
California Regional Water Quality Control Board, San Diego Region

Via Email Only

September 4, 2012

Mr. Brian Benjamin
Chief Plant Operator
Encina Wastewater Authority
6200 Avenida Encinas
Carlsbad, CA 92011-1095
brian@encinajpa.com

In reply refer to / attn:
Place ID 222754:JLLim

SUBJECT: Violations of Order No. R9-2011-0019, NPDES No. CA0107395, Encina Ocean Outfall

Mr. Benjamin:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has noted the following violations in the November 2011 monthly self-monitoring report (SMR) and in the January 2012, February 2012, and June 2012 monthly electronic SMRs (eSMRs) submitted through the California Integrated Water Quality System (CIWQS):

1. The Monitoring and Reporting Program of Order No. R9-2011-0019 requires a monitoring frequency of five days per week for total suspended solids (TSS) at Monitoring Location M-002. For the week of November 6-12 and 13-19, 2011, at Monitoring Location M-002, only three monitoring results were provided for TSS (November 2011 SMR).
2. The Monitoring and Reporting Program of Order No. R9-2011-0019 requires a monitoring frequency of three days per week for Carbonaceous Biochemical Oxygen Demand (CBOD) at Monitoring Location M-001 and M-002. For the week of January 15-21, 2012, at Monitoring Location M-001 and M-002, only two monitoring results were provided for CBOD (January eSMR).
3. The following unauthorized discharges are in violation of Discharge Prohibition III.A of Order No. R9-2011-0019:
 - a. On February 29, 2012, 3000 gallons of chlorinated secondary treated wastewater spilled from an irrigation line at the Encina Wastewater Pollution Control Facility (EWPCF), of which 2600 gallons was recovered and 400 gallons entered the Encinitas Creek Flood control channel dividing the North and South portion of EWPCF (February eSMR).

- b. On May 19, 2012, 450 gallons of chlorinated secondary treated wastewater spilled from an irrigation line at the EWPCF and entered the Encinitas Creek Flood control channel dividing the North and South portion of EWPCF (June eSMR).

Please take steps to ensure that the violations noted above do not occur in the future. Pursuant to the California Water Code (CWC), the violations noted are subject to additional enforcement action(s) by the San Diego Water Board including a time schedule order, cease and desist order, cleanup and abatement order, imposition of administrative civil liability, referral to the district attorney for criminal prosecution, or referral to the attorney general. Administrative civil liability amounts that may be imposed by the San Diego Water Board under authority of CWC Section 13385 include up to \$10,000 per day or up to \$10 per gallon for each gallon of waste discharged.

In the subject line of any response, please include the reference "Place ID 222754:JLLim. For questions or comments, please contact Joann Lim by phone at 858-637-5589 or by email at jllim@waterboards.ca.gov.

Respectfully,

Robert W. Morris
Senior WRC Engineer

RWM: jll

Tech Staff Info & Use	
Order No.	R9-2011-0019
Party ID	14804 (Encina Wastewater Authority)
File No.	01-030
WDID	9 000000030
NPDES No.	CA0107395
Reg. Measure No.	378933 (R9-2011-0019), 387271 (staff enforcement letter, SEL)
Place ID	222754 (Encina Ocean Outfall)
Person ID	535784 (Hardy), 525853 (Brian Benjamin)
Violation ID	(1) 916360, (2) 920291, (3a) 935661, and (3b) 935659