48	52.1	<b>Nitrogen increased</b>	48	33	<b>31</b>

The above data indicate the following:

- A. Although treatment unit A/B utilizes a Fixed Activated Sludge Treatment (FAST) system (theoretically capable of achieving significant nitrogen reduction), little or no nitrogen reduction is occurring.
- B. The FAST system would have been expected to gradually increase in nitrogen removal efficiency after start-up. Not only does your data indicate that the system's efficiency degraded with time, effluent nitrogen actually increased with time in comparison to influent nitrogen levels.

**California Environmental Protection Agency**



- C. Treatment unit A/B was sampled by your staff and Regional Board staff on February 21, 2001. According to Regional Board staff, the samples were collected within approximately ten minutes of each other. In addition to the fact that both data sets indicate higher organic nitrogen levels in effluent as compared to influent, the analytical results were substantially different.
- D. All treatment unit A/B organic nitrogen data indicate substantially higher concentrations in effluent as compared to influent. In addition, treatment unit A/B total suspended solids (TSS) sampling conducted on 2/28 and 3/27/01 (not summarized above) indicates substantially higher TSS concentrations in effluent as compared to influent (same for building C for 3/27).
- E. Some nitrogen removal was accomplished in treatment unit C (septic tank only), although conventional septic tanks do not provide the necessary conditions for such removal to occur.

Regional Board staff is not only concerned with the inadequate performance of your enhanced onsite wastewater treatment system, but also with potential deficiencies in sampling procedures.

Submit a report documenting what actions have been taken to evaluate the deficiencies of your enhanced onsite wastewater treatment system, and what corrective actions have or will be taken to remedy those deficiencies. The report must also include your Quality Assurance/Quality Control procedures, and discuss your sampling practices (i.e., who conducts sampling, where samples are collected, training received by staff conducting sampling, etc), and a schematic of the system and sampling locations. The report must be submitted to the Regional Board Executive Officer no later than September 3, 2001.

- 5. The February 2001 organic nitrogen data were reported incorrectly for the sampling conducted on February 21, 2001. Specifically, the building A/B report form indicates that influent organic nitrogen was 34 mg/L, and ammonia nitrogen was 33 mg/L. According to the laboratory analysis reports submitted with your report, the Total Kjeldahl Nitrogen (TKN) was 34 mg/L, and the ammonia nitrogen was 33 mg/L.

Please note that TKN is equivalent to the sum of organic nitrogen and ammonia nitrogen, or:

$$\text{TKN} = \text{Organic nitrogen} + \text{Ammonia nitrogen}$$

For the influent organic nitrogen data in the above example:

$$34 \text{ mg/L} = \text{Organic nitrogen} + 33 \text{ mg/L}$$

so,

$$\text{Organic nitrogen} = 1 \text{ mg/L}$$

Similarly for the building A/B effluent and the building C influent/effluent samples of the same day.

- 6. *Standard Provisions and Reporting Requirement for Waste Discharge Requirements* requires that all instances of non-compliance be reported with monitoring reports, and shall include a description of the non-compliance and its cause; the period of non-compliance (including exact dates and times) or anticipated duration; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the non-compliance [General Reporting Requirements C.3 and C.5].

Your report did not provide a discussion of the violations noted in this NOV, or the corrective actions that have or will be taken in response to those violations. Each monitoring report submitted to the

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Regional Board must include a discussion of compliance, cite specific violations, and describe specific actions taken or planned to mitigate the reported violations. Such discussions should be included in the cover letter accompanying monitoring reports.

7. In future monitoring reports, include the date of each sampling on the report forms.
8. Order No. 99-136 includes effluent limits for pH. Include pH data for each effluent sample on the report forms.

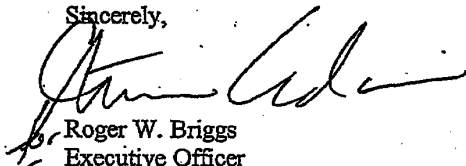
Please note that effluent pH values for building A/B were nearly in violation for January and February (6.5 and 6.6, respectively). Influent pH values were also low during February and March (ranging from 6.4 – 6.6). Regional Board staff recommends that you investigate potential sources of low pH within your facility before effluent violations occur.

Please note that the violation of Order No. 99-136 is serious and may subject the Adventco Holding Corporation, Pasatiempo Investments, Pasatiempo II Investments, and Richard S. Gregersen to administrative civil liability. The administrative civil liability would be imposed pursuant to California Water Code Section 13268 (for reporting violations) and 13350 (for other waste discharge requirement violations), and could range up to \$1,000 per day and \$10 per gallon discharged. Considering the previous violations noted by Regional Board staff in past correspondence, your facility is in substantial violation of Order No. 99-136.

Regional Board staff recommends that every effort be made to achieve immediate compliance with Order No. 99-136, and that you, in cooperation with your consultant, address the above violations and staff concerns, and provide the requested reports in a complete and timely manner. Failure to submit the reports required by this NOV by the requested dates may result in the imposition of administrative civil liability pursuant to California Water Code Section 13268.

If you have questions, please contact Mr. Todd Stanley at 805-542-4769 or [Tstanley@rb3.swrcb.ca.gov](mailto:Tstanley@rb3.swrcb.ca.gov), or Mr. Chris Adair at 805-549-3761.

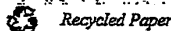
Sincerely,



Mr. Roger W. Briggs  
Executive Officer

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Task Code: 121-80  
File: Discharger: Adventco Holding Corporation, The Inn at Pasatiempo

California Environmental Protection Agency





# California Regional Water Quality Control Board

## Central Coast Region



Winston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>  
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411  
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis  
Governor

March 15, 2002

**CERTIFIED MAIL**  
**7000 0520 0019 0359 6346**

Mr. Richard Gregersen, President  
Adventco Holding Corporation  
2055 Summerside Drive, Suite 250  
San Jose, CA 95122

Dear Mr. Gregersen:

**NOTICE OF VIOLATION (NOV) - FAILURE TO COMPLY WITH WASTE DISCHARGE REQUIREMENTS ORDER NO. 99-136, THE INN AT PASATIEMPO, ADVENTCO HOLDING CORPORATION, PASATIEMPO INVESTMENTS, PASATIEMPO II INVESTMENTS, AND RICHARD S. GREGERSEN, THE INN AT PASATIEMPO, SANTA CRUZ COUNTY**

Upon review of your facility's self-monitoring reports (SMR) for the second and third quarters of 2001 (April – June and July – September, respectively), Regional Board staff has the following comments (Please note that all information/report requests are made pursuant to Section 13267 of the California Water Code):

**April – June 2001 SMR Violations**

1. Monitoring and Reporting Program (MRP) No. 99-136 requires the submittal of the April – June quarterly SMR no later than July 15 of each year. By letter dated August 24, 2001, Regional Board staff notified you that the SMR was late, requested its submittal immediately, and informed you of the potential enforcement that may be taken by the Regional Board. The April – June 2001 SMR was received on December 3, 2001, 173 days late.
2. Order No. 99-136, Discharge Specification No. B.3, requires the reduction of Total Nitrogen by at least 50% prior to subsurface disposal. Influent and effluent sampling conducted every two weeks for each month of the quarter indicates that the required nitrogen reduction was not achieved (accounting for six violations).

Similar violations were cited in detail in our NOV dated August 6, 2001, which addressed violations that occurred from January – March 2001. Although not presented in the same detail here, April – June 2001 nitrogen reduction calculations similarly indicate that neither wastewater treatment system for Buildings A/B nor C achieved compliance. As noted in our August 6 NOV, compliance with Order No. 99-136 is evaluated based on the aggregate or combined wastewater discharge from your facility. Since neither of the wastewater treatment system discharges achieved greater than 50% total nitrogen reduction, your facility was in violation for the entire quarter.

3. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent Total Dissolved Solids (TDS) concentration limit of 600 mg/L. This limit was exceeded in April 2001 (790 mg/L was reported for Building A/B).

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Item No. 21 Attachment 4  
May 22-23, 2014  
Exhibit 17 03-15-02 NOV

4. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent chloride concentration limit of 125 mg/L. This limit was exceeded in April 2001 (130 mg/L was reported for Building A/B).
5. The effluent TDS concentration limit of 600 mg/L was exceeded in May 2001 (670 mg/L was reported for Building A/B).
6. The effluent TDS concentration limit of 600 mg/L was exceeded in June 2001 (975 mg/L was reported for Building A/B).
7. The effluent chloride concentration limit of 125 mg/L was exceeded in June 2001 (190 mg/L was reported for Building A/B).
8. MRP No. 99-136 requires daily metering of effluent flows to the leachfields. Effluent flows to the leachfields from Buildings A/B were not recorded for the entire quarter. Effluent flow meter readings for Building C were incomplete.
9. MRP No. 99-136 requires septic tank monitoring in June and December of each year. No septic tank monitoring was conducted in June 2001.
10. The October 16, 2001 memo regarding the Building A/B (FAST system) average flows notes that "The kitchen wastewater from building B is separate, and unaccounted for."

All wastewater flows to the leachfields must be metered, without exception. The omission of any monitoring requirements for any waste streams to the leachfields violates Order No. 99-136.

#### **July – September 2001 SMR Violations**

11. MRP No. 99-136 requires the submittal of the July - September quarterly SMR no later than October 15 of each year. The July – September 2001 quarterly SMR was received on October 24, 2001, 10 days late.
12. Order No. 99-136, Discharge Specification No. B.3, requires the reduction of Total Nitrogen by at least 50% prior to subsurface disposal. Influent and effluent sampling conducted every two weeks for each month of the quarter indicates that the required nitrogen reduction was not achieved (accounting for six violations).

Similar violations were cited in detail in our NOV dated August 6, 2001, which addressed violations that occurred from January – March 2001. Although not presented in the same detail here, the July – September 2001 nitrogen reduction similarly indicated that neither wastewater treatment system for Buildings A/B nor C achieved compliance. As noted in our August 6 NOV, compliance with Order No. 99-136 is evaluated based on the aggregate or combined wastewater discharge from your facility. Since neither of the wastewater treatment system discharges achieved greater than 50% total nitrogen reduction, your facility was in violation for the entire quarter.

13. The effluent TDS concentration limit of 600 mg/L was exceeded in July 2001 (1400 mg/L was reported for Building A/B).
14. The effluent chloride concentration limit of 125 mg/L was exceeded in July 2001 (390 mg/L was reported for Building A/B).



15. The effluent TDS concentration limit of 600 mg/L was exceeded in August 2001 (1100 mg/L was reported for Building A/B).
16. The effluent chloride concentration limit of 125 mg/L was exceeded in August 2001 (250 mg/L was reported for Building A/B).
17. The effluent TDS concentration limit of 600 mg/L was exceeded in September 2001 (620 mg/L was reported for Building C).
18. The effluent TDS concentration limit of 600 mg/L was exceeded in September 2001 (1100 mg/L was reported for Building A/B).
19. The effluent chloride concentration limit of 125 mg/L was exceeded in September 2001 (275 mg/L was reported for Building A/B).
20. MRP No. 99-136 requires daily metering of effluent flows to the leachfields. Only average effluent flows to the leachfields from Buildings A/B were provided as derived from periodic flow meter readings.
21. The October 16, 2001 memo regarding the Building A/B (FAST system) average flows notes that "The kitchen wastewater from building B is separate, and unaccounted for."

All wastewater flows to the leachfields must be metered, without exception. The omission of any monitoring requirements for any waste streams to the leachfields violates Order No. 99-136.

### Reporting Requirements

- A. All reports submitted to the Regional Board must contain data or information which is directly comparable to the requirements prescribed in Order No. 99-136, and which conforms to the Order's monitoring requirements. The monitoring forms currently used by your facility do not satisfy this requirement.

Our NOV dated August 6, 2001, Item No. 4, reminded you that the Regional Board's determination of your facility's compliance with nitrogen reduction (and other) requirements is based on the performance of your entire wastewater treatment system. While influent and effluent nitrogen samples were collected/analyzed every two weeks during the second and third quarters of 2001, nitrogen reduction performance was not documented.

Our letter dated September 25, 2001, Item No. 4, reiterated this concept with the following:

*Pursuant to California Water Code Section (CWC) 13267, modify the format of all future monitoring reports to include a flow-weighted summary of the wastewater treatment system performance. In other words, provide an additional page or pages in your monitoring reports that calculates the flow-weighted averages for buildings A/B and C for each constituent required in Monitoring and Reporting Program No. 99-136.*

Pursuant to Section 13267 of the California Water Code, your monitoring reports must include nitrogen reduction determinations for each influent/effluent sampling event. The report must clearly and





accurately present the nitrogen reduction performance of each wastewater stream (Building A/B, and C). Daily metered effluent flow readings must then be used to flow-proportion the Total Nitrogen concentrations of the individual wastewater streams in order to derive the Total Nitrogen reduction achieved for the entire wastewater treatment system.

The same concept applies to other wastewater constituents such as TDS, chlorides, and sodium. Use this same approach to reconfigure your monitoring and reporting forms to facilitate direct compliance determinations for your facility. Regional Board staff will evaluate the format upon submittal of your next SMR, and provide comments as appropriate.

- B. While daily effluent flow meter readings are required, SMRs must clearly indicate the gallons of wastewater disposed for each particular day (only flow meter readings have been provided for Building C).
  - C. Item No. 6 of our August 6, 2001 NOV cited the reporting requirement that dischargers discuss, in writing, all instances of non-compliance and the corrective actions necessary to address those violations. This requirement applies to all monitoring reports submitted. Staff requested such discussions within the cover letter to each monitoring report. No such discussions were included with the subject SMRs. Note that this information request was made pursuant to Section 13267 of the California Water Code. This request is again reiterated.
- Per our form letter dated July 20, 2001, all dischargers were requested to submit SMR under a cover form (which we provided). The cover form was not included with your second or third quarter 2001 SMRs. Blank copies of the letter and form have been attached for your use. If you elect not to use the form, the discussion of violations and corrective actions must be provided in another suitable format.
- D. Item No. 7 of our August 6, 2001 NOV required that the date of each sampling be included on the monitoring forms. This information was not included in the subject SMRs.
  - E. Item No. 8 of our August 6, 2001 NOV required that pH data be reported on the monitoring forms. This information was not included in the subject SMRs.
  - F. Our letter dated September 25, 2001, page three, required that all formal correspondence (which includes SMRs) be submitted under signed cover letter from the Inn at Pasatiempo, Adventco Holding Corporation, Pasatiempo Investments, Pasatiempo II Investments, and Richard S. Gregersen. This requirement was not complied with for the subject SMRs.
  - G. On January 14, 2001, Regional Board staff spoke via telephone to Mr. Dan Simon, P.E., of Sierra Environmental (currently understood as your wastewater treatment system consultant). He stated his understanding that the restaurant at your facility has a different owner, that its wastewater is discharged to your facility's leachfields, and that the flows from the restaurant are not accounted for.

Order No. 99-136, Finding No. 5, documents the inclusion of the restaurant and bar with the wastewater treatment system serving Buildings A/B. All wastewater flows associated with the Inn at Pasatiempo, Adventco Holding Corporation, Pasatiempo Investments, Pasatiempo II Investments, and Richard S. Gregersen are subject to Order No. 99-136. Regional Board records show no indication of a change in ownership of related facilities included in the aforementioned since the November 19, 1999 adoption of Order No. 99-136.



Provide written clarification on this matter to the Regional Board **no later than March 29, 2002.**

If the wastewater flows to the leachfield from the restaurant are not accounted for, **take immediate action** to include these flows in all monitoring required by Order No. 99-136. If a transfer of ownership has occurred, written notification must be received by the Regional Board at least 30 days in advance of the transfer (Standard Provisions, General Reporting Requirement No. 11).

- H. Your fourth quarter 2001 SMR was due no later than January 15, 2002. The SMR has not been received, and is 58 days late as of March 13, 2002.
- I. Monthly progress reports were required in our September 25, 2001 letter. The reports are due no later than the 15<sup>th</sup> of each month. The reports for December 2001 and January 2002 were not received until March 4, 2002, 50 and 19 days late, respectively.

Six months have passed since the issuance of our NOV dated August 6, 2001. According to monthly progress reports and verbal communications with your consultant, some efforts have been made to investigate and address the deficiencies of your facility's wastewater treatment system. In Regional Board staff's professional judgement, six months is a reasonable amount of time to correct such deficiencies or to at least achieve some significant progress in mitigation (without considering the previous period between November 1999 and August 2001). Despite this, The Inn at Pasatiempo, Adventco Holding Corporation, Pasatiempo Investments, Pasatiempo II Investments, and Richard S. Gregersen continues to operate in violation of Order No. 99-136.

To date, Regional Board staff's efforts to compel compliance with Order No. 99-136 appear ineffective. It is therefore becoming increasingly difficult to justify the current level of enforcement being utilized (NOV). Further levels of enforcement action must now be considered. The Inn at Pasatiempo, Adventco Holding Corporation, Pasatiempo Investments, Pasatiempo II Investments, and Richard S. Gregersen must comply with Order No. 99-136, and must comply with all information and reporting requests pursuant to California Water Code Section 13267 (in this and all other correspondence cited herein).

The violation of Order No. 99-136 is serious and may subject the Inn at Pasatiempo, Adventco Holding Corporation, Pasatiempo Investments, Pasatiempo II Investments, and Richard S. Gregersen to substantial administrative civil liability. If the action were taken by the Regional Board, the administrative civil liability would be imposed pursuant to California Water Code Section 13268 (for reporting violations, including failure to submit information requested pursuant to CWC Section 13267) and 13350 (for other waste discharge requirement violations), and could range up to \$1,000 per day and \$10 per gallon discharged. If the action were taken by the superior court, civil liability assessment could range up to \$5,000 per day and \$20 per gallon discharged. Considering the previous violations noted by Regional Board staff in past correspondence, your facility is in substantial violation of Order No. 99-136.

Any proposed administrative civil liability will take into account the chronic nature of the violations as well as any economic benefit gained by the Inn at Pasatiempo, Adventco Holding Corporation, Pasatiempo Investments, Pasatiempo II Investments, and Richard S. Gregersen by failing to comply with Order No. 99-136.

Regional Board staff recommends that every effort be made to achieve immediate compliance with Order No. 99-136, and that you, in cooperation with your consultant, address the above violations and provide the requested written information/reports in a complete and timely manner. Failure to submit the reports



required by this NOV by the requested dates may result in the imposition of administrative civil liability pursuant to California Water Code Section 13268.

Any person affected by this action of the Regional Board may petition the State Water Resources control Board (State Board) to review the action in accordance with section 13320 of the California Water Code and Title 23, California Code of Regulations, Section 2050. The petition must be received by the State Board within 30 days of the date of this NOV. Copies of the law and regulations applicable to filing petitions will be provided upon request.

If you have questions, please contact **Mr. Todd Stanley** at 805-542-4769 or [Tstanley@rb3.swrcb.ca.gov](mailto:Tstanley@rb3.swrcb.ca.gov), or Mr. Chris Adair at 805-549-3761.

Sincerely,



Roger W. Briggs  
Executive Officer

Enclosures: 1. Regional Board letter dated July 20, 2001 (with blank, two page monitoring report cover sheet)

cc: Santa Cruz County Health Department  
701 Ocean Street  
Santa Cruz, CA 95069

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Task Code: 121-80  
File: Discharger: Adventco Holding Corporation, The Inn at Pasatiempo





# California Regional Water Quality Control Board

## Central Coast Region



Winston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>  
81 Higuera Street, Suite 200, San Luis Obispo, California 93401-5411  
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis  
Governor

July 20, 2001

Dear Partner in Water Quality Protection:

Subject: Monitoring Report Transmittal

Review of recent monitoring reports reveals substantial variability in information reported. As a result, Regional Board staff would like you to use the attached cover letter when submitting your monitoring reports. The cover letter should facilitate our review because it quickly displays the type of report (e.g., monthly, quarterly, or annual), compliance status, and actions taken to maintain compliance. Our ultimate goal is to help you maintain reporting compliance, so be aware that we welcome suggestions for improvement. To further enhance data review, we hope to implement a common electronic monitoring data management system within two years.

In addition we want to remind all dischargers that the Regional Board recently adopted a policy regarding submittal of timely monitoring reports. Simply put, this policy states that long overdue monitoring reports or reports consistently submitted after their due dates may result in assessment of minor administrative penalties pursuant to Water Code Section 13267 and 13268. We want to encourage all dischargers to submit complete and timely reports.

If you have questions or comments, please call your usual contact person or their supervisor. Phone numbers and an organizational chart are available at our web site at [www.swrcb.ca.gov/rwqcb3](http://www.swrcb.ca.gov/rwqcb3). If you are unsure about the contact person or if you would like an electronic copy of the attached cover letter, please call Keith Elliot at (805) 542-4642. Thank you.

Sincerely,

Roger W. Briggs  
Executive Officer

S:\WB\Central Watershed\Staff Temp Files\Keith

*California Environmental Protection Agency*



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Item No. 21 Attachment 4  
May 22-23, 2014  
Exhibit 17 03-15-02 NOV

Date \_\_\_\_\_

California Regional Water Quality Control Board  
Central Coast Region  
Attn: Monitoring and Reporting Review Section  
81 Higuera Street, #200  
San Luis Obispo, CA 93401

Dear Mr. Briggs:

**Facility Name:**

\_\_\_\_\_  
\_\_\_\_\_

**Address:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Contact Person:**

**Job Title:**

**Phone Number:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**WDR/NPDES Order Number:**

\_\_\_\_\_

**Type of Report** (circle one):

Monthly                  Quarterly                  Semi-Annual                  Annual

**Month(s)** (circle applicable months\*):

JAN      FEB      MAR      APR      MAY      JUN

JUL      AUG      SEP      OCT      NOV      DEC

\*Annual Reports (circle the first month of the reporting period)

**Year:**

\_\_\_\_\_

**Violation(s)** (Place an X by the appropriate choice):

\_\_\_\_\_ **No** (there are no violations to report)                  \_\_\_\_\_ **Yes**

*If Yes is marked (complete a-g):*

**a) Parameter(s) in Violation:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**b) Section(s) of WDR/NPDES Violated:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**c) Reported Value(s)**

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**d) WDR/NPDES  
Limit/Condition:**

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**e) Dates of Violation(s)**  
(reference page of report/data sheet):

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**f) Explanation of Cause(s):**  
(attach additional information as needed)

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**g) Corrective Action(s):**  
(attach additional information as needed)

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In accordance with the Standard Provisions and Reporting Requirements, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision following a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my knowledge of the person(s) who manage the system, or those directly responsible for data gathering, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

If you have any questions or require additional information, please contact me at the number provided above.

Sincerely,

---

Name:  
Title:



**California Regional Water Quality Control Board  
Central Coast Region**

Exhibit 18



Winston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>  
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-5411  
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis  
Governor

March 4, 2003

**CERTIFIED MAIL**

7000 0520 0019 0359 7329

Mr. Richard Gregersen, President  
Adventco Holding Corporation  
2055 Summerside Drive, Suite 250  
San Jose, CA 95122

Dear Mr. Gregersen:

**NOTICE OF VIOLATION (NOV) - FAILURE TO COMPLY WITH WASTE DISCHARGE REQUIREMENTS ORDER NO. 99-136, THE INN AT PASATIEMPO, ADVENTCO HOLDING CORPORATION, PASATIEMPO INVESTMENTS, PASATIEMPO II INVESTMENTS, AND RICHARD S. GREGERSEN, THE INN AT PASATIEMPO, SANTA CRUZ COUNTY**

Upon review of your facility's self-monitoring reports (SMR) for the third and fourth quarters of 2002 (July – September, and October – December, respectively), Regional Board staff noted the following violations:

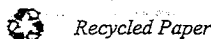
**July – September 2002 SMR Violations**

1. Order No. 99-136, Discharge Specification No. B.3, requires the reduction of Total Nitrogen by at least 50% prior to subsurface disposal. Influent and effluent sampling conducted every two weeks for each month of the quarter indicates that the required total nitrogen reduction was not achieved (**6 effluent limit violations**).
2. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent Total Dissolved Solids (TDS) concentration limit of 600 mg/L. This limit was exceeded once each month (**3 effluent limit violations**).
3. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent chloride concentration limit of 125 mg/L. This limit was exceeded once each month (**3 effluent limit violations**).
4. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent sodium concentration limit of 125 mg/L. This limit was exceeded on September 12 (**1 effluent limit violations**).

**October – December 2002 SMR Violations**

1. Influent and effluent sampling conducted every two weeks for each month of the quarter indicates that the required total nitrogen reduction was not achieved (**6 effluent limit violations**).
2. The effluent TDS concentration limit was exceeded once each month (**3 effluent limit violations**).
3. The effluent chloride concentration limit was exceeded once each month (**3 effluent limit violations**).
4. Septic tank inspection measurements were not provided (**1 reporting violation**).

**California Environmental Protection Agency**



Regional Board staff recommends that every effort be made to achieve immediate compliance with Order No. 99-136. Failure to achieve compliance may result in further enforcement action, including the assessment of administrative civil liability.

If you have questions, please contact **Mr. Todd Stanley** at 805-542-4769 or [Tstanley@rb3.swrcb.ca.gov](mailto:Tstanley@rb3.swrcb.ca.gov), or Mr. Chris Adair at 805-549-3761.

Sincerely,

*Chris Adair*

*for*  
Roger W. Briggs  
Executive Officer

cc: Daniel Simon  
Sierra Environmental, Inc.  
P.O. Box 626  
Fort Jones, CA 96032

S:\WB\Northern Watershed\TLS\WDR\Adventco Holding Corporation - The Inn at Pasatiempo\NOV Pasa 3-4-03 re 3Q 4Q 02.doc  
Task Code: 126-80  
File: Discharger Correspondence: Adventco Holding Corporation, The Inn at Pasatiempo







# California Regional Water Quality Control Board

## Central Coast Region



Winston H. Hickox  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>  
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-5411  
Phone (805) 549-3147 • FAX (805) 543-0397

Gray Davis  
Governor

August 8, 2003

CERTIFIED MAIL

Mr. Richard Gregersen, President  
Adventco Holding Corporation  
2055 Summerside Drive, Suite 250  
San Jose, CA 95122

7003 0500 0004 9151 6852

Dear Mr. Gregersen:

**NOTICE OF VIOLATION (NOV) - FAILURE TO COMPLY WITH WASTE DISCHARGE REQUIREMENTS ORDER NO. 99-136, THE INN AT PASATIEMPO, ADVENTCO HOLDING CORPORATION, PASATIEMPO INVESTMENTS, PASATIEMPO II INVESTMENTS, AND RICHARD S. GREGERSEN, THE INN AT PASATIEMPO, SANTA CRUZ COUNTY**

Upon review of your facility's self-monitoring reports (SMR) for the first quarter of 2003 (January – March), Regional Board staff noted the following violations:

1. Order No. 99-136, Discharge Specification No. B.3, requires the reduction of Total Nitrogen by at least 50% prior to subsurface disposal. Influent and effluent sampling conducted every two weeks for each month of the quarter indicates that the required total nitrogen reduction was not achieved (**6 effluent limit violations**).
2. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent Total Dissolved Solids (TDS) concentration limit of 600 mg/L. This limit was exceeded once each month (**3 effluent limit violations**).
3. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent chloride concentration limit of 125 mg/L. This limit was exceeded once each month (**3 effluent limit violations**).

Regional Board staff recommends you make every effort to achieve immediate compliance with Order No. 99-136. Failure to achieve compliance may result in further enforcement action, including the assessment of administrative civil liability.

If you have questions, please contact Mr. Todd Stanley at 805-542-4769 or [Tstanley@rb3.swrcb.ca.gov](mailto:Tstanley@rb3.swrcb.ca.gov), or Mr. Chris Adair at 805-549-3761.

Sincerely,

*Chris Adair*

*Roger W. Briggs*  
Executive Officer

cc: Daniel Simon  
Sierra Environmental, Inc.  
P.O. Box 626  
Fort Jones, CA 96032

S:\WB\Northern Watershed\TLS\WDR\Adventco Holding Corporation - The Inn at Pasatiempo\NOV Pasa 8-8-03 re 1Q 03.doc  
Task Code: 112-01  
File: Discharger Correspondence: Adventco Holding Corporation, The Inn at Pasatiempo

**California Environmental Protection Agency**



Recycled Paper

Item No. 21 Attachment 4  
May 22-23, 2014  
Exhibit 19 08-08-03 NOV



# California Regional Water Quality Control Board

## Central Coast Region



Terry Tamminen  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>  
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-5411  
Phone (805) 549-3147 • FAX (805) 543-0397

Arnold Schwarzenegger  
Governor

November 26, 2003

**CERTIFIED MAIL**

7002 2410 0002 1977 0873

Mr. Richard Gregersen, President  
Adventco Holding Corporation  
2055 Summerside Drive, Suite 250  
San Jose, CA 95122

Dear Mr. Gregersen:

**NOTICE OF VIOLATION (NOV) - FAILURE TO COMPLY WITH WASTE DISCHARGE REQUIREMENTS ORDER NO. 99-136, THE INN AT PASATIEMPO, ADVENTCO HOLDING CORPORATION, PASATIEMPO INVESTMENTS, PASATIEMPO II INVESTMENTS, AND RICHARD S. GREGERSEN, THE INN AT PASATIEMPO, SANTA CRUZ COUNTY**

Upon review of your facility's self-monitoring reports (SMR) for the second and third quarters of 2003 (April, June, and July – September), Regional Board staff noted the following violations:

1. Order No. 99-136, Discharge Specification No. B.3, requires the reduction of Total Nitrogen by at least 50% prior to subsurface disposal. Influent and effluent sampling conducted every two weeks for each month of each quarter indicates that the required total nitrogen reduction was not achieved (**12 effluent limit violations**).
2. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent Total Dissolved Solids (TDS) concentration limit of 600 mg/L. This limit was exceeded once each month (**6 effluent limit violations**).
3. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent chloride concentration limit of 125 mg/L. This limit was exceeded once each month (**6 effluent limit violations**).
4. The third quarter self-monitoring report was 29 days late.

The third quarter report indicates you collected two composite samples of untreated wastewater to assess total nitrogen reduction. Comparison of untreated influent and treated effluent is consistent with Order No. 99-136. If you elect to use composite samples to demonstrate compliance with total nitrogen reduction requirements, note that **all wastewater** (i.e., all buildings, the restaurant/kitchen, etc) must be represented in the sampling. Regional Board staff encourages you to consider composite sampling as a means of indicating the treatment system's performance. Without some demonstration of compliance, staff must recommend a higher level of enforcement.

Your letter dated October 14, 2003 refers to the construction of a sanitary sewer line available for your facility. Please provide details in your next monthly progress report, including any documentation from the City, your contact with the City, and an estimation of the line's completion. The Regional Board expects the Inn at Pasatiempo to achieve and maintain compliance with Order No. 99-136 until the Board rescinds the Order or until the Inn is connected to the City's sanitary sewer system and eliminates all waste discharges.

**California Environmental Protection Agency**



Recycled Paper

Your consultant (Sierra Environmental, Inc.) has provided various recommendations for proceeding, including:

- Pump screens/vaults to correct flowmeter problems;
- Improved operations through pH adjustment and/or sludge removal;
- Installing additional treatment components capable of achieving required total nitrogen removal;
- Completion of the Zabel unit to enable denitrification (it is staff's understanding that this unit is capable of meeting the Order's requirements, and that achieving total nitrogen reduction for Building C was the intent of it's installation);
- Composite sampling of all influent for increased accuracy in assessing total nitrogen removal, and;
- Determining whether the pool is connected to the treatment system serving Buildings A/B;

It is incumbent upon the owners of the Inn at Pasatiempo to direct some or all of the above recommended actions (or others deemed appropriate by a qualified engineer). Staff must interpret any failure or refusal by the owners of the Inn at Pasatiempo to take substantive actions as a failure to progress towards compliance with Order No. 99-136.

Regional Board staff strongly recommends you continue to progress your efforts to achieve immediate compliance with Order No. 99-136. Failure to achieve compliance may result in further enforcement action, including the assessment of administrative civil liability.

If you have questions, please contact **Todd Stanley at 805-542-4769** or [Tstanley@rb3.swrcb.ca.gov](mailto:Tstanley@rb3.swrcb.ca.gov), or **Chris Adair at 805-549-3761**.

Sincerely,

Roger W. Briggs  
Executive Officer

for

S:\WB\Northern Watershed\TLS\WDR\Adventco Holding Corporation - The Inn at Pasatiempo\Pasa NOV 11-03 re 2 and 3 qtr 03.doc

Task Code: 112-01

File: Discharger Correspondence: Adventco Holding Corporation, The Inn at Pasatiempo



# California Regional Water Quality Control Board

## Central Coast Region



FTS

Alan C. Lloyd, Ph.D.  
Agency Secretary

Internet Address: <http://www.waterboards.ca.gov/centralcoast>  
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906  
Phone (805) 549-3147 • FAX (805) 543-0397

Arnold Schwarzenegger  
Governor

June 10, 2005

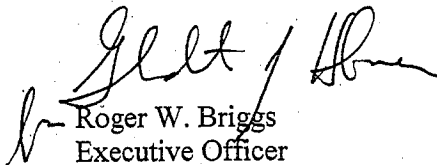
Richard Gregerson  
Adventco Holding Corporation  
2055 Summerside Avenue  
San Jose, CA 95122  
Certified Mail # 70040750000183151875

**NOTICE OF VIOLATION, FAILURE TO SUBMIT REQUIRED MONITORING REPORT:  
THE INN AT PASATIEMPO, SANTA CRUZ COUNTY  
ORDER. NO. 99-136, WDID NO. 3 440113001**

On May 24, 2005, the Regional Board sent you a Failure to Submit letter regarding your failure to submit a monitoring report originally due April 15, 2005. We still have not received the report and it is now 56 days late. Your potential liability is \$56,000. If we do not receive the report immediately, we will initiate procedures for assessment of civil liability against you.

Please submit the above-referenced report immediately. If you have questions, please call Michael Higgins at (805) 542-4649 or Harvey Packard at (805) 542-4639.

Sincerely,

  
Roger W. Briggs  
Executive Officer

*California Environmental Protection Agency*



**California Regional Water Quality Control Board  
Central Coast Region**



Linda S. Adams  
Acting Secretary for  
Environmental Protection

895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906  
(805) 549-3147 • FAX (805) 543-0397  
<http://www.waterboards.ca.gov/centralcoast>



Edmund G. Brown Jr.  
Governor

April 27, 2011

Mr. Jeff Gregerson  
The Inn at Pasatiempo  
555 Highway 17  
Santa Cruz, CA 95060

Dear Mr. Gregerson,

**NOTICE OF VIOLATION: WASTE DISCHARGE REQUIREMENTS (WDR) ORDER NO. 99-136; THE INN AT PASATIEMPO, 555 HWY 17, SANTA CRUZ, CA, 95060, WDID No. 3 440113001**

Based on self-monitoring data submitted by THE INN AT PASATIEMPO (hereafter 'Discharger') in April and May 2010, Central Coast Water Board (hereafter 'Water Board') staff recorded the following violations of WDR Order No. 99-136:

- Total Dissolved Solids (TDS) Daily Maximum limit is 600 mg/L and reported value was 1,500 mg/L on 4/28/2010. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 880754.
- Total Dissolved Solids (TDS) Daily Maximum limit is 600 mg/L and reported value was 1,100 mg/L on 5/27/2010. Recorded as CIWQS<sup>1</sup> Violation Sequence No. 880760.

Water Board staff recommends that the Discharger take immediate corrective action to address these violations and prevent them from continuing to occur. The above violations of WDR Order No. 99-136 subject the Discharger to further enforcement action pursuant to the California Water Code, including monetary penalties for each day of each violation. The Water Board reserves the right to take any enforcement action authorized by law.

If you have questions, please call **Cecile DeMartini** at (805) 542-4782 or [cdemartini@waterboards.ca.gov](mailto:cdemartini@waterboards.ca.gov), or Chris Adair at (805) 549-3761.

Sincerely,

for Michael J. Thomas  
Assistant Executive Officer

S:\WDR\WDR Facilities\Santa Cruz Co\Adventco Holding Corporation - The Inn at Pasatiempo\NOV\_InnatPasaTiempo April 2010-Jan 2011v3.doc

CIWQS Regulatory Measure ID 378657, Party ID 831, Place ID 263437

<sup>1</sup> The California Integrated Water Quality System (CIWQS) is a statewide database of compliance data. Further information is available at [http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/).

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD —  
CENTRAL COAST REGION

81 HIGUERA STREET, SUITE 200  
SAN LUIS OBISPO, CA 93401-5427  
(805) 549-3147



February 28, 1995

Certified Mail  
P 108 943 538

Mr. Richard Gregersen, President  
Adventco Holding Corporation  
2055 Summerside Drive, Suite 250  
San Jose, CA 95122

Dear Mr. Gregersen:

Enclosed is a copy of Cease and Desist Order No. 95-15 for Adventco Holding Corporation for the Inn at Pasatiempo, Santa Cruz County, which was adopted by this Board on February 10, 1995.

Sincerely,

CALIFORNIA REGIONAL WATER QUALITY  
CONTROL BOARD, CENTRAL COAST REGION

BY *Roger W. Briggs*  
ROGER W. BRIGGS  
Executive Officer

RWB:sg

ENCLOSURE

cc: Jennifer Soloway  
SWRCB-Office of the Chief Counsel  
901 P Street  
Sacramento, CA 95812-0100

sm12:95-15.tlt

3. Article Addressed to: Richard Gregersen, Adventco Holding 2055 Summerside Dr., Ste. 250 San Jose, CA 95122		4. Article Number P 108 943 538	
5. Signature — Addressee <input checked="" type="checkbox"/>		6. Always obtain signature of addressee for Agent and DATE DELIVERED.	
6. Signature — Agent <input checked="" type="checkbox"/>		7. Date of r.	
7. Date of r.		8. Addresser's Address (ONLY if requested and fee paid)	

Put your address in the "to" field. The return receipt will be sent to you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)

2.  Restricted Delivery (Extra charge)

3.  Insured

4.  COD

5.  Return Receipt for Merchandise

6.  Registered

7.  Certified

8.  Express Mail

9.  Registered

10.  Certified

11.  Express Mail

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100.  Certified

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

81 Higuera Street, Suite 200  
San Luis Obispo, California 93401-5427

**CEASE AND DESIST ORDER NO. 95-15**

**Order Requiring Adventco Holding Corporation,  
The Inn at Pasatiempo, Santa Cruz County,  
to Cease and Desist from  
Discharging Waste Contrary to Requirements  
Prescribed by the California Regional  
Water Quality Control Board, Central Coast Region**

The California Regional Water Quality Control Board,  
Central Coast Region (hereafter Board), finds that:

1. The Adventco Holding Corporation (hereafter Discharger) owns and operates The Inn at Pasatiempo (Inn). The Inn consists of a motel, restaurant, bar, swimming pool, and conference rooms. The Inn is located at 555 Highway 17, approximately one mile north of the City of Santa Cruz, as shown on Attachment "A" of this Order.
2. The Inn at Pasatiempo was referred to Board staff by the Santa Cruz County Environmental Health Services for issuance of waste discharge requirements because of recurring failure of the on-site treatment and disposal system.
3. The discharge consists primarily of domestic wastewater, combined with commercial wastewater from the restaurant.
4. The facility has two independent treatment/disposal systems. The first system serves the main building, which includes the restaurant, bar, and buildings A and B. This system consists of individual septic tanks, grease interceptors, an effluent pumping station, a distribution box, and eleven (11) subsurface drainlines, as shown on Attachment "B" of this Order. The second system serves building C and the cottages. This system consists of a large septic tank (7500 gallons), a 1500 gallon holding tank, an effluent pump, a distribution box, ten (10) subsurface drainlines, and an overflow drainline, as shown on Attachment "C" of this Order.
5. Wastewater flow generated by the Discharger varies seasonally. Peak flows of 10,000 gallons per day (gpd) are expected during one hundred percent occupancy. Average flows are reported as 5000 gpd. The design capacity of the property's system is rated for 12,000 gpd.
6. On March 11, 1994, the Board adopted Waste Discharge Requirements Order No. 94-30 for the discharge from the Inn at Pasatiempo.
7. Order No. 94-30 required the Discharger to submit a report within 60 days of adoption of the Order (May 11, 1994). The report discussed whether monitoring wells were needed or not and any supporting technical justification. Order No. 94-30 provided the Discharger with an option of submitting a proposal for connecting to the sewer in lieu of the monitoring well report. The Discharger did not submit the report by the May 11, 1994 due date.
8. In a letter dated August 9, 1994, Board staff requested the Discharger to submit the monitoring well report as required by Order No. 94-30.
9. On September 23, 1994, more than four months after the report due date, the Discharger submitted a proposal to connect

to the City of Santa Cruz sewer. This Order is needed to provide a definite time schedule for the Discharger to connect to the sewer.

10. On February 10, 1995, in the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, California, after due notice to the Discharger and interested persons, the Regional Board held a public hearing at which evidence was received concerning the status of this discharge and the proposed compliance schedule.
11. This enforcement action is being taken for the protection of the environment and as such is exempt from the provisions of the

California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15108, Chapter 3, Title 14, California Code of Regulations.

12. The public notice for consideration of this Order was published by the Santa Cruz Sentinel on November 15, 1994.

**IT IS HEREBY ORDERED, PURSUANT TO SECTION 13301 OF THE CALIFORNIA WATER CODE, THAT:**

1. The Adventco Holding Corporation shall cease and desist from discharging waste contrary to Order No. 94-30, according to the following time schedule:

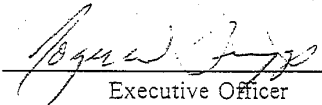
HOOK-UP TO THE CITY OF SANTA CRUZ SEWER SYSTEM

<u>Task</u>	<u>Completion Date</u>	<u>Report Due Date</u>
a. Complete sewer hook-up design	3/15/95	4/15/95
b. Complete Financing Plan	3/15/95	4/15/95
c. Submit plans to Development Review Group for conceptual approval of sewer connection and expansion.	5/01/95	5/30/95
d. Apply for sewer connection and Inn expansion.	7/15/95	8/15/95
e. Obtain approvals from County agencies for sewer expansion.	4/15/96	5/15/96
f. Complete compliance with California Environmental Quality Act	4/15/96	5/15/96
g. Obtain approval from the City and County of Santa Cruz, Local Agency Formation Commission, and Caltrans (if needed).	7/15/96	8/15/96
h. Submit application to County for financing	7/15/96	8/15/96
i. Secure financing	11/15/96	12/15/96
j. Start sewer construction	12/15/96	1/15/97
k. Complete Construction and Hook-up to the Sewer	4/30/97	5/30/97



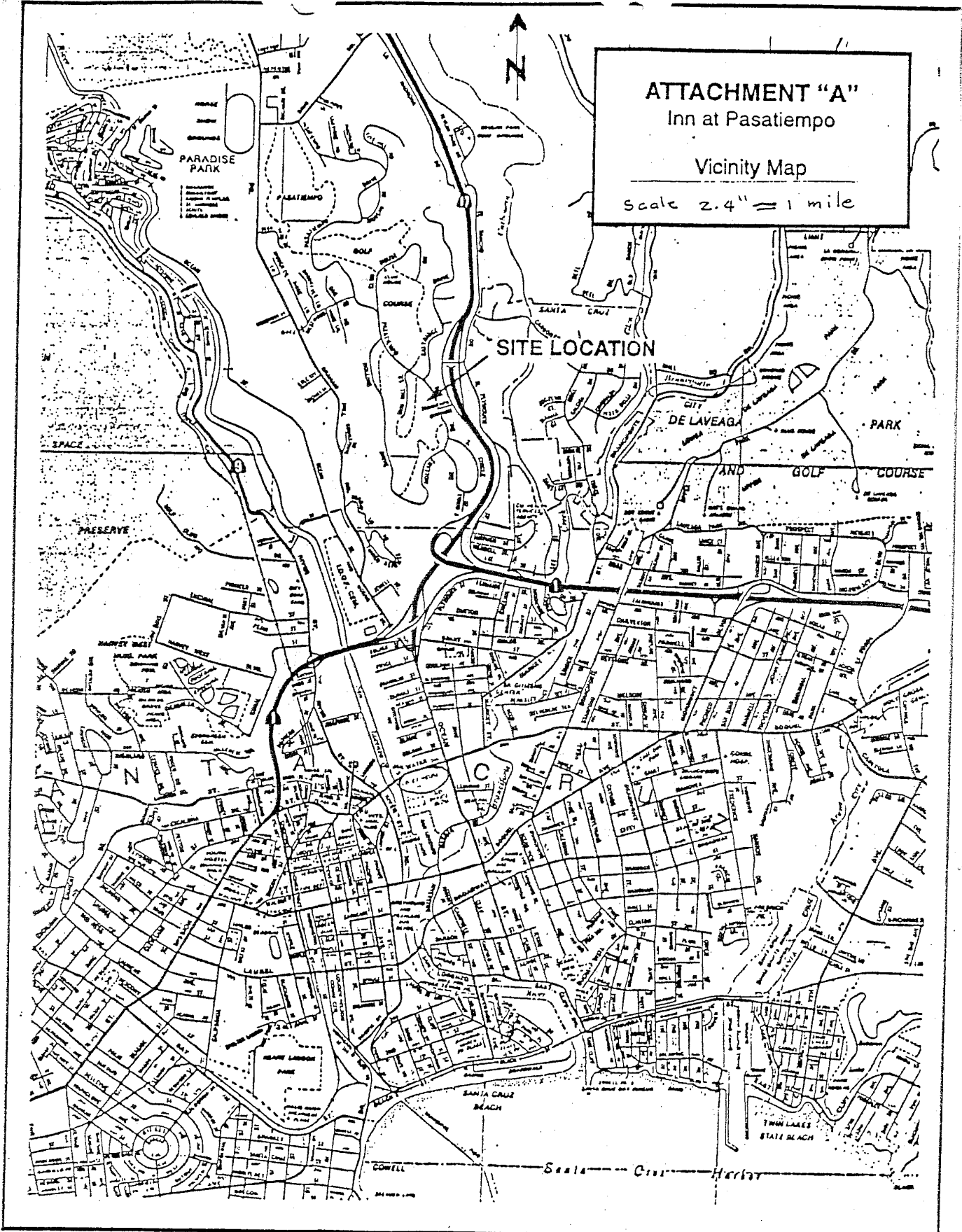
2. The Discharger shall submit periodic reports in accordance with the above time schedule. The reports shall explain the current status of the project relative to the time schedule. The reports shall be in sufficient detail to enable Regional Board staff to determine compliance and shall include, but not be limited to: a discussion of other regulatory permit requirements; financing; and, actual construction status, if appropriate. The Discharger shall provide at least a two-week notification of any anticipated non-compliance with any schedule. The notification shall include specific reason(s) for non-compliance and the date by which the Discharger expects to complete the task.
3. If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, including compliance with the above time limits, it shall constitute adequate grounds to initiate action for administrative civil liability pursuant to Section 13323, or to request the Attorney General to take appropriate enforcement action pursuant to Sections 13387 of the California Water Code.

I, **ROGER W. BRIGGS**, Executive Officer, do hereby the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 10, 1995.

  
Executive Officer

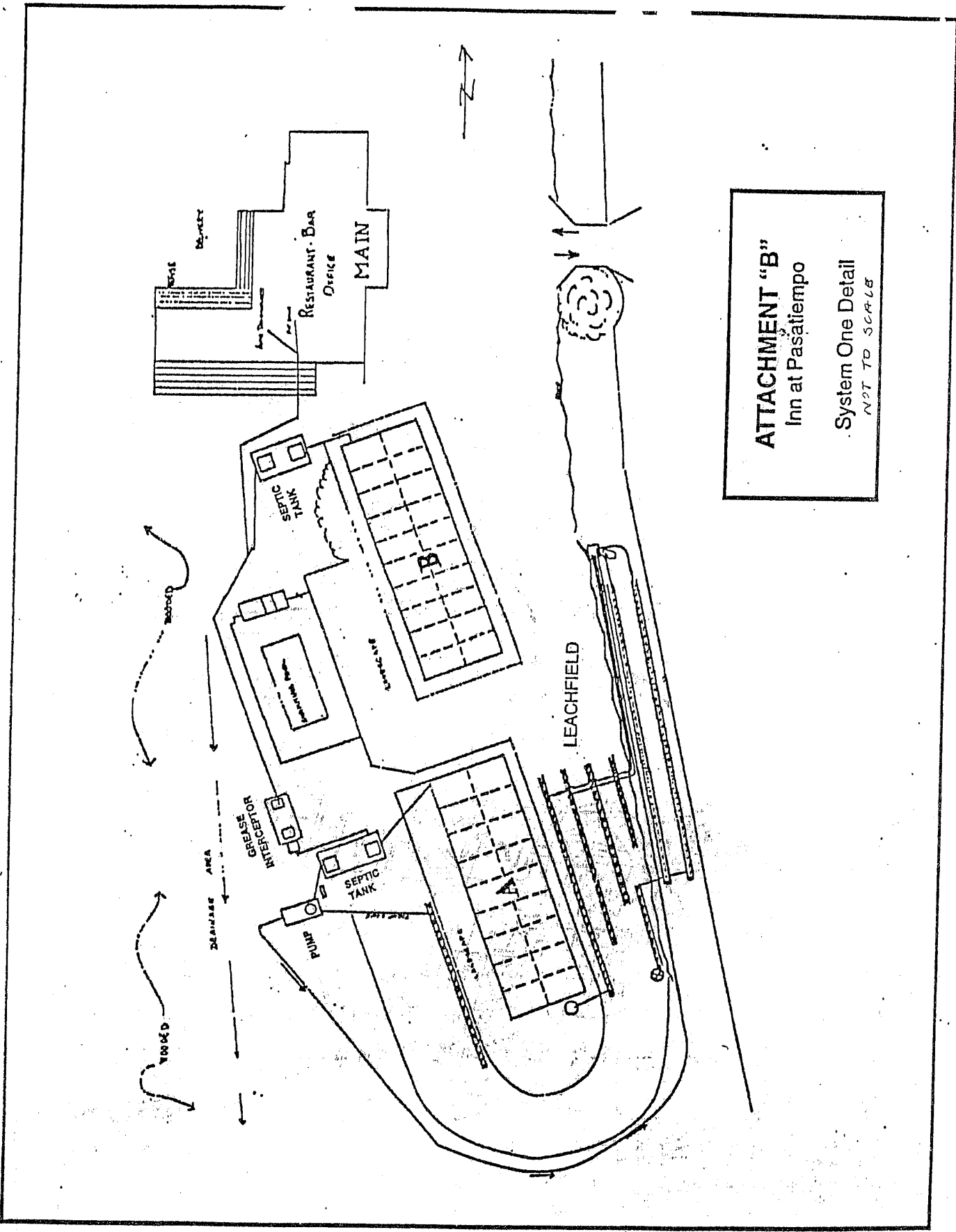
2-28-95  
Date

AJM/sm12:95-15.CDO



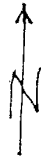
**ATTACHMENT "A"**  
 Inn at Pasatiempo  
 Vicinity Map  
 scale 2.4" = 1 mile

**SITE LOCATION**

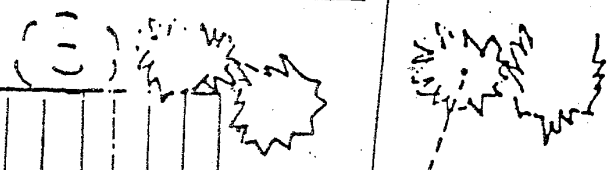
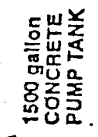
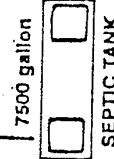
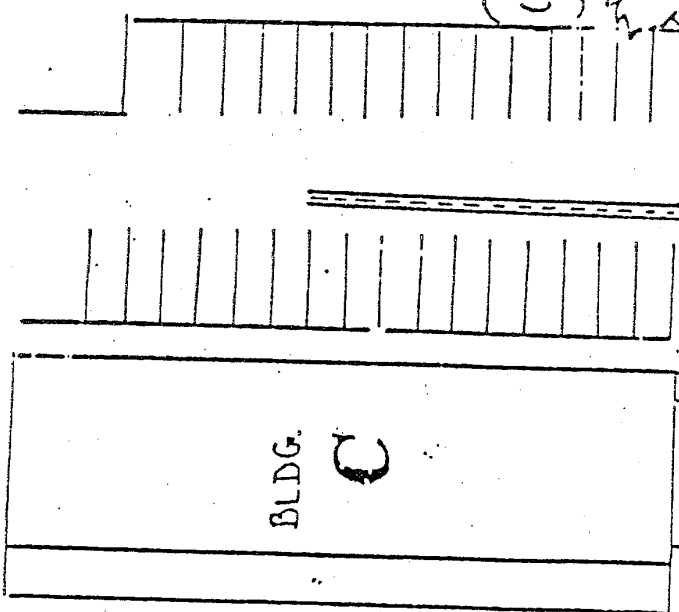
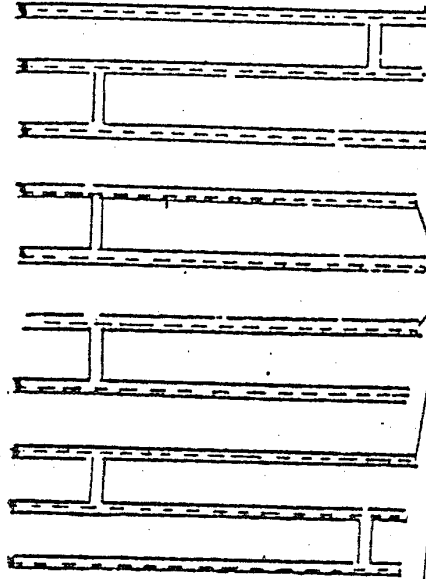


**ATTACHMENT "B"**  
 Inn at Pasatiempo  
 System One Detail  
*NOT TO SCALE*

**ATTACHMENT "C"**  
Inn at Pasatiempo  
System Two Detail  
NOT TO SCALE



LEACHFIELD



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD —  
CENTRAL COAST REGION87 HIGUERA STREET, SUITE 200  
SAN LUIS OBISPO, CA 93401-5427  
(805) 549-3147

February 28, 1995

Mr. Dick Gregersen, President  
Adventco Holding Corporation  
2055 Summerside Drive, Suite 250  
San Jose, CA 95122

Dear Mr. Gregersen:

THE INN AT PASATIEMPO, NOTICE OF VIOLATION, ORDER 94-30

The quarterly discharger self-monitoring reports for this facility due October 20, 1994, and January 20, 1995, have not been received. Please give this matter your immediate attention and submit the delinquent reports by March 31, 1995.

Please direct any questions regarding this letter or your monitoring requirements to Maura Mahon at (805) 542-4642.

Sincerely,

*Rodriguez E. Haganan*  
for ROGER W. BRIGGS  
Executive Officer

NOV/MPM:mm/Innpasa.ltr/20

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
81 Higuera Street, Suite 200  
San Luis Obispo, California 93401**

**CEASE AND DESIST ORDER NO. 99-131**

Waste Discharger Identification No. 3 440113001

**Order Requiring Adventco Holding Corporation, Pasatiempo Investments,  
Pasatiempo II Investments and Richard S. Gregersen, The Inn at Pasatiempo, Santa Cruz County,  
to Cease and Desist  
from Discharging Waste Contrary to Requirements  
Prescribed by the California Regional  
Water Quality Control Board, Central Coast Region**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Board), finds that:

1. A California limited partnership, Pasatiempo Investments (Pasatiempo I), owns an 88% interest in The Inn at Pasatiempo (The Inn). The General Partner of Pasatiempo Investments is Richard S. Gregersen. The remaining 12% interest in The Inn is owned by a California limited partnership Pasatiempo II Investments (Pasatiempo II).
2. On April 9, 1993, Mr. Gregersen filed a Report of Waste Discharge (ROWD) stating that the operator of The Inn was Adventco Holding Corporation (Adventco) and the owner was Pasatiempo II Investments. Based on that ROWD, waste discharge requirements were issued only to Pasatiempo II Investments and Adventco Holding Corporation. Adventco Holding Corporation was named as the Discharger.
3. Adventco, Pasatiempo I, Pasatiempo II, and Richard S. Gregersen (hereafter Dischargers) own and operate The Inn. The Inn consists of a motel, restaurant, bar, swimming pool, and conference rooms. The Inn is located at 555 Highway 17, approximately 1 mile north of the City of Santa Cruz, as shown on Attachment "A" of this Order.
4. The Inn was referred to Board staff by the Santa Cruz County Environmental Health Services for issuance of waste discharge requirements because of recurring failure of the onsite wastewater treatment and disposal system.
5. The discharge consists primarily of domestic wastewater, combined with commercial wastewater from the restaurant.
6. The facility has two independent treatment/disposal systems. The first system serves the main building, which includes the restaurant, bar, and buildings A and B. This system consists of individual septic tanks, grease interceptors, an effluent pumping station, a distribution box, and eleven (11) subsurface drainlines, as shown on Attachment "B" of this Order. The second system serves building C and the cottages. This system consists of a large septic tank (7500 gallons), a 1500-gallon holding tank, an effluent pump, a distribution box, ten (10) subsurface drainlines, and an overflow drainline, as shown on Attachment "C" of this Order.
7. Wastewater flow generated by the Dischargers varies seasonally. Peak flows of 10,000 gallons per day (gpd) are expected during one hundred percent occupancy. Average flows are reported as 5000 gpd. The design capacity of the property's system is rated for 12,000 gpd.
8. Dischargers have failed to connect to the city sewer in accordance with previous Board orders. It is not feasible for Dischargers to connect to the sewer within the next six months, however, connection to the sewer would be the most desirable method for managing wastewater from this facility.

9. The Regional Board issued The Inn waste discharge requirements Order No. 94-30 on March 11, 1994. Order No. 94-30 required Dischargers to install ground water monitoring wells or to submit a report within 60 days of adoption of the Order (May 11, 1994). The report was to demonstrate justification for not installing ground water monitoring wells. Order No. 94-30 authorized the Executive Officer to waive the monitoring well requirement if the report demonstrated ground water monitoring wells were not necessary. Order No. 94-30 also provided the Dischargers with an option of submitting a proposal for connecting to the Santa Cruz City sewer in lieu of the monitoring well report. That proposal was also due on May 11, 1994. In violation of WDR Order No. 94-30, the Dischargers failed to install ground water monitoring wells, failed to submit a report justifying waiver of the monitoring well requirement, and failed to submit a proposal with a time schedule to cease discharging by connecting to the sewer system by the May 11, 1994 deadline.
10. On August 9, 1994, a letter of non-compliance was sent to The Inn documenting failure to comply with Order 94-30. The letter of non-compliance required a response from The Inn by September 9, 1994. On September 23, 1994, The Inn sent a letter stating they were investigating connection to the City of Santa Cruz sewer system. To obtain all necessary approvals for sewer connection The Inn estimated it would take 30 months.
11. On February 10, 1995, the Regional Board issued The Inn Cease and Desist Order (CDO) No. 95-15 for failure to comply with Order No. 94-30 and to establish a schedule for The Inn to connect to the sewer system. The schedule contained in CDO No. 95-15 was developed with The Inn and other local agencies to ensure connection to the city sewer system in a timely manner. CDO No. 95-15 allowed The Inn from March 15, 1995, to May 30, 1997, to complete connection to the sewer connection.
12. On July 8, 1996, the Monitoring and Reporting Program in WDR Order No. 94-30 was amended to incorporate the requirements of CDO No. 95-15. The modified Monitoring and Reporting Program required Adventco to submit a report by April 30, 1997, confirming connection to the sewer and also required installation of ground water monitoring wells by that date if the discharger failed to connect to the sewer. To date the Inn has not connected to the City Sewer system nor has it installed ground water monitoring wells.
13. On June 26, 1997 and December 11, 1997, the Regional Board sent The Inn letters documenting non-compliance with revised Monitoring and Reporting Program (MRP) No. 94-30. The letters stated The Inn failed to submit a report detailing the installation of ground water monitoring wells or connect to the sewer system.
14. On August 25, 1998, The Inn was issued a Notice of Violation for failure to submit quarterly discharge self-monitoring reports.
15. On October 13, 1998, a letter of non-compliance with Order 94-30, CDO 95-15, and revised MRP 94-30 was sent to The Inn. The letter stated The Inn failed to submit a report detailing the installation of ground water monitoring wells or connect to the sewer system. The Inn was given until October 29, 1998, to respond, but failed to do so.
16. On April 9, 1999, Adventco was issued Administrative Civil Liability (ACL) Order No. 99-049 for failure to comply with reporting requirements Order No. 94-30. It was assessed \$500 for failure to submit complete quarterly discharge self-monitoring reports in a timely manner. The ACL fine was paid on April 13, 1999.
17. As of November 19, 1999, The Dischargers have not complied with WDR 94-30 or CDO 95-15. Specifically, the Dischargers have failed to install ground water monitoring wells or connect to the City of Santa Cruz wastewater collection system.
18. Resolution 95-04 amends the Central Coast Region Water Quality Control Plan, to incorporate the "Wastewater Management Plan

for the San Lorenzo River Watershed, County of San Cruz” and “San Lorenzo Nitrate Management Plan Phase II Final Report” by reference and requires individual onsite wastewater disposal systems to comply with both plans. Chapter 8 of the Nitrate Management Plan, Section 8.2.1, management measure 7, requires the Regional Board to require reduction of nitrogen in discharges in accordance with standards in the Nitrate Management Plan. These standards require a minimum of 50% reduction of nitrogen when discharges equal or exceed 2000 gallons per day.

19. This enforcement action is being taken for the protection of the environment and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15308, Chapter 3, Title 14, California Code of Regulations.
20. WDR Order No. 94-30 has been revised and adopted as WDR Order No. 99-136.

**IT IS HEREBY ORDERED, PURSUANT TO SECTION 13301 OF THE CALIFORNIA WATER CODE, THAT:**

1. The Dischargers shall cease and desist from discharging waste contrary to Order No. 99-136.
2. The Dischargers shall develop and implement a wastewater management plan approved by the Executive Officer for The Inn. The management plan shall be submitted to the Regional Board by January 14, 2000, and commence implementation by February 15, 2000. The wastewater management plan shall provide for improved management of waste generation, wastewater volume, wastewater collection and related matters with the goal of reducing wastewater volume, and system failures (e.g. Clogged lines, spills, and/or leaks). The management plan shall address all waste streams at The Inn.
3. The Dischargers shall comply with Resolution No. 95-04 by installing enhanced onsite

wastewater treatment or cease discharging by connecting to the City sewer system.

4. By April 14, 2000, the Dischargers shall meet the conditions of Resolution No. 95-04 that require nitrogen control measures that achieve at least 50 % reduction in nitrogen from wastewater discharged from onsite wastewater disposal systems.
5. The Dischargers shall comply with the timetable below for installation of enhanced onsite wastewater treatment system. Submittal of an engineering report addressing how The Inn will consistently comply with existing Waste Discharge Requirements and conditions of Resolution No. 95-04 is required by February 15, 2000.

INSTALL ENHANCED ONSITE WASTEWATER TREATMENT SYSTEM

<u>Task</u>	<u>Completion Due Date</u>	<u>Report Date</u>
a. Complete Wastewater Management Plan and evaluation of wastewater treatment options	1/14/00	2/15/00
b. Complete Construction and Installation of an enhanced onsite wastewater treatment system, or implement wastewater treatment measures acceptable to the Board and/or the Executive Officer	4/14/00	5/15/00
6. After the Dischargers install an enhanced onsite wastewater treatment system, Dischargers shall install groundwater monitoring wells by April 14, 2000, as approved by the Executive Officer or submit by January 14, 2000 a report demonstrating why monitoring wells are not necessary. If the Executive Officer determines		

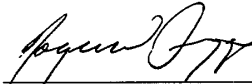


that monitoring wells are not necessary he may waive that requirement.

7. **If, in the opinion of the Executive Officer, the Dischargers fail to comply with the provisions of this Order, including compliance with the above time limits, it shall constitute adequate grounds to initiate action for administrative civil liability pursuant to Section 13323, to request the Attorney General to take appropriate enforcement action pursuant to Sections 13387 of the California Water Code.**

8. Adoption of this order does waive the Board's right to take any enforcement action authorized by law for previous violations of WDR Order No. 94-30, CDO 95-15 and any other order or directive of the RWQCB.

**I, Roger W. Briggs, Executive Officer,** do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 19, 1999.

  
\_\_\_\_\_  
Executive Officer

H:HEK/SLR/PERMITS/PASATIEMPO/99-131 CDO revised



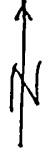


**ATTACHMENT "C"**

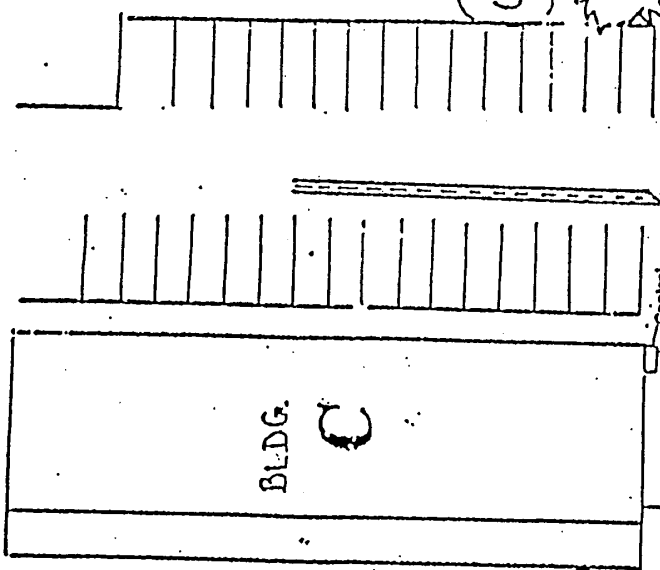
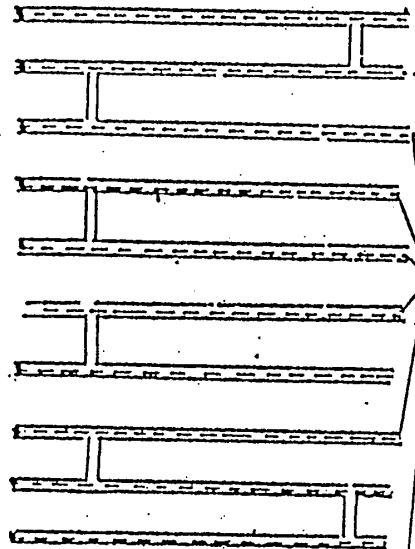
Inn at Pasatiempo

System Two Detail

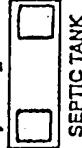
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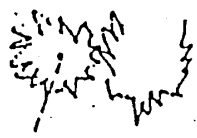
LEACHFIELD



7500 gallon



1500 gallon  
CONCRETE  
PUMP TANK



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
81 Higuera Street, Suite 200  
San Luis Obispo, CA 93401-5427**

**ADMINISTRATIVE CIVIL LIABILITY  
ORDER NO. 99-049**

**Issued To**

**The Inn at Pasatiempo, Adventco Holding Corporation  
555 Highway 17, Santa Cruz, CA 95060  
Santa Cruz County**

The California Regional Water Quality Control Board, Central Coast Region, finds that:

1. The Inn at Pasatiempo, Adventco Holding Corporation (hereafter The Inn at Pasatiempo) has violated an order of the Regional Water Quality Control Board, Central Coast Region (Regional Board), for which the Regional Board may impose civil liability under Section 13268 of the California Water Code.

at Pasatiempo and the report was subsequently received on December 10, 1998.
2. The Inn at Pasatiempo operates a hotel 555 Highway 17, Santa Cruz, CA 95060, Santa Cruz County, where it uses a septic system to dispose of wastewater.
3. Monitoring and Reporting Program No. 94-30, ordered pursuant to California Water Code Section 13267 by the Executive Officer on March 11, 1994, requires that The Inn at Pasatiempo submit monitoring reports quarterly. A regular monitoring report was due October 15, 1998.
4. The Inn at Pasatiempo violated California Water Code Section 13267 by failing to fulfill the requirements clearly stated in Monitoring and Reporting Program No. 94-30; specifically, The Inn at Pasatiempo has failed to submit quarterly monitoring reports. The Inn at Pasatiempo has been warned failure to submit monitoring reports is a violation of requirements. The most recent violation occurred when the Inn at Pasatiempo failed to submit a report due October 15, 1998. Board staff contacted Inn
5. The Executive Officer issued Administrative Civil Liability Complaint No. 99-045 on March 5, 1999, pursuant to Section 13323 of the California Water Code for violation of Water Code Section 13267. The complaint proposed imposing administrative civil liability in the amount of \$500.
6. A public hearing was held before the Regional Board on April 9, 1999, in San Luis Obispo, California. Representatives of The Inn at Pasatiempo were given an opportunity to be heard and to contest the allegations in Complaint 99-049 and imposition of civil liability by the Regional Board.

In considering the amount of civil liability imposed pursuant to Section 13268 of the California Water Code, the Regional Board considered the nature, circumstances, extent, and gravity of the violation, whether the discharge is susceptible to cleanup and abatement, the degree of toxicity of the discharge, and with respect to the violator, the ability to pay, the effect on its ability to continue in business, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic savings, if any, resulting from the

April 9, 1999

violation, and other matters justice may require. In determining the amount of civil liability, the Regional Board considered the "Worksheet for Assessment of Administrative Civil Liability." The Regional Board also considered all the arguments and evidence presented at the hearing on April 9, 1999, and all other evidence in the Regional Board record.

This enforcement action is taken for the protection of the environment and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) in accordance with sections 15307 and 15308, Title 14, California Code of Regulations.

**IT IS HEREBY ORDERED**, pursuant to Sections 13323 and 13268 of the California Water Code, that The Inn at Pasatiempo is assessed a total civil liability of \$500, based on consideration of statutory factors in Section 13327 of the California Water Code, to be paid as follows:

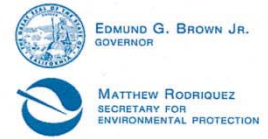
1. The sum of Five Hundred Dollars (\$500.00) to be paid to the Regional Water Quality Control Board by May 10, 1999. The check is to be made payable to the State Water Resources Control Board.

**I, Roger W. Briggs, Executive Officer**, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the Regional Water Quality Control Board on April 9, 1999.

  
 \_\_\_\_\_  
 Roger W. Briggs, Executive Officer

4-14-99  
 \_\_\_\_\_  
 Date

H:HEK/SLR/PERMITS/PASATIEMPO/99-045 ACL Order



**Central Coast Regional Water Quality Control Board**

March 5, 2014

Pasatiempo Investments  
Westwood LG Corporation  
Richard Gregersen  
200 S. Santa Cruz Ave, Ste 103  
Los Gatos, CA 95030

CERTIFIED MAIL  
7008 1140 0003 4708 9022

**WITHDRAWAL OF PROPOSED CEASE AND DESIST ORDER NO. R3-2014-0004**

**ISSUANCE OF WATER CODE SECTION 13267 ORDER FOR TECHNICAL REPORTS TO PASATIEMPO INVESTMENTS, ET AL.**

**YOU ARE LEGALLY OBLIGATED TO RESPOND TO THIS ORDER  
PLEASE READ THIS ORDER CAREFULLY**

After considering information obtained while following up on proposed Cease and Desist Order No. R3-2014-0004, scheduled for hearing March 7, 2014, the Central Coast Water Board Enforcement Staff has decided to rescind the proposed Order, without prejudice, provided that Pasatiempo Investments, Westwood LG Corporation, and Richard Gregersen (collectively "Pasatiempo") comply with the provisions of the Water Code Section 13267 Order set forth below and with the provisions of Time Schedule Order No. R3-2014-0028, dated March 5, 2014 (copy enclosed herewith).

Should Pasatiempo fail to comply with the provisions of the Section 13267 Order or the Time Schedule Order, the Central Coast Water Board reserves the right to take any other enforcement actions allowed by law for the violations described in Administrative Civil Liability Complaint No. R3-2014-0002 and any other violations.

**WATER CODE SECTION 13267 ORDER FOR TECHNICAL REPORTS ISSUED TO PASATIEMPO**

Section 13267 of the Water Code states, in part:

- (a) A regional board, in establishing or reviewing any water quality control plan or waste discharge requirements, or in connection with any action relating to any plan or requirement authorized by this division, may investigate the quality of any waters of the state within its region
- (b) (1) In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any

DR. JEAN-PIERRE WOLFF, CHAIR | KENNETH A. HARRIS JR., EXECUTIVE OFFICER

895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401 | [www.waterboards.ca.gov/centralcoast](http://www.waterboards.ca.gov/centralcoast)



citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

Pasatiempo has prepared a work plan with specific timelines for an assessment of the Pasatiempo facility and completion of recommended engineering and design fixes, modifications, and/or upgrades. The work plan, entitled "Preliminary Assessment, Proposed Work Plan and Proposed Schedule for Wastewater System Evaluation, Pasatiempo Inn, Santa Cruz, California," dated February 4, 2014, is attached hereto and incorporated by reference. This Order requires technical reports to demonstrate Pasatiempo's compliance with the work plan.

The technical reports required by this Order are necessary to determine Pasatiempo's compliance with the terms of WDR Order No. 99-136, which governs the facility.

Section 13268 of the Water Code states, in part:

(a) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of Section 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of Section 13399.2, or falsifying and information provided therein, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).

\*\*\*

(b)(1) Civil liability may be administratively imposed by a regional board in accordance with Article 2.5 (commencing with section 13323) of Chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

Pursuant to Water Code section 13267, the Central Coast Water Board hereby requires Pasatiempo to submit technical reports to this office as follows. The requirement to submit reports 5 through 8 does not apply if Pasatiempo elects to hook up to the City of Santa Cruz sewer system.

Technical Report	Deadline for Report Submittal
1. Report documenting that Pasatiempo repaired septic tank lids for vector control by March 28, 2014	April 11, 2014
2. Report documenting that Pasatiempo finalized local agency permits documenting completion of the kitchen remodel by July 1, 2014.	July 13, 2014
3. Report documenting the results of Pasatiempo's five-month evaluation and testing period, including conclusions and recommended modifications and upgrades, as indicated in the work plan.	August 15, 2014
4. Report documenting Pasatiempo's evaluation of the	August 15, 2014



feasibility of hooking up to the City of Santa Cruz wastewater treatment plant, including Pasatiempo's decision on whether to proceed with hookup vs. onsite treatment.	
5. Engineering design plans and specifications, as indicated in the work plan.	January 16, 2015
6. Operation and maintenance plan, as indicated in the work plan.	February 20, 2015
7. Report of Waste Discharge.	March 15, 2015
8. Report documenting completion of construction.	July 15, 2015
9. Report documenting installation of groundwater monitoring wells.	August 15, 2015

Please be aware that under Water Code section 13268, the Water Board may impose administrative civil liabilities of up to \$1,000 per day for failure to comply with this Order for a technical report.

Please contact Cecile Demartini at [cecile.demartini@waterboards.ca.gov](mailto:cecile.demartini@waterboards.ca.gov) or 805-542-4782 with any questions.

Sincerely,



Michael J. Thomas  
Assistant Executive Officer

cc: Andrew Tauriainen, Office of Enforcement, [Andrew.tauriainen@waterboards.ca.gov](mailto:Andrew.tauriainen@waterboards.ca.gov)  
Tracy Egoscue, Counsel for Pasatiempo, [Tracy@egoscuelaw.com](mailto:Tracy@egoscuelaw.com)  
Enforcement Staff  
Advisory Team  
Brent Gregersen  
Jeff Gregersen

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ECM CW-263437

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906**

**TIME SCHEDULE ORDER NO. R3-2014-0028**

**REQUIRING  
PASATIEMPO INVESTMENTS, RICHARD S. GREGERSEN, AND WESTWOOD LG  
CORPORATION  
TO COMPLY WITH REQUIREMENTS PRESCRIBED IN AN ORDER ISSUED  
PURSUANT TO WATER CODE SECTION 13267**

**THE INN AT PASATIEMPO  
555 HIGHWAY 17, SANTA CRUZ**

**SANTA CRUZ COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds that:

1. Pasatiempo Investments, Westwood LG Corporation, and Richard S. Gregersen (collectively Pasatiempo or Dischargers) own and/or operate the Inn at Pasatiempo (the Inn or Facility) and collect, treat, and dispose of domestic wastewater at two independent treatment and disposal facilities at the Inn. The Inn consists of a motel, conference rooms, and restaurant.
2. The Dischargers own and operate the domestic wastewater collection, treatment and disposal systems at 555 Highway 17, Santa Cruz, Santa Cruz County, in the San Lorenzo River watershed.
3. The Central Coast Water Board regulates the Facility by Waste Discharge Requirements Order No. 99-136, adopted by the Board on November 19, 1999. Order No. 99-136 permits the discharge of wastewater to two independent on-site treatment and disposal facilities.
4. The first of the two systems serves the main building, which includes the restaurant and bar and two out buildings (buildings A/B). This system consists of a Fixed Activated Sludge Treatment (FAST) wastewater treatment system containing two individual septic tanks, grease interceptors, the FAST system, an effluent pumping station, a distribution box, and eleven subsurface drain lines. The second system is a septic system and serves a third out building (building C). This system consists of a large septic tank (7500 gallons), a 1500-gallon holding tank, an effluent pump, a distribution box, ten subsurface drain lines, and an overflow drain line. Peak flows of 10,000 gallons per day (gpd)

are expected during one hundred percent occupancy. The design capacity of the Facility's system is rated at 12,000 gpd.

5. The *Water Quality Control Plan for the Central Coastal Basin* (Basin Plan) designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan, including the San Lorenzo River.
6. The "Wastewater Management Plan for the San Lorenzo River Watershed, County of Santa Cruz" was adopted by the Santa Cruz County Board of Supervisors and approved by the Central Coast Water Board on April 5, 1995, in Resolution 95-04, an amendment to the Basin Plan. This wastewater management plan requires a minimum of 50% reduction of nitrogen in effluent from onsite disposal systems for discharges equal to or exceeding 2000 gallons per day. Order No. 99-136, Discharge Specification B.3, requires the reduction of total nitrogen by at least 50% prior to subsurface disposal.
7. Order No. 99-136, Discharge Specification B.2, establishes an effluent Total Dissolved Solids (TDS) concentration limit of 600 mg/L.
8. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent chloride concentration limit of 125 mg/L.
9. Order No. 99-136, Discharge Specification No. B.2, establishes an effluent sodium concentration limit of 125 mg/L.
10. Order No. 99-136, Discharge Specification No. B.1, establishes daily flow averaged over each month shall not exceed 12,000 gallons.
11. Between 2001 and 2012, the Dischargers received nine notices of violation. In 1999, the Dischargers paid administrative civil liability for late and incomplete monitoring reports. The Dischargers also received two cease and desist orders in 1995 and again in 1999. The 1995 cease and desist order established a schedule to connect to the City of Santa Cruz wastewater treatment plant. The 1999 cease and desist order recognized the failure of the Dischargers to hook up to the City's sewer system and established a time schedule to install the enhanced onsite wastewater treatment system and groundwater monitoring wells. The Dischargers responded to the 1999 cease and desist order by installing the existing FAST system in January of 2001. Groundwater monitoring wells were never installed.
12. The Discharger developed a workplan and schedule to bring the Facility into compliance with Order No. 99-136. That document, entitled "Preliminary Assessment, Proposed Work Plan and Proposed Schedule for Wastewater System Evaluation, Pasatiempo Inn, Santa Cruz, California," dated February 4,

2014, is attached hereto and incorporated by reference. This Order requires technical reports to demonstrate Dischargers' compliance with the work plan.

13. On November 7, 2013, the Central Coast Water Board Enforcement Staff (Enforcement Staff) issued proposed Cease and Desist Order No. R3-2014-0004 (CDO) alleging that Pasatiempo is violating certain terms of Order No. 99-136, including certain discharge limits and reporting requirements in its operation of the FAST system. Hearing on the proposed CDO is scheduled for March 7, 2014.
14. On March 5, 2014, Enforcement Staff rescinded the proposed CDO and issued an order pursuant to California Water Code section 13267 directing Pasatiempo to provide technical reports regarding the assessment of and improvements to the FAST system. The technical reports are necessary to determine compliance with the terms of the WDR Order 99-136.
15. Although the Central Coast Water Board does not direct Pasatiempo to implement any specific management practices, Pasatiempo has indicated that it anticipates that it will prepare a work plan and timeline for improvements to the FAST system.
16. Enforcement Staff believes that this resolution is fair and reasonable, is in the public interest, and comports with the State Water Resources Control Board's Water Quality Enforcement Policy (Enforcement Policy).

## **REGULATORY CONSIDERATIONS**

17. Water Code section 13308 states, in relevant part, "[i]f the regional board determines there is a threatened or continuing violation of any ..... any order issued under Section 13267 or 13383, the regional board may issue an order establishing a time schedule and prescribing a civil penalty which shall become due if compliance is not achieved in accordance with that time schedule.
18. Water Code section 13308 subdivision (b) states that "[t]he amount of the civil penalty shall be based upon the amount reasonably necessary to achieve compliance, and may not include any amount intended to punish or redress previous violations. The amount of the penalty may not exceed ten thousand dollars (\$10,000) for each day in which the violation occurs."
19. As a result of the events discussed in this Order, the Central Coast Water Board finds there is a threatened or continuing violation of an order issued under Water Code section 13267.
20. The penalties provided under Water Code section 13308, subdivision (b), are specified below for the tasks required to achieve accelerated compliance with

the tasks and facility improvements required by the 13267 Order. The specified penalties are based on Central Coast Water Board staff estimates of costs of compliance with each milestone. The stipulated penalty amounts are not intended to punish nor redress previous violations.

21. The issuance of this Order is an enforcement action by a regulatory agency and is exempt from provisions of the California Environmental Quality Act, pursuant to Section 15321 subdivision (a)(2), Title 14, California Code of Regulations.
22. The Central Coast Water Board has delegated to the Executive Officer all delegable actions, including the authority to issue and modify time schedule orders.

**IT IS HEREBY ORDERED**, pursuant to sections 13308 and 13267 of the Water Code and all applicable laws, that:

1. Pasatiempo, its agents, successors, and assigns shall, in accordance with the following tasks, provide technical reports and required information to the Enforcement Staff pursuant to the time schedule described below in Table 1. The time schedule applies to all buildings at the Inn at Pasatiempo.

**Table 1 – Time Schedule**

Technical Report	Deadline for Completion	Future Penalty for Non-Compliance
1. Report documenting that Pasatiempo repaired septic tank lids for vector control by March 28, 2014	April 11, 2014	
2. Report documenting that Pasatiempo finalized local agency permits documenting completion of the kitchen remodel by July 1, 2014.	July 13, 2014	
3. Report documenting the results of Pasatiempo's five-month evaluation and testing period, including conclusions and recommended modifications and upgrades, as indicated in the work plan.	August 15, 2014	\$2,750
4. Report documenting Pasatiempo's evaluation of the feasibility of hooking up to the City of Santa Cruz wastewater treatment plant, including Pasatiempo's decision on whether to proceed with hookup vs. onsite treatment.	August 15, 2014	

5. Engineering design plans and specifications, as indicated in the work plan.	January 16, 2015	\$11,000
6. Operation and maintenance plan, as indicated in the work plan.	February 20, 2015	\$2,750
7. Report of Waste Discharge.	March 15, 2015	\$2,750
8. Report documenting completion of construction.	July 15, 2015	\$165,000
9. Report documenting installation of groundwater monitoring wells.	August 15, 2015	

2. All technical reports required herein that involve planning, investigation, evaluation, design, or other work requiring the proper application of engineering or geologic sciences, shall be prepared by, or under the supervision of, a California Registered Engineer or Registered Geologist (as applicable) pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1, and shall be signed by a registered professional.

Any person signing a document submitted under this Order shall make the following certification:

*"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."*

3. In accordance with Water Code section 13308 subdivision (c), if the Enforcement Staff determines that the Discharger has failed to comply with the Order, the Central Coast Water Board may impose the stipulated penalty amount described above in Table 1 of this Order administratively in accordance with Article 2.5 (commencing with Section 13323).
4. In the event that compliance with any deadline set forth in the Order becomes impossible, despite the timely good faith efforts of Pasatiempo, due to circumstances beyond the control of Pasatiempo or its agents, employees, contractors, consultants and any other person acting on Pasatiempo's behalf, and which could not have been reasonably foreseen and prevented or minimized by the exercise of due diligence by Pasatiempo, Pasatiempo shall notify the Enforcement Staff in writing within thirty (30) days of the date that Pasatiempo first knew of the event or circumstance that caused or would cause a violation this Order. The notice shall describe the reason for the nonperformance and specifically refer to this Paragraph. The notice shall describe the anticipated length of time the delay may persist, the cause or causes of the delay, the

measures taken or to be taken by the to prevent or minimize the delay, the schedule by which the measures will be implemented, and the anticipated date of compliance. Pasatiempo shall take all reasonable measures to avoid and minimize such delays. The determination as to whether the circumstances were beyond the reasonable control of Pasatiempo and its agents will be made by the Enforcement Staff. Where the Enforcement Staff concurs that compliance was or is impossible, despite the timely good faith efforts of Pasatiempo, due to circumstances beyond the control of Pasatiempo that could not have been reasonably foreseen and prevented by the exercise of reasonable diligence by Pasatiempo, a new final compliance deadline shall be established. Where the Enforcement Staff does not concur that compliance was or is impossible, the matter will be scheduled for hearing before the Central Coast Water Board and no penalty imposed unless the Central Coast Water Board upholds the Enforcement Staff's determination.

Any person aggrieved by this action of the Central Coast Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filling petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/)


or will be provided upon request.

**IT IS SO ORDERED.**

By:

  
MICHAEL J. THOMAS, Assistant Executive Officer

Date:





## FALL CREEK ENGINEERING, INC.

*Civil • Environmental • Water Resource Engineering and Sciences*

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Tel. (831) 426-9054

P.O. Box 7894, Santa Cruz, CA 95061

February 4, 2014

Jeff Gregersen  
555 Highway 17  
Santa Cruz, CA 95060

**Subject: Preliminary Assessment, Proposed Work Plan and Proposed  
Schedule  
for Wastewater System Evaluation, Pasatiempo Inn, Santa Cruz,  
California**

Dear Jeff:

Fall Creek Engineering, Inc. (FCE) is pleased to present our initial assessment and work plan for a thorough evaluation of the enhanced wastewater treatment system installed at the Pasatiempo Inn. This initial assessment and proposed work plan is based on information obtained during the FCE inspection of the wastewater treatment system conducted on January 20, 2014. The proposed work plan letter includes:

1. A proposed plan for conducting a more thorough evaluation of the wastewater treatment system to determine what fixes, modifications, and/or upgrades to the system may be required in order to meet the California Regional Water Quality Control Board, Central Coast Region's (Regional Board) nitrogen reduction requirements;
2. A timeline for the completion of recommended engineering and design fixes, modifications, and/or upgrades;
3. A construction schedule if significant construction will be required; and
4. A cost estimate for completion of required fixes, modifications, and/or upgrades to the system.

### **1. Initial Assessment and Site Inspection**

On January 20, 2014, FCE's service staff conducted a thorough investigation of the wastewater treatment system at Pasatiempo Inn. FCE service staff



encountered several problems with the wastewater treatment system during the site visit, including:

- a. There are two pumps #1 and #2 that pump water to the Fast treatment system from the equalization (EQ) tank. Pump #1 had a slip joint that popped off causing water to be pumped back into the EQ tank and not into the Fast System (this has been repaired).
- b. The bio-tube vaults were loose and not effectively removing solids in the raw wastewater entering the EQ tank (this has been repaired).
- c. The recirculation pump system was not operating, so water is not be recirculated through the system (this is currently being investigated).
- d. The air filter on the FAST blower was clogged and restricted the airflow to the treatment system and the clogged filter may have damaged the blower. FCE will conduct a more thorough assessment of the condition of the blower in the next few weeks (the air filter has been cleaned and the blower is being monitored).

The problems encountered adversely affect the performance of the wastewater treatment system. The Inn has retained Acqualogic, Inc. a wastewater service company, to fix the problems encountered as noted above and to conduct ongoing maintenance of the wastewater treatment system. See Attachment A for a copy of the signed agreement.

## **2. Additional System Evaluation**

FCE proposes to conduct a second thorough evaluation of the FAST system operating at Pasatiempo Inn to better understand the performance of the system under different flow and wastewater loading conditions. The FAST system was installed to treat domestic and commercial strength wastewater produced by the restaurant and the guest units maintained at the property.

It is important that the wastewater treatment system is operating properly before a comprehensive evaluation is performed. Any maintenance issues will be resolved before initiating the testing program. During this phase of the evaluation, Acqualogic will complete the following basic activities:

- Measure sludge buildup in all septic tanks; and
- Test all pumps and floats to determine if each are working properly.

Acqualogic will pump any excessive sludge buildup found and repair any pumps or floats as needed.

Pasatiempo Inn's 2012 and 2013 quarterly monitoring reports, reviewed by FCE, indicate that the wastewater treatment system's performance is quite variable. The sampling locations and parameters tested for do not provide a complete picture of the amount (flow volume) and type of wastewater entering the FAST system. For example, Pasatiempo Inn appears to be testing wastewater for influent oil and grease from buildings A and B, which are guest units; as opposed to testing from the kitchen, which would typically have higher levels of oil and grease. FCE recommends collecting oil and grease samples from the sewer line exiting from the kitchen or from a combination of flows from the guest units and kitchen.

Variable flow conditions at a site affect a FAST system's performance. Daily flow measurements are important to understand flow conditions at a site and how they may affect the FAST system. Pasatiempo Inn started monitoring flows on a daily basis in November 2013. Previous to that monitoring reports only cite historical flow measurements.

Biochemical oxygen demand (BOD) and total suspended solids (TSS) are basic parameters that must be tested to evaluate the performance of the wastewater treatment system. The reduction of BOD is critical to reducing nitrogen in the system. A significant population of nitrifying bacteria will not likely establish itself in the system if BOD is not adequately removed from wastewater. Both influent and effluent BOD and TSS must be tested to evaluate the performance

of the FAST system. Currently, Pasatiempo Inn only tests for effluent BOD and TSS.

Pasatiempo Inn currently adds three (3) pounds of baking soda into the treatment system each day; this is apparently done to increase the alkalinity of the wastewater. FCE assumes that this additional alkalinity is being added to aid in the nitrification of the wastewater; however, the test results included in the quarterly report does not indicate the system is providing any significant nitrification. In addition, adding the baking soda may be increasing effluent total dissolved salts (TDS) concentrations and may not be necessary as the natural alkalinity of the water may be sufficient to support nitrifying bacteria. The monitoring program should include alkalinity testing to assess if it is a potential limiting factor affecting the performance of the treatment system.

FCE recommends coordinating with Water Board staff to revise the monitoring and reporting program to better determine how the system operates under varying flow conditions in order to properly evaluate the performance of the wastewater treatment system. The revised monitoring program will include recording daily flow measurements and collecting influent and effluent samples from the FAST system under varying conditions (i.e. occupancy levels) and times (weekday versus weekend) to assess how the system performs during various conditions.

In order to conduct a comprehensive evaluation of a system, it is better to collect samples frequently over a short period of time as opposed to collecting samples infrequently over a long period of time. Therefore, FCE recommends collecting grab samples a few times per week over a few weeks to evaluate the conditions under varying occupancy and flow periods.

FCE has been informed that the Pasatiempo Inn's kitchen is being remodeled and will not be operating for another three (3) to four (4) months because the owners are waiting for building permits to be issued from the County of Santa Cruz. Because the kitchen's wastewater stream will likely contain higher levels of organic material, oils and grease, a full evaluation of the system will not be possible until the kitchen is again operating.

FCE proposes to conduct a five-month, intensive monitoring program to evaluate the wastewater treatment system. The program is summarized in Table 1. The program will include recording daily flows of effluent pumped to the existing leachfields, weekly sampling and testing for BOD and TSS, semi-weekly sampling and testing for other parameters in February, and reducing the last suite of tests to monthly during March. Once the kitchen and restaurant are placed back in service, FCE proposes a more aggressive testing period in April to evaluate the system under total loading conditions. This proposed monitoring program would provide sufficient information to properly characterize wastewater, flow conditions, and the performance of the wastewater treatment system. FCE will also fulfill all monitoring and reporting required by the Regional Board's Monitoring and Reporting Program No. 99-136. Total nitrogen reduction is to be calculated and reported for each wastewater treatment system individually and not on a site-wide basis as has been previously reported in the quarterly reports.

Table 1. Proposed Wastewater Treatment System Testing Program

Parameter	March		April		May*		June*		July	
	Influent	Effluent	Influent	Effluent	Influent	Effluent	Influent	Effluent	Influent	Effluent
Flow	--	Daily	--	Daily	--	Daily	--	Daily	--	Daily
Temperature	--	Weekly	--	Weekly	--	Weekly	--	Weekly	--	Weekly
BOD	Weekly	Weekly	Twice Monthly	Twice Monthly	Weekly	Weekly	Weekly	Weekly	Twice Monthly	Twice Monthly
TSS										
Ammonia-N	Twice Monthly	Twice Monthly	Monthly	Monthly	Weekly	Weekly	Weekly	Weekly	Twice Monthly	Twice Monthly
TKN-N										
Nitrate-N										
Total Nitrogen										
Alkalinity										
pH										
O&G										
<b>Notes:</b>										
* - FCE assumes that the kitchen/restaurant will be in full operation in May or June 2014										

FCE will collect and transport samples to a state certified laboratory for analysis.

During the five-month testing period, FCE will review the data collected on an ongoing basis to evaluate the performance of the system and will adjust the operation and maintenance of the system in accordance with data results and the Regional Board's requirements. FCE will ensure that the frequency and type of testing provides the information necessary to complete the assessment. If needed, FCE may make minor adjustments to the proposed monitoring program, while noting any such changes in the assessment report.

Once the evaluation study is completed, FCE will prepare a letter report that discusses the test results and provides conclusions and recommended modifications or upgrades to the system, which includes treatment of Building A,B, C and D wastewater, to meet the Regional Board's total nitrogen requirements.

### **3. Engineering Design and Permitting Schedule**

**Engineering and Operation and Maintenance Plan.** In the event the system cannot be operated to meet the Regional Board's requirements, FCE recommends that the system be modified or upgraded to improve the performance of the system. Engineering design plans and specifications, and an operation and maintenance plan would be prepared for the recommended improvements. FCE has prepared a schedule for this work, which is presented in Figure 1.

The Inn at Pasatiempo will properly operate and maintain the wastewater treatment system(s) at all times. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staff and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. Proper operation and maintenance will be described in an Operation and Maintenance Manual.

The Inn at Pasatiempo will retain Acqualogic or other similarly qualified professional to operate and maintain any new or modified wastewater treatment system for a minimum of two years to ensure the system operates as designed.

In the event the system is no longer needed, this requirement will no longer be valid.

**Report of Waste Discharge.** Pasatiempo Inn would likely need to submit a Report of Waste Discharge (ROWD) to the Regional Board to request a revision to the existing waste discharge requirements if the wastewater treatment system is significantly modified or upgraded. The ROWD would include a description of the existing system, proposed modifications and supporting information demonstrating the efficacy of the system modifications or upgrades. The ROWD may also contain a proposed monitoring and reporting program for the modified or upgraded system, as long as the requirements of Monitoring and Reporting Program No. 99-136 are met. FCE has prepared a schedule for the preparation of the ROWD.

#### 4. Vector Control

The Inn at Pasatiempo received a February 10, 2014 letter from the County of Santa Cruz Mosquito and Vector Control CSA 53 requiring the Inn at Pasatiempo to repair septic vault lids so that they exclude and do not allow mosquito breeding. On December 5, 2013, the Regional Board adopted resolution R3-2013-0052, Updating Standard Provision and Reporting Requirements for Waste Discharge Requirements. Provision A.10 states, "The discharger shall prevent formation of habitat for carriers of pathogenic microorganisms in any part of the treatment and disposal system." The Inn at Pasatiempo will comply with these aforementioned requirements and repair the septic tank lids by March 28, 2014.

#### 5. Schedule

FCE prepared a construction schedule and cost estimate if the wastewater treatment assessment indicates the need for a wastewater treatment system

modification or upgrade. This work plan recommends the installation of a small three-stage trickling filter system to replace the FAST treatment system if deemed necessary. It will treat wastewater from the entire facility, including Building C wastewater. The existing EQ tank and possibly the FAST treatment system would remain in place. Based on the limited amount of accurate flow information available, FCE assumes that the system will treat up to 5,000 gallons per day. Actual treatment design flow will be determined based on the system evaluation.

**Schedule.** The construction schedule assumes that a major upgrade would be undertaken; however, the results of the assessment may find that the existing system is able to meet the requirements with a less significant upgrade. The schedule for completing this work, in Figure 1, indicates that the entire process will take approximately eleven (11) months. However, the work could last one (1) year even if the permitting process is not extended beyond sixty (60) days. Progress reports will be included in the quarterly monitoring reports submitted to the Regional Board.

Figure 1. Schedule to Upgrade Pasatiempo Wastewater Treatment System

Task	Days	Days to Complete	Month													
			1	2	3	4	5	6	7	8	9	10	11	12		
Engineering Design Plans and Specifications	90	90	■	■	■											
Operation and Maintenance Plan	30	120				■										
Prepare Report of Waste Discharge	30	150					■									
Review and Approval from Regional Board	90	240						■	■	■	■					
System Construction and Start Up	90	330											■	■	■	

Thank you for the opportunity to assist with the assessment and development of a work plan for your wastewater treatment system at Pasatiempo Inn. Please contact me if you have any questions or require any additional information.

Sincerely,

PETER HAASE, M.S., P.E.  
Principal Engineer