



California Regional Water Quality Control Board
Central Valley Region
Katherine Hart, Chair



Linda S. Adams
Acting Secretary for
Environmental Protection

1685 E Street, Fresno, California 93706
(559) 445-5116 • FAX (559) 445-5910
<http://www.waterboards.ca.gov/centralvalley>

Edmund G. Brown Jr.
Governor

Shane Warner, Interim General Manager
Groveland Community Services District
18966 Ferretti Road
Groveland, CA 95321

16 February 2011

**NOTICE OF VIOLATION AND WATER CODE SECTION 13267 ORDER FOR
INFORMATION AND TECHNICAL REPORTS, GROVELAND COMMUNITY SERVICES
DISTRICT (WDID 5C550100001, RM 377379 & RM 377596), TUOLUMNE COUNTY**

This enforcement letter is issued as a result of a Central Valley Water Board staff investigation of several anonymous complaints that allege the Groveland Community Services District (District) had a sewage spill from its collection system from 20 through 22 August 2010 that reached Pine Mountain Lake in Tuolumne County and was not reported to the District Board members and Central Valley Water Board office. There have also been other allegations of the District's failure to properly classify and report sewage spills.

Background Information

On 2 May 2006, the State Water Resources Control Board (SWRCB) adopted Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (hereafter, Statewide General WDRs), to monitor and regulate sanitary sewer collection systems to reduce sanitary sewer overflows (SSOs). The Statewide General WDRs regulate sanitary sewer systems greater than one mile in length used to convey wastewater to a publicly owned wastewater treatment facility (WWTF). The entities obtaining coverage under the Statewide General WDRs are referred to as Enrollees. The District enrolled under the Statewide General WDRs on 2 September 2007, the actual deadline requiring the District to begin reporting all SSOs into the State Water Board online SSO database system (California Integrated Water Quality System or CIWQS). Section G.2 of the Statewide General WDRs requires all Enrollees to comply with Monitoring and Reporting Program 2006-0003-DWQ (MRP), which was amended on 20 February 2008 (Order WQ-2008-0002-EXEC), referred to hereafter as the Amended MRP.

The Amended MRP requires Enrollees to notify, within two hours, the State Office of Emergency Services (OES), the local health officer, and the Central Valley Water Board of SSOs that result in a discharge to a drainage channel or a surface water. The Enrollees are also required to submit a certification to the Central Valley Water Board that OES and health officials were notified per Amended MRP requirements no later than twenty-four (24) hours after becoming aware of an SSO. In addition, Section A of the Amended MRP classifies SSOs into three categories: Category 1 SSOs - discharges of sewage from sanitary sewer system equal or greater than 1000 gallons, or discharges that reach a drainage channel and/or surface water, or discharges to a storm drainpipe that was not fully captured; Category 2

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SSOs - other discharges of sewage from a sanitary sewer system; and, Private Lateral Sewage Discharges – discharges of sewage that are caused by blockages or other problems within a privately owned lateral. The Amended MRP in Section A also describes other reporting timeframes and requirements.

In addition to the Statewide General WDRs, Waste Discharge Requirements Order 87-121 (hereafter WWTF WDRs) names the District and Pine Mountain Lake Association (PMLA) as the Dischargers and authorizes the discharge of up to 0.4 million gallons per day of disinfected secondary treated effluent to a reservoir during the winter and use of a spray irrigation system on the District's property and PMLA golf course during the summer. Surface drainage in the WWTF area is to Pine Mountain Lake, a tributary to the Tuolumne River. The beneficial uses of Pine Mountain Lake are municipal and agricultural supply, recreation, esthetic enjoyment, groundwater recharge, fresh water replenishment, and aquatic resources.

On 18 June 2001, the Central Valley Water Board adopted Cleanup and Abatement Order 5-01-713 (CAO) for numerous sewage spills from the District's sewage collection pipelines to surface drainage courses tributary to Pine Mountain Lake.

Sanitary Sewer Overflow (SSO) Investigation

On 19 October 2010, Central Valley Water Board staff received an anonymous complaint alleging the District had an SSO from its collection pipeline on 20 August 2010 that persisted for two days and reached Pine Mountain Lake. The complainant also alleged there may be other SSOs that were not reported to the Central Valley Water Board but need to be investigated; however, specific dates were not provided for these alleged SSOs.

Central Valley Water Board staff reviewed PMLA's incident reports, certified SSO reports in CIWQS online, and interviewed PMLA staff, a tree service contractor, and various District staff and Board members. Based on the investigation, the SSO began on 20 August and continued until 22 August, when the District staff was notified of the correct SSO location. The SSO originated from the last manhole on a sewage collection pipeline that drains to the District's Lift Station 2. The lift station failure resulted in sewage backing up, overflowing, and discharging into Pine Mountain Lake. The District reported that the volume of sewage spilled was as low as 10 gallons and did not reach surface waters. The investigation found that the SSO volume was actually between 10,000 and 15,000 gallons and that the spill reached Pine Mountain Lake on at least two days out of three days the spill continued (20, 21 and 22 August 2010).

On 2 November 2010, Central Valley Water Board staff spoke to the District Engineer Randy Klaahsen who reported that other SSOs occurred on 31 May 2005 (which was not reported to the Central Valley Water Board), 24 January 2007, and 21 August 2007. Central Valley Water Board records reveal that the District reported an additional SSO on 28 April 2005. PMLA incident reports reveal that yet another SSO of an unspecified volume occurred on 24 September 2008, which was not reported to Central Valley Water Board staff.

Non-Compliance

Based on the investigation, in the case of the 20 through 22 August SSO, it appears that the District misreported the SSO volume discharged and did not comply with the Statewide General WDRs notification and reporting requirements. The recurring SSOs from the District's

sewage collection pipelines and the District's failure to properly report and comply with notification requirements are violations of the following provisions of the Statewide General WDRs:

1. Prohibition C.1 for discharge of untreated or partially treated wastewater to waters of the United States (e.g., Pine Mountain Lake);
2. Provision D.1 for any noncompliance with the Statewide General WDRs, which constitutes a violation of the California Water Code and is grounds for further enforcement action;
3. Provision D.3 for failure of the Enrollee to take all feasible steps to contain and mitigate the impacts of SSO; and
4. Provision D.5 for failure of the Enrollee to report SSOs in accordance with Section G.2 of the Statewide General WDRs, which requires the Enrollee to comply with the Amended MRP.

Additional violations of the Statewide General WDRs discovered upon review of the Enrollee's CWIQS data include the following:

1. Failure to report a Category 2 SSO (SSO ID# 758338) within timeframe required by Amended MRP (30 days after month in which SSO occurred); and,
2. Failure to certify an SSO or perform a "No Spill Certification" for October, 2010.

The District is also in violation or threatened violation of the following sections of the WWTF WDRs:

1. Discharge Prohibition A.1 for direct discharge of the wastes to surface water or surface water drainage courses, and
2. Discharge Prohibition A.2 for by-pass or overflow of untreated or partially treated waste.

The District's 4 February 2008 letter to the Central Valley Water Board indicates that the District has made significant investment in sewage collection pipeline repairs to minimize spills and comply with the CAO; however, it appears the SSOs continue and the sewage collection system may not be properly managed, operated, and maintained, as required under Provision D.8 of the Statewide General WDRs.

Pursuant to California Water Code (CWC) Sections 13267(a) and (b)(1), you are hereby directed to submit a written report that includes the following information:

1. Document all sanitary sewer overflows and sewage spills that occurred from the District's collection system or other locations between 1 January 2005 through 31 December 2010. The written report, at a minimum, shall include the following information:

- a) A narrative of the District's investigation activities including photographic evidence (if collected), timelines and other pertinent information for each SSO event such as but not limited to agency notification time, SSO start time, operator arrival time, and SSO end time.
- b) Individual contact name(s) and telephone number(s) for any witnesses reporting SSOs occurring during the above timeframes, including any witnesses reporting SSOs for the events reported on 20 through 22 August 2010 and on 13 November 2010.
- c) Name(s) of staff responsible for providing the estimates and supporting calculations for SSO volume discharged.
- d) List of SSOs (if any) that reached a surface water or drainage channel including corresponding volumes of sewage captured, recovered, and released for each SSO event (if applicable).
- e) List of mitigation measures the District has implemented or plans to implement for each historic SSO location to minimize any future SSOs.

2. Provide a written summary of the District's compliance with the CAO.

This report is necessary to determine your compliance with the Statewide General WDRs and the CAO. The District is responsible for ensuring compliance with these Orders.

Submit this report by **18 March 2011**. In accordance with CWC Sections 13268 (a)(1) and (b)(1), the Central Valley Water Board may impose a civil liability for the amount of up to \$1,000 per day for failure to submit the required reports.

If you have any questions regarding this matter, please contact Mr. Hoss Aghazeynali at (559) 445-6194 or haghazeynali@waterboards.ca.gov.



for Pamela C. Creedon
Executive Officer

cc: Reed Sato, Director, Office of Enforcement, State Water Resources Control Board,
Sacramento
Carl Carlucci, California Department of Health Services, Fresno
Robert Kostlivy, Director of Tuolumne County Environmental Health Department,
2 South Green Street, Sonora 95370
Steve Perreira, Director of Groveland CSD, 18966 Ferretti Road Groveland, CA
95321
Joe Powell, General Manager, Pine Mountain Lake Association, 19228 Pine
Mountain Drive, Groveland 95321
Jim Kelleher, P.O. Box 137, Palo Alto, 94302