CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

COMPLAINT NO. R2-2008-0066

ADMINISTRATIVE CIVIL LIABILITY
IN THE MATTER OF
SANITARY SEWER OVERFLOWS
TOWN OF HILLSBOROUGH
SAN MATEO COUNTY

This Complaint is issued to Town of Hillsborough (hereinafter "Discharger") to assess administrative civil liability pursuant to California Water Code ("CWC") Section 13350 and Section 13323. The Complaint addresses discharges of untreated wastewater resulting from sanitary sewer overflows (SSOs). The Discharger violated the Water Quality Control Plan for the San Francisco Bay Basin and the State Water Resources Control Board Order No. 2006-0003 DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems. Violations cited herein occurred during the period December 1, 2004, through July 6, 2008.

The Assistant Executive Officer of the California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the "Regional Water Board"), hereby gives notice that:

1. The Discharger is alleged to have violated provisions of law for which the Regional Water Board may impose civil liability pursuant to CWC Section 13350 and Section 13323. This Complaint proposes to assess **$750,000** in penalties for the violations cited based on the considerations described in this Complaint. The deadline for comments on this Complaint is **October 16, 2008**, 5 p.m.

2. The Discharger owns and operates a sanitary sewer collection system (collection system) consisting of approximately 116 miles of gravity sanitary sewer lines, 1.1 miles of forced mains, and 4 pump stations. The collection system serves an approximate population of 11,000 consisting of predominately single family residential units with several commercial and public customers. Wastewater from areas south of Black Mountain Road and West Santa Inez Avenue flows through the City of San Mateo's collection system to the City of San Mateo's wastewater treatment plant (WWTP). Wastewater from the area north of Black Mountain Road and West Santa Inez Avenue flows through the City of Burlingame's collection system to the City of Burlingame's WWTP. In addition, the Discharger's collection system that connects to the City of San Mateo's WWTP receives sewage from the Crystal Springs County Sanitation District.

3. This Complaint is issued to address 71 SSOs of untreated sewage from the Discharger's collection system from December 1, 2004, through July 6, 2008.

4. Unless waived, the Regional Water Board will hold a hearing on this Complaint at its November 12, 2008, meeting, at the Elihu M. Harris State Building, First Floor Auditorium,

1515 Clay Street, Oakland. The Discharger or its representative will have an opportunity to be heard and contest the allegations in this Complaint and the imposition of the civil liability. An agenda for the meeting will be mailed to the Discharger not less than 10 days before the hearing date. The deadline to submit all written comments and evidence concerning this Complaint is specified in Finding 1. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed civil liability, to refer the matter to the Attorney General for recovery of judicial liability, or take other enforcement actions.

5. The Discharger can waive its right to a hearing to contest the allegations contained in this Complaint by (a) paying the civil liability in full or (b) undertaking an approved supplemental environmental project in an amount not to exceed $375,000 and paying the remainder of the civil liability, all in accordance with the procedures and limitations set forth in the attached waiver.

ALLEGATIONS

1. From December 1, 2004, through July 8, 2008, the Discharger reported 71 SSOs from its collection system. Notably, 53 of the 71 SSOs, representing nearly 3,000,000 gallons of raw sewage, discharged to surface waters and were not recovered. The attached Tables 1A and 1B summarize the details of all 71 SSOs.

2. An SSO is a discharge from a collection system of raw sewage consisting of domestic, industrial, and commercial wastewater. An SSO contains high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease, and other pollutants. An SSO causes a public nuisance when untreated wastewater is discharged to areas with public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. An SSO that discharges to land and is not fully cleaned up or contained, discharges to surface waters and/or seeps to ground waters. SSOs pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters.

REQUIREMENTS APPLICABLE TO THE DISCHARGER

1. The Discharger's collection system is regulated by Statewide General Waste Discharge Requirements, Order No. 2006-0003 DWQ, which was adopted by the State Water Resources Control Board (or State Water Board) on May 2, 2006. As owner of a collection system, the Discharger is required to comply with the requirements of Order No. 2006-0003 DWQ (or General WDR). The Discharger filed a Notice of Intent for coverage under the General WDR on June 26, 2006. The effective date of the General WDR is November 2, 2006.

2. Order No. 2006-0003 DWQ includes the following prohibitions:

   C. PROHIBITIONS

1. *Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited.*

2. *Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in CWC Section 13050(m) is prohibited.*

3. The Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) is the Regional Water Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan was duly adopted by the Regional Water Board and approved by the State Water Board, Office of Administrative Law, and the U.S. EPA, where required.

4. The Basin Plan at Discharge Prohibition 15 in Table 4-1 states the following:

   It shall be prohibited to discharge raw sewage or any waste failing to meet waste discharge requirements to any waters of the Basin.

WATER CODE PROVISIONS RELEVANT TO THESE DISCHARGES

1. Pursuant to CWC Section 13350(a)(2), a discharger is subject to civil liability for violating any waste discharge requirements, or prohibition issued by the Regional Water Board. The Regional Water Board may impose civil liability administratively pursuant to CWC, Chapter 5, Article 2.5 (commencing at Section 13323) either on a daily basis or on a per gallon basis, but not both, as follows:

   a. The civil liability on a daily basis may not exceed $5,000 for each day in which a violation occurred.
   b. The civil liability on a per gallon basis may not exceed $10 for each gallon of waste discharged.

   If this matter is referred to the Attorney General for judicial enforcement, a higher liability of $15,000 per day of violation or $20 per each gallon of discharge may be imposed.

VIOLATIONS

Of the 71 SSOs reported, 70 are violations of either the General WDR Prohibition C.2 or the Basin Plan Discharge Prohibition 15. In general, the violations are as follows:

- SSOs, or any portion of an SSO, that reach groundwater or surface waters of the Basin violate the Basin Plan discharge prohibition.
- All SSOs, regardless of ultimate destination, that occur after the effective date of the General WDR, is a violation of the General WDR.

Specifically, of the 70 SSOs, 47 occurred after the effective date of the General WDR, and thus violated the General WDR.

The 23 SSOs that occurred before the effective date of the General WDR, are violations of the Basin Plan, which prohibits the discharge of raw sewage to groundwater or surface waters of the Basin. Of these 23 SSOs, 6 discharged via storm drains to creeks, which are surface waters of the Basin; 2 discharged to "street/curb or gutter" which eventually washes into surface waters; and the remaining 15 reached groundwater because they discharged to "yard/land" so a portion of each would have seeped through the soil to groundwater.

MAXIMUM LIABILITY

The maximum administrative civil liability the Regional Water Board may impose for the violations is $29,718,100. See Tables 1A and 1B for calculations [CWC Section 13350(e)].

CONSIDERATION OF FACTORS UNDER 13327

1. In determining the amount of civil liability to be assessed against the Discharger, the Regional Water Board has taken into consideration the factors described in CWC Section 13327. The factors described include

   - The nature, circumstances, extent, and gravity of the violation or violations,
   - Whether the discharge is susceptible to cleanup or abatement,
   - The degree of toxicity of the discharge,
   - With respect to the discharger, the ability to pay and the effect on ability to continue in business,
   - Any voluntary cleanup efforts undertaken,
   - Any prior history of violations,
   - The degree of culpability,
   - The economic benefit or savings, if any, resulting from the violation, and
   - Other such matters as justice may require.

2. **The nature, circumstances, extent, and gravity of the violation or violations**

   There were 70 SSOs that total approximately 3,000,000 gallons. The two most common causes of the Discharger's SSOs are root blockages and insufficient capacity.

   In general, the gravity of SSOs is high. Sanitary sewer overflows are discharges of raw untreated sewage, so they are a nuisance and adversely affect public health. Of the 70 SSOs, 55 reached surface waters. The combined volume of about 3,000,000 gallons of raw sewage is significant. These SSOs are especially grave because they reached surface waters and adversely impacted water contact recreation and aquatic life. The other SSOs, particularly those that were low in volume, are less significant because only a portion of each would have reached groundwater or surface waters and thus would have minimal adverse toxicity impact.

3. **Whether the discharge is susceptible to cleanup or abatement**

Insufficient capacity wet weather related SSOs may not be amenable to cleanup or containment because the storm drains and creeks are also flowing full at the time. However, for non-capacity related SSOs, either all or a portion of the SSO, can be contained and returned to the sanitary sewer for treatment. The Discharger recovered a very small percentage of these SSOs (less than 2 percent, by volume).

4. The degree of toxicity of the discharge

The degree of toxicity of SSOs cannot be accurately quantified. However, raw sewage, as compared to properly treated wastewater, typically has about ten times the concentrations of biochemical oxygen demand, trash, total suspended solids, oil and grease, ammonia, and thousands of times the levels of viruses and bacteria (measured in terms of total and fecal coliform). These pollutants exert varying levels of impact on water quality, and, as such, will adversely affect beneficial uses of receiving waters to different extents. Some possible adverse effects on water quality and beneficial uses as a result of SSOs include:

- Adverse impact to fish and other aquatic biota caused by bio-solid deposition, oil and grease, and toxic pollutants common in sewage (such as heavy metals, pesticides, personal care products, and pharmaceuticals);
- Creation of a localized toxic environment in the water column as a result of the discharge of oxygen-demanding pollutants that lower dissolved oxygen, and elevated ammonia concentration which is a demonstrated fish toxicant; and
- Impairment to water contact recreation and noncontact water recreation and harm to fish and wildlife as a result of elevated bacteria levels including pathogens.

Since storm related SSOs are diluted with storm water, they would not pose the same level of toxicity or impact as an equal volume of raw sewage during non-storm conditions. However, any large SSOs (>5,000 gallons) that occurred during dry weather are very significant because they are full strength and received no dilution. The Discharger reported one such SSO of 20,000 gallons due to root blockage on April 14, 2007. No portion of this SSO was recovered.

5. The ability to pay and the effect on ability to continue in business

The Discharger had an annual operating budget of approximately $7.5 Million for fiscal year 2007/2008. The Discharger has authority to adjust its rate scale to provide for financial needs, and has not provided any information indicating that it would be unable to pay or continue in business.

6. Any voluntary cleanup efforts undertaken

Of the total 3,009,188 gallons of sewage spilled, the Discharger recovered 1,175 gallons. Approximately 3 million gallons were not recovered.

7. Any prior history of violations

The Regional Water Board's records regarding the discharger's history of violations prior to the timeframe for this Complaint are not complete or accurate; however, it is likely that the Discharger has had prior SSOs.

8. The degree of culpability

The Discharger is culpable for the violations because it is responsible for the proper operation and maintenance of its collection system. As noted earlier, the two most common causes of the Discharger's SSOs are root blockages and insufficient capacity. Both of these causes can be prevented with system upgrades and more aggressive sewer system management and maintenance practices.

Root blockages. The primary cause of the Discharger's SSOs is root blockages. Though the Discharger does have a program that targets root blockage hot spots, and the program contains elements of a good root control program, this program needs to be improved because root blockage SSOs continue to occur.

Insufficient capacity. The second most common cause of the Discharger's SSOs is insufficient capacity especially during wet weather. Of the Discharger's 71 SSOs, insufficient collection system capacity caused 22 (or 31%).

This poor performance was demonstrated in January 2008 when 17 of the Discharger's 22 capacity-related SSOs occurred during heavy storm events (on January 4th, 5th, and 25th). Furthermore, 14 of those 17 SSOs occurred from manholes (on Crystal Springs Road and El Cerrito Avenue) along the Crystal Springs/El Cerrito Trunk Sewer (Trunk Sewer). This Trunk Sewer conveys sewage to the City of San Mateo's collection system. The large percentage of capacity-related SSOs reflects the Discharger's collection system's inability to properly convey sewage flows during large storm events. It also reflects a higher than acceptable inflow and infiltration rate into the Discharger's collection system.

In terms of collection system capacity, in 1997, the Discharger identified the Trunk Sewer as having insufficient capacity to convey peak wet weather flows. Subsequently, the Discharger replaced approximately 4,400 feet of the 15,800 linear feet of the Trunk Sewer thereby increasing its capacity. The Discharger lined an additional 4,500 feet of the Trunk Sewer to prevent inflow and infiltration and leaks. However, the Discharger determined that approximately 11,400 linear feet of the Trunk Sewer, measured from the City of San Mateo's city limit and going upstream, is still undersized to handle peak weather flows.

The Discharger secured funding in 2006 and was prepared to proceed with the remaining Trunk Sewer capacity expansion, but decided to wait until the City of San Mateo addresses downstream capacity issues. These include the City of San Mateo's downstream section of the trunk line and WWTP, which would not be able to handle the increased sewage flow if the Discharger's Trunk Sewer is upgraded. In other words, if the Discharger had proceeded, instead of capacity-related SSOs occurring from the Discharger's collection system, more SSOs would likely have started occurring from the City of San Mateo's collection system.

In terms of excessive inflow and infiltration, the Discharger‘s ratio of wet weather flow to dry weather flow, a measure of inflow and infiltration, varies from 5:1 to 10:1. A more reasonable ratio for a well maintained collection system is between 3:1 and 4:1. One of the main reasons for the Discharger’s high wet to dry weather flow ratio is leaky private sewer laterals.

Currently, the Discharger requires inspection of private sewer laterals at the time of property sale. If the inspection identifies leaks in the lateral, the Discharger requests, but does not require, the property owner to repair of the private sewer lateral prior to property transfer. Moreover, properties do not sell frequently within the Town of Hillsborough. Therefore, locating and correcting all defective sewer laterals within the Town of Hillsborough will take many years if only based on inspections at time of sale. The Discharger can implement a more aggressive private lateral testing and repair program to effectively address its infiltration and inflow problem.

9. The economic benefit or savings

The Discharger has taken steps over the years to identify and implement upgrades, but these measures have not been fully successful in eliminating capacity related SSOs. To fully eliminate capacity related SSOs for a system of this size is extremely complex and would cost hundreds of millions of dollars since treatment upgrades may be necessary. These are costs the Discharger will have to bear itself and with surrounding communities, when all the projects are identified. The cost savings from not completing these as yet unknown projects for the many years in which SSOs have been occurring could be in the tens to hundreds of millions of dollars. This is a high value relative to the Discharger’s current annual budget. It is also a highly uncertain estimate because not all the projects necessary are known, and cannot be known for sometime. Because of this high uncertainty, and because the Discharger has taken some steps over the years to address the problem, this factor bears less weight in the consideration of the amount of liability proposed relative to the other factors.

In terms of the root blockage related SSOs, the Regional Water Board does not have evidence of an economic benefit or savings. The Discharger’s preventative maintenance includes a root control program that is comparable with other Bay Area collection systems. And while a more aggressive program is needed to reduce and prevent root blockage SSOs, such a program may be accomplished with the Discharger’s existing program resource commitments.

10. Other such matters as justice may require

The Regional Water Board’s Resolution No. R2-2005-0059 declares support of local programs that inspect and rehabilitate private sewer laterals. The Resolution also states that the Regional Water Board would consider the existence of such programs, especially those experiencing significant infiltration and inflow from private sewer laterals, as an important factor when considering enforcement actions for sanitary sewer overflows.

Currently, the Discharger requires inspection of private sewer laterals at the time of property sale, but does not require repair of faulty private sewer lateral. Programs in a few other Bay Area communities are more effective than the Discharger's. Those programs include a testing requirement with any major building modification, and also require (not just request) repair or replacement of faulty laterals.

CEQA EXEMPTION

This issuance of this Complaint is an enforcement action and is, therefore, exempt from the California Environmental Quality Act, pursuant to Title 14, California Code of Regulations, Section 15321.

September 16, 2008
Date

Dyan C. Whyte
Assistant Executive Officer

Attachments: Waiver of Hearing
Tables 1A and 1B: Town of Hillsborough SSOs

WAIVER

If you waive your right to a hearing, the matter will be included on the agenda of a Water Board meeting but there will be no hearing on the matter, unless a) the Water Board staff receives significant public comment during the comment period, or b) the Water Board determines it will hold a hearing because it finds that new and significant information has been presented at the meeting that could not have been submitted during the public comment period. If you waive your right to a hearing but the Water Board holds a hearing under either of the above circumstances, you will have a right to testify at the hearing notwithstanding your waiver. **Your waiver is due no later than October 16, 2008, 5 p.m.**

❑ Waiver of the right to a hearing and agreement to make payment in full.
By checking the box, I agree to waive my right to a hearing before the Water Board with regard to the violations alleged in this Complaint and to remit the full penalty payment to the State Water Pollution Cleanup and Abatement Account, c/o Regional Water Quality Control Board at 1515 Clay Street, Oakland, CA 94612. I understand that I am giving up my right to be heard, and to argue against the allegations made by the Assistant Executive Officer in this Complaint, and against the imposition of, or the amount of, the civil liability proposed unless the Water Board holds a hearing under either of the circumstances described above. If the Water Board holds such a hearing and imposes a civil liability, such amount shall be due 30 days from the date the Water Board adopts the order imposing the liability.

❑ Waiver of right to a hearing and agree to make payment and undertake an SEP.
By checking the box, I agree to waive my right to a hearing before the Water Board with regard to the violations alleged in this Complaint, and to complete a supplemental environmental project (SEP) in lieu of the suspended liability up to the amount identified in this Complaint and paying the balance of the fine to the State Water Pollution Cleanup and Abatement Account (CAA) within 30 days after the Water Board meeting for which this matter is placed on the agenda. The SEP proposal shall be submitted by October 30, 2008. I understand that the SEP proposal shall conform to the requirements specified in Section IX of the Water Quality Enforcement Policy, which was adopted by the State Water Resources Control Board on February 19, 2002, and be subject to approval by the Assistant Executive Officer. If the SEP proposal, or its revised version, is not acceptable to the Assistant Executive Officer, I agree to pay the suspended penalty amount within 30 days of the date of the letter from the Assistant Executive Officer rejecting the proposed/revised SEP. I also understand that I am giving up my right to argue against the allegations made by the Assistant Executive Officer in the Complaint, and against the imposition of, or the amount of, the civil liability proposed unless the Water Board holds a hearing under either of the circumstances described above. If the Water Board holds such a hearing and imposes a civil liability, such amount shall be due 30 days from the date the Water Board adopts the order imposing the liability. I further agree to satisfactorily complete the approved SEP within a time schedule set by the Assistant Executive Officer. I understand failure to adequately complete the approved SEP will require immediate payment of the suspended liability to the CAA.

_____ _____
Name (print) Signature

_____ _____
Date Title/Organization

ATTACHMENT Table 1A: Town of Hillsborough SSOs (May 2007 through July 6, 2008)

Town of Hillsborough
ACL Complaint No. R2-2008-0066
Sanitary Sewer Overflows

Source of Data: State Water Board CIWQS eReporting Program Database Records (From May 2007 to July 2008)

Date	Location	Gallons Discharged	Gallons Recovered	SSO Destination	Cause	Maximum Penalty[1]
7/6/2008	2235 Ralston Ave	600	250	Storm drain	Blockage - grease	$6,000
6/23/2008	775 Bowhill Rd	10	0	Street/curb and gutter	Blockage - grease	$5,000
6/9/2008	80 Del Monte Dr	150	75	Storm drain	Blockage - swifter towels	$5,000
5/12/2008	601 Hillsborough Blvd	3	0	Unpaved surface	Blockage - roots	$5,000
4/14/2008	550 Remillard Drive	20	0	Unpaved surface	Blockage - roots	$5,000
3/17/2008	728 El Cerrito	5	0	Other paved surface	Blockage - roots	$5,000
3/8/2008	669 Hayne	50	50	Storm drain	Blockage - grease	$5,000
3/4/2008	15 Cottonwood	210	0	Unpaved surface	Blockage - swifter towels, clogging mouth of channel	$5,000
2/3/2008	750 El Cerrito	18,000	0	Storm drain	Flow exceeded capacity	$180,000
2/3/2008	777 El Cerrito	9,600	0	Storm drain	Flow exceeded capacity	$96,000
1/25/2008	1200 Hayne	21,000	0	Storm drain	Flow exceeded capacity	$210,000
1/25/2008	1600 Floribunda	20,000	0	Storm drain	Flow exceeded capacity	$200,000
1/25/2008	750 El Cerrito	33,000	0	Storm drain	Flow exceeded capacity	$330,000
1/25/2008	766 El Cerrito	33,000	0	Storm drain	Flow exceeded capacity	$330,000
1/25/2008	777 El Cerrito	115,000	0	Storm drain	Flow exceeded capacity	$1,150,000
1/25/2008	1020 Crystal Springs	122,000	0	Storm drain	Flow exceeded capacity	$1,220,000
1/25/2008	1050 Crystal Springs	122,000	0	Storm drain	Flow exceeded capacity	$1,220,000
1/25/2008	2290 Skyfarm	1,923,000	0	Sewer main is submerged from creek inlet being clogged, which has formed a lake.	Creek inlet plugged up causing a lake to form and submerged sewer main by about 15' of water. Main could not handle all the creek water and caused manhole's to back up.	$19,230,000
1/5/2008	1050 Crystal Springs	21,000	0	Surface water	Flow exceeded capacity	$210,000
1/5/2008	777 El Cerrito	5,250	0	Surface water	Flow exceeded capacity	$52,500
1/5/2008	766 El Cerrito	5,250	0	Surface water	Flow exceeded capacity	$52,500
1/5/2008	750 El Cerrito	5,250	0	Surface water	Flow exceeded capacity	$52,500
1/4/2008	105 Braemar	175	0	Unpaved surface	Blockage - roots	$5,000
1/4/2008	766 El Cerrito	2,700	0	Surface water	Flow exceeded capacity	$27,000
1/4/2008	777 El Cerrito	13,500	0	Storm drain	Flow exceeded capacity	$135,000
1/4/2008	1050 Crystal Springs Rd.	100,000	0	Surface water	Flow exceeded capacity	$1,000,000
1/4/2008	1020 Crystal Springs Rd.	100,000	0	Surface water	Flow exceeded capacity	$1,000,000
1/4/2008	1600 Floribunda Ave	18,000	0	Storm drain	Flow exceeded capacity	$180,000
1/4/2008	750 El Cerrito	2,700	0	Surface water	Flow exceeded capacity	$27,000
12/18/2007	750 El Cerrito	750	700	Paved Surface	Blockage - debris	$7,500
12/10/2007	40 Shady Lane	420	100	Building or structure	Blockage - roots	$5,000
11/28/2007	610 Pullman Dr.	100	0	Storm drain	Blockage - roots	$5,000
10/26/2007	2400 Skyfarm	265	0	Unpaved surface	Blockage - roots	$5,000
9/18/2007	5 Cottonwood Court	150	0	Unpaved surface	Blockage - grease	$5,000
7/22/2007	350 El Portal Rd.	75	0	Other paved surface	Blockage - roots	$5,000
6/21/2007	105 Denise Rd.	210	0	Unpaved surface	Blockage - roots	$5,000
5/29/2007	2415 Skyfarm Drive	1,500	0	Unpaved surface	Blockage - roots	$15,000
5/14/2007	2375 Skyfarm Dr.	960	0	Storm drain	Blockage - cleaning rags	$9,600
5/9/2007	40 Bluebell	350	0	Unpaved surface	Blockage - roots	$5,000
	Total Gallons (5/2/07 - /7/08)	2,696,253	1,175		**Total (5/2/07 - 7/7/08)**	$27,015,600
	Total Gallons (12/04 - 5/1/07)	312,865	0		**Total (12/04 - 5/1/07)**	$2,702,500
	Total Gallons	3,009,188	1,175		**Total Maximum Penalty**	$29,718,100

Note: (1) The Maximum Penalty for each SSO is determined by the higher of $5,000 per day per violation or $10 per gallon of waste discharged.

ATTACHMENT Table 1B: Town of Hillsborough SSOs (May 2007 through July 6, 2008)

Town of Hillsborough
ACL Complaint No. R2-2008-0066
Sanitary Sewer Overflows

Source of Data: SF Bay Regional Water Quality Control Board - SSO eReporting Program Database Records (from Dec. 1, 2004 to May 2, 2007)

DATE	LOCATION	GALLONS DISCHARGED	GALLONS RECOVERED	SSO DESTINATION	CAUSE	DESCRIPTION	MAXIMUM PENALTY[1]
12/9/2004	951 Baileyanna Rd.	30	0	STREET/CURB & GUTTER	BLOCKAGE	ROOTS	$5,000
1/5/2005	750 Endfield	40	0	YARD/LAND	BLOCKAGE	ROOTS	$5,000
1/10/2005	75 Rowen Tree Court	300	0	YARD/LAND	BLOCKAGE	ROOTS	$5,000
2/8/2005	145 Stonepine Road	200	0	YARD/LAND	BLOCKAGE	ROOTS	$5,000
2/15/2005	Crystal Springs Road & Merner Rd.	**198000**	0	**STORM DRAIN**	FLOW CAPACITY DEFICIENCY		$1,980,000
3/7/2005	720 Chateau	**750**	0	**STORM DRAIN**	BLOCKAGE	ROOTS	$7,500
3/30/2005	20 Cinnamon Court	50400	0	YARD/LAND	BLOCKAGE	ROOTS	$5,000
6/8/2005	1305 Tartan trail	**240**	0	**STORM DRAIN**	BLOCKAGE	GREASE	$5,000
6/14/2005	726 Jacaranda rd.	350	0	YARD/LAND	BLOCKAGE	GREASE	$5,000
8/2/2005	2335 Oakdale Road	320	320	CAPTURED IN STORM DRAIN	BLOCKAGE	ROOTS	See note 2.
8/5/2005	18 Farm Lane	110	0	YARD/LAND	BLOCKAGE	GREASE	$5,000
11/16/2005	101 Bay Wood	200	0	YARD/LAND	BLOCKAGE	GREASE	$5,000
12/22/2005	766 El Cerrito Rd	30000	0	STORM DRAIN	FLOW CAPACITY DEFICIENCY		$300,000
12/23/2005	5 Mountainwood Ln.	3000	0	STORM DRAIN	BLOCKAGE	VANDALISM	$30,000
1/20/2006	1015 Macadamia	10	0	STREET/CURB & GUTTER	BLOCKAGE	ROOTS	$5,000
1/24/2006	Easement of 2289 Forestview.	225	0	YARD/LAND	BLOCKAGE	DEBRIS	$5,000
3/16/2006	55 Berryessa Way	200	0	STORM DRAIN	BLOCKAGE	ROOTS	$5,000
5/1/2006	1130 Tartan Trail (easement)	275	0	YARD/LAND	BLOCKAGE	ROOTS	$5,000
6/26/2006	17 Stonepine Ct.	250	0	YARD/LAND	BLOCKAGE	GREASE	$5,000
7/6/2006	Easement behind 35 Citrus Crt.	210	0	YARD/LAND	BLOCKAGE	DEBRIS FROM LATERALS	$5,000
7/7/2006	1110 Hayne Rd.	175	0	STREET/CURB & GUTTER	BLOCKAGE	ROOTS	$5,000
7/17/2006	1208 Kenilworth	125	0	YARD/LAND	BLOCKAGE	DEBRIS	$5,000
10/1/2006	1208 Kenilworth	250	0	YARD/LAND	BLOCKAGE	GREASE	$5,000
10/10/2006	2165 Edge Court	210	0	YARD/LAND	BLOCKAGE	GREASE	$5,000
11/27/2006	25 Mosswood	150	0	YARD/LAND	BLOCKAGE	ROOTS	$5,000
1/24/2007	940 Jackling Dr.	150	0	STORM DRAIN	BLOCKAGE	ROOTS	$5,000
2/26/2007	Across from 2600 Ralston	475	0	STORM DRAIN	BLOCKAGE	MULTIPLE CAUSES	$5,000
2/26/2007	942 Baileyana Rd.	90	0	STORM DRAIN	BLOCKAGE	DEBRIS FROM LATERALS	$5,000
2/26/2007	1600 Floribunda Ave.	6,000	0	STORM DRAIN	INFLOW & INFILTRATION		$60,000
3/14/2007	736 Jacaranda Circle	300	0	YARD/LAND	BLOCKAGE	DEBRIS	$5,000
3/25/2007	20 Glengarry Way	150	0	STORM DRAIN	BLOCKAGE	ROOTS	$5,000
4/14/2007	840 Hillsborough blvd	20,000	0	STORM DRAIN	BLOCKAGE	ROOTS	$200,000
	TOTAL	312,865	0			**TOTAL**	$2,702,500

Note (1) The Maximum Penalty for each SSO is determined by the higher of $5,000 per day per violation or $10 per gallon of waste discharged.

(2) This SSO is provided for information only. All of this SSO was recovered and returned to the collection system.