

ENFORCE

WASTE DISCHARGE REQUIREMENTS

GROUP: WASTE DISCHARGE REQUIREMENTS-NON15 FACILITIES

MEASURE: ENFORCEMENT ACTIONS

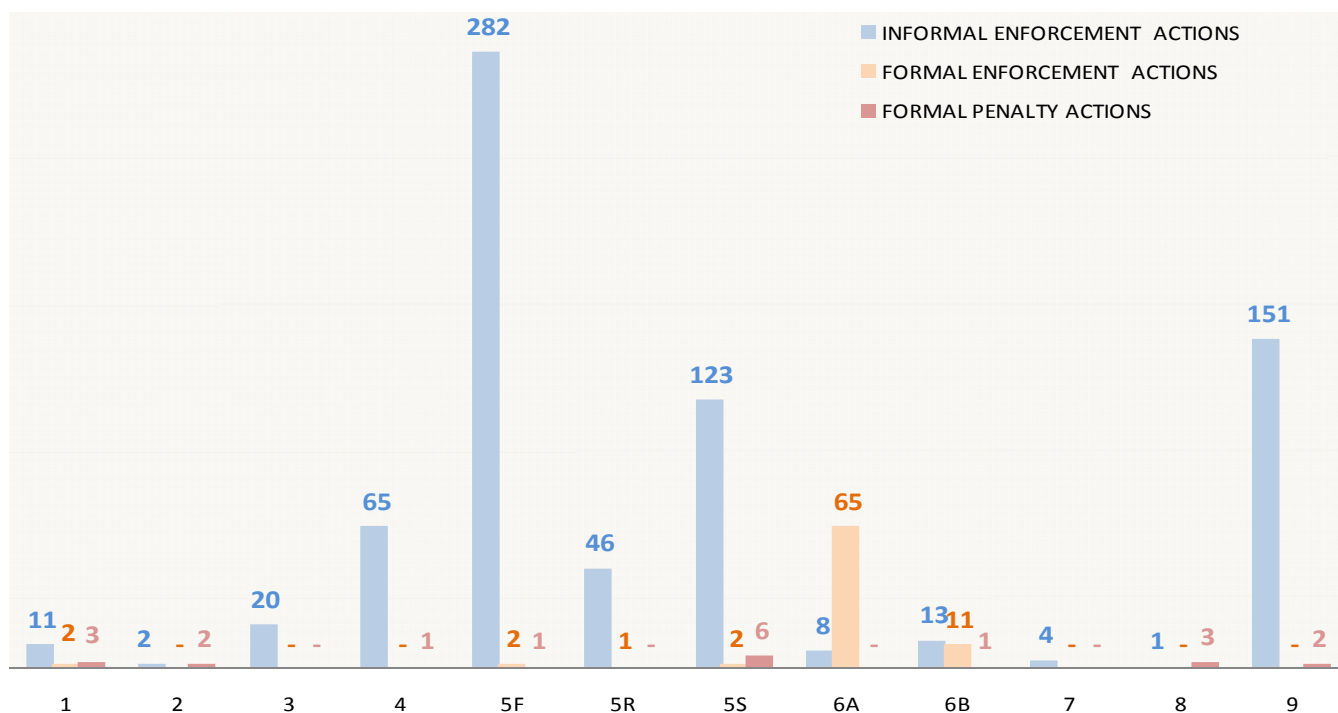
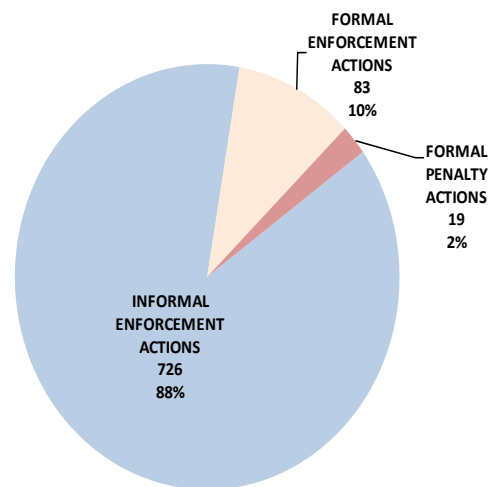
MESSAGE: Enforcement response focused on informal enforcement.

MEASUREMENTS:

KEY STATISTICS FOR FY 2008-09

NUMBER OF INFORMAL ACTIONS*: 726
 NUMBER OF FORMAL ACTIONS**: 83
 NUMBER OF PENALTY ACTIONS: 19

Region	Informal Enforcement	Formal Enforcement	Formal Penalty Enforcement	Total Enforcement Actions
1	11	2	3	16
2	2	-	2	4
3	20	-	-	20
4	65	-	1	66
5	451	5	7	463
6	21	76	1	98
7	4	-	-	4
8	1	-	3	4
9	151	-	2	153
TOTAL	726	83	19	828



WHAT THE MEASURE IS SHOWING:

The level and type of enforcement is similar among the regional boards for those facilities discharging under the WDR-NON15 program. Most of the regional boards are issuing informal actions. Three of regional boards issued a formal action that requires compliance with requirements. The high number formal actions in Region 6 is due to the issuance of Cease and Desist Orders to on-site wastewater disposal systems. Several regions are issuing penalty actions, specially Region 5S.

WHY THIS MEASURE IS IMPORTANT:

Enforcement plays a significant role in the Water Boards' strategies to protect water quality and represents a significant amount of work for both the State and Regional Boards. Enforcement deters potential violators and protects public health and the environment. Enforcement can prevent threatened pollution from occurring and can promote prompt cleanup and correction of existing pollution problems. The Water Boards use progressive enforcement by addressing some violations with an informal response such as a phone call or staff enforcement letter followed, if needed, with a more formal action. If violations continue, the enforcement response should be quickly escalated to increasingly more formal and serious actions until compliance is achieved. This measure displays the use of formal versus informal actions to address documented violations.

TECHNICAL CONSIDERATIONS:

- Data Source: CIWQS. Period: July 1, 2009 to June 30, 2010. Extracted on July 17, 2010.
- Unit of Measure: Number of enforcement actions issued during FY 09-10.
- Data Definitions: **Informal enforcement:** any communication from that notifies the discharger of a problem (* for reporting purposes it includes 13267 letters and notices to comply). **Formal enforcement:** administrative or judicial actions that impose sanctions and/or require compliance where a hearing is available to contest the allegations (** for reporting purposes it does not include Administrative Civil Liabilities actions). **Formal Penalty enforcement:** includes Administrative Civil Liability actions and any other monetary assessment imposed.
- References: More information on the Water Boards' WDR NON15 program is available at: http://www.waterboards.ca.gov/water_issues/programs/land_disposal/waste_discharge_requirements.shtml
- Public reports and data are available at: http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml
- Enforcement and compliance assurance information is available at: http://www.waterboards.ca.gov/water_issues/programs/enforcement/
- The Water Boards' enforcement policy is also available at: http://www.waterboards.ca.gov/plans_policies/docs/wqep.doc

GLOSSARY:**Waste Discharge Requirements-NON15 Program**

The Waste Discharge Requirements (WDR) Program regulates all point source discharges of waste to land that do not require full containment (which falls under the [Land Discharge Program](#)), or are not subject to the NPDES Program.