



# Enforcement News

**San Diego Regional Water Quality Control Board**  
<http://www.waterboards.ca.gov/sandiego/>

## San Diego County Business Issued \$94,078 Penalty for Water Quality Permit Violations

**FOR IMMEDIATE RELEASE**  
**May 30, 2017**

**Contact:** Laurie Walsh  
**Phone:** (619) 521-3373

**SAN DIEGO** – The San Diego Regional Water Quality Control Board’s Executive Officer approved a \$94,078 penalty against Modern Stairways, Inc. of Spring Valley for long-standing water quality violations related to industrial activities.

Modern Stairways, a concrete production and metal fabricating facility approximately 12 miles east of San Diego, failed to implement proper management practices to prevent runoff as required by the state’s [industrial storm water permit](#), and this may have allowed pollutants such as concrete waste to be washed off into storm drains that connect to the Sweetwater River. The river flows through the Sweetwater Marsh National Wildlife Refuge and into San Diego Bay.



*San Diego Water Board staff observed multiple instances where poor storage of materials could lead to the runoff of pollutants. Photo by San Diego Water Board.*

“BMPs (Best Management Practices) can be simple, inexpensive measures such as daily sweeping and covering of containers. It’s such a small effort that can make such a big difference to water quality,” said Laurie Walsh, senior water resource control engineer with the San Diego Water Board.

“That’s why it’s so frustrating when informed businesses ignore these requirements.”

Board staff demonstrated that Modern Stairways, which has had San Diego Water Board permits since the 1970s, has been in violation of its permit requirements for more than five years despite constant inspections and reminders from Water Board staff.

State and San Diego County inspection reports from 2012 through 2015 show the site had open containers of oil and antifreeze, trash, and at times up to two inches of concrete dust throughout the facility. When it rains, these pollutants may have washed off the site into the Sweetwater River. In sufficient quantities, or over long periods of time, these chemicals can damage local ecosystems. Concrete dust reduces the clarity of water and significantly alters its pH, which harms the ability of organisms to breathe.

According to the Board's documents, Modern Stairways also failed to turn in an annual monitoring report, pay four years of permit fees, or re-enroll for permit coverage.

"Administrative violations are included in the penalty amount because when a facility ignores them, especially after such a long period of time, its operators gain an unfair economic advantage over their competitors," said Chiara Clemente, the San Diego Water Board's enforcement coordinator. "Many of the industrial stormwater permit requirements have been widely implemented across the state for over a decade, and we expect responsible business owners and operators to know how to comply, or hire someone who does."



***San Diego Water Board staff observed 2 to 3 inches of concrete/cement powder on the ground. It was so thick staff could place a pen in the dust and have it stand up on its own. Photo by San Diego Water Board***

A copy of the San Diego Water Board's Order assessing penalties is available for review on the Board's [website](#).

The San Diego Water Board's mission is to preserve, enhance and restore California's water resources and ensure their proper allocation and efficient use for the benefit of present and future generations. For more information on the San Diego Regional Water Quality Control Board, industrial storm water requirements, or other Board activities, you can visit the Board's [website](#).

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