

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX

IN THE MATTER OF:)	Docket No. CWA-309(a)-08-030
)	
Sewerage Agency of Southern Marin,)	FINDINGS OF VIOLATION
Almonte Sanitary District,)	AND
Alto Sanitary District,)	ORDER FOR COMPLIANCE
City of Mill Valley,)	
Homestead Valley Sanitary District,)	Proceeding under Sections 308(a) and 309(a) of
Richardson Bay Sanitary District, and)	the Clean Water Act, 33 U.S.C. §§ 1318 and
Tamalpais Community Services District)	1319(a)

STATUTORY AUTHORITY

The following Findings of Violation are made and Order for Compliance issued pursuant to the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) under Sections 308(a) and 309(a) of the Clean Water Act (Act), as amended, 33 U.S.C. §§1318(a) and 1319(a). The Administrator has delegated these authorities to the Regional Administrator of EPA, Region IX, who has in turn delegated them to the Director of the Water Division of EPA, Region IX. Notice of this action has been given to the State of California Regional Water Quality Control Board, San Francisco Bay Region ("Regional Board").

FINDINGS OF VIOLATION

On the basis of the following facts, the Director of the Water Division of EPA, Region IX, finds that the Sewerage Agency of Southern Marin, Almonte Sanitary District, Alto Sanitary District, City of Mill Valley, Homestead Valley Sanitary District, Richardson Bay Sanitary District, and Tamalpais Community Services District are in violation of Section 301(a) of the Act, 33 U.S.C. § 1311(a).

1. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants into navigable waters of the United States except in compliance with various sections of the Act, including section 402 of the Act, 33 U.S.C. § 1342.
2. Section 402 of the Act establishes the National Pollutant Discharge Elimination System (NPDES). Pursuant to section 402 of the Act, the State of California, through its various Regional Water Quality Control Boards, may issue NPDES permits for the discharge of pollutants into navigable waters located within the State of California.
3. "Pollutants" means, among other things, "sewage". 33 U.S.C. § 1362(6). A point source means any discernable, confined and discrete conveyance, including but not limited to any pipe or other conduit, from which pollutants are or may be discharged. 33 U.S.C. § 1362(14). Navigable waters means the "waters of the United States," which include all waters used in interstate commerce, including tidal waters and their tributaries. 33 U.S.C. § 1362(7); 40 C.F.R. §§ 122.3, 230.3(s).
4. The Sewerage Agency of Southern Marin, Almonte Sanitary District, Alto Sanitary District, City of Mill Valley, Homestead Valley Sanitary District, Richardson Bay Sanitary District, and Tamalpais Community Services District are each a person in the context of section 502(5) of the Act. See 33 U.S.C. §§ 1362(4), 1362(5).
5. Almonte Sanitary District (Almonte) operates a sewage collection system that collects sewage from approximately 789 equivalent domicile units (EDUs), servicing a population of approximately 1,478 in southern Marin County. Almonte's collection system includes approximately 5.5 miles of sewage pipes. Sewage collected by Almonte's collection system is conveyed to the sewage collection system operated by Sewerage Agency of Southern Marin (SASM) and thereafter conveyed for treatment at the Sewerage Agency of Southern Marin Wastewater Treatment Plant.
6. Alto Sanitary District (Alto) operates a sewage collection system that collects sewage from approximately 508 EDUs, servicing a population of approximately 1,000 in southern Marin County. Alto's collection system includes approximately six miles of sewage pipes. Sewage collected by Alto's collection system is conveyed to the sewage collection system operated by SASM and thereafter conveyed for treatment at the Sewerage Agency of Southern Marin Wastewater Treatment Plant.
7. City of Mill Valley (Mill Valley) operates a sewage collection system that collects sewage from approximately 7,140 EDUs, servicing a population of approximately 13,600 in southern Marin County. Mill Valley's collection system includes approximately 59 miles of sewage pipes, two pumping stations, and a half mile of force main. Sewage collected by Mill Valley's collection system is conveyed to the sewage collection system operated by SASM and thereafter conveyed for treatment at the Sewerage Agency of Southern Marin Wastewater Treatment Plant.

8. Homestead Valley Sanitary District (Homestead Valley) operates a sewage collection system that collects sewage from approximately 1,064 EDUs, servicing a population of approximately 2,354 in southern Marin County. Homestead Valley's collection system includes approximately 11 miles of sewage pipes. Sewage collected by Homestead Valley's collection system is conveyed to the sewage collection system operated by SASM and thereafter conveyed for treatment at the Sewerage Agency of Southern Marin Wastewater Treatment Plant.
9. Richardson Bay Sanitary District (Richardson Bay) operates a sewage collection system that collects sewage from approximately 4,664 EDUs, servicing a population of approximately 9,494 in southern Marin County. Richardson Bay's collection system includes approximately 40 miles of sewage pipes, four miles of force mains, 15 pump stations, and eight individual home pump stations. Sewage collected by Richardson Bay's collection system is conveyed to the sewage collection system operated by SASM and thereafter conveyed for treatment at the Sewerage Agency of Southern Marin Wastewater Treatment Plant.
10. Tamalpais Community Services District (Tamalpais) operates a sewage collection system that collects sewage from approximately 2,560 EDUs, servicing a population of approximately 5,851 in southern Marin County. Tamalpais' collection system includes approximately 27 miles of sewage pipes, less than one mile of force main, and two pump stations. Sewage collected by Tamalpais' collection system, except that from the area known as Kay Park, is pumped to a sewage collection system operated by Sausalito-Marín City Sanitary District and thereafter conveyed for treatment at the Sausalito-Marín City Sanitary District Wastewater Treatment Plant. Sewage from about 140 EDUs in Kay Park flows to the sewage collection system operated by SASM and thereafter conveyed for treatment at the Sewerage Agency of Southern Marin Wastewater Treatment Plant.
11. SASM operates a sewage collection system and the wastewater treatment plant known as the Sewerage Agency of Southern Marin Wastewater Treatment Plant. SASM's collection system includes approximately five miles of sewage pipes, ten miles of force mains, and six lift stations. SASM's collection system collects sewage from the Almonte, Alto, Mill Valley, Homestead Valley, Richardson Bay, and a portion of the Tamalpais collection systems. SASM discharges treated wastewater from the Sewerage Agency of Southern Marin Wastewater Treatment Plant to Raccoon Strait in San Francisco Bay.
12. On June 20, 2001, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted "Order No. 01-070, NPDES Permit No. CA0037711" (2001 Permit). The 2001 Permit served as an NPDES permit issued to SASM, and authorized discharges in accordance with the conditions set forth in the 2001 Permit. See 2001 Permit, p. 19 and sec. E (25 and 26).
13. The 2001 Permit states, in part:

“A. DISCHARGE PROHIBITIONS

....

5. Discharges of water, materials, or wastes other than storm water, which are not authorized by an NPDES permit, to a storm drain system or waters of the State are prohibited.” 2001 Permit, Sec. A. 5; and

“E. PROVISIONS

....

18. Wastewater Facilities, Review and Evaluation, and Status Reports.

a. The discharger shall operate and maintain its wastewater collection, treatment and disposal facilities in a manner to ensure that all facilities are adequately staffed, supervised, financed, operated, maintained, repaired, and upgraded as necessary, in order to provide adequate and reliable transport, treatment, and disposal of all wastewater from both existing and planned future wastewater sources under the discharger’s service responsibilities.” 2001 Permit, Sec. E.18.

14. On August 8, 2007, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted “Order No. R2-2007-0056, NPDES Permit No. CA00377711” (2007 Permit). The 2007 Permit authorizes SASM to discharge from a facility identified as “Sewerage Agency of Southern Marin Wastewater Treatment Plant, its collection system and its satellite collection systems” in accordance with the conditions set forth in the 2007 Permit. The 2007 Permit serves as an NPDES permit for point source discharges from this facility to surface waters. 2007 Permit, p. 1, and 2007 Permit, Sec. II.C. The 2007 Permit also rescinded the 2001 Permit except for enforcement purposes upon the effective date of the 2007 Permit, October 1, 2007. See 2007 Permit, p. 1.

15. The 2007 Permit states, in part:

“III. DISCHARGE PROHIBITIONS

....

E. Any sanitary sewer overflow that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited.” 2007 Permit, Sec. III.E.

16. As part of its findings, the 2007 Permit identifies Almonte, Alto, Mill Valley, Homestead Valley, Richardson Bay, and Tamalpais as being among the “SASM member agencies”. 2007 Permit, sec. II.B.1.

17. As part of its findings, the 2007 Permit further states: “Roles and Responsibilities of Satellite Collection Systems. Each satellite collection system is responsible for an ongoing program of maintenance and capital improvements for sewer lines and pump stations within its respective jurisdiction in order to ensure adequate capacity and

reliability of the collection system. Each satellite collection system shall ensure that its wastewater does not adversely impact the Discharger's treatment plant and/or collection system. The responsibilities include managing overflows, controlling Infiltration and Inflow (I&I) and implementing collection system maintenance." 2007 Permit, sec. II.7.

18. By letter dated November 15, 2004, the Regional Board notified sewer system authorities within its region of new requirements for reporting sanitary sewer overflows (SSOs), including requirements to electronically report SSOs to the Regional Board and to provide an annual report of all SSOs by a schedule set forth in the letter.
19. On May 2, 2006, the California State Water Resources Control Board adopted Order No. 2006-0003-DWQ, Statewide General Discharge Requirements for Sanitary Sewer Systems (2006 Order). The 2006 Order requires districts and other public entities that own or operate sanitary sewer systems to develop sewer system management plans, and comply with various other compliance and reporting requirements, as set forth in the 2006 Order. SASM, Almonte, Alto, Mill Valley, Homestead Valley, Richardson Bay, and Tamalpais are each required to comply with the 2006 Order. See 2006 Order, p. 1.
20. By letter dated September 29, 2006, the Regional Board notified sewer system authorities within its region of changes in requirements for electronic reporting of SSOs. The letter requested sewer system authorities to electronically report SSOs to the Regional Board through May 1, 2007, and then begin reporting SSOs to the statewide system on May 2, 2007 as required in the 2006 Order. See 2006 Order, p. 17.
21. Numerous SSOs have occurred from the collection systems operated by SASM, Almonte, Alto, Mill Valley, Homestead Valley, Richardson Bay, and Tamalpais. EPA has reviewed: SSO eReporting Program Database Records (from December 1, 2004 to May 2, 2007) as maintained by the Regional Board; information available from the California Integrated Water Quality System's Public Reports as maintained by the State Water Resources Control Board; and Annual Reports of SSOs submitted to the Regional Board by SASM, Almonte, Alto, Mill Valley, Homestead Valley, Richardson Bay, and Tamalpais, as required by the Regional Board's letter dated November 15, 2004.
22. Based upon its review of those records and reports, EPA finds that sewage spills occurred from a collection system operated by Almonte, Alto, Mill Valley, Homestead Valley, Richardson Bay, Tamalpais or SASM, as follows:
 - a. Between December 2004 and February 2008, 16 sewage spills occurred from the Almonte collection system. A summary of the sewage spills from Almonte's collection system is provided in Attachment 1.
 - b. Between December 2004 and February 2008, five sewage spills occurred from the Alto collection system. Two of those sewage spills were reported as spills that flowed to surface waters or to storm drains. A summary of the sewage spills from Alto's collection

system is provided in Attachment 1.

c. Between December 2004 and February 2008, 110 sewage spills occurred from the Mill Valley collection system. Twenty-five of those sewage spills were reported as spills that flowed to surface waters or to storm drains. A summary of the sewage spills from Mill Valley's collection system is provided in Attachment 1.

d. Between December 2004 and February 2008, 34 sewage spills occurred from the Homestead Valley collection system. Some of those sewage spills were reported as spills that flowed to surface waters or to storm drains. A summary of the sewage spills from Homestead Valley's collection system is provided in Attachment 1.

e. Between December 2004 and February 2008, 48 sewage spills occurred from the Richardson Bay collection system. Four of those sewage spills were reported as spills that flowed to surface waters or to storm drains. A summary of the sewage spills from Richardson Bay's collection system is provided in Attachment 1.

f. Between December 2004 and February 2008, 28 sewage spills occurred from the Tamalpais collection system. Eight of those sewage spills were reported as spills that flowed to surface waters or to storm drains. A summary of the sewage spills from Tamalpais' collection system is provided in Attachment 1. These spills are also cited in the Findings of Violation and Order for Compliance, EPA Docket No. CWA-309(a)-08-031 issued by EPA to Sausalito-Marín City Sanitation District, City of Sausalito, and Tamalpais.

g. Between December 2004 and February 2008, four sewage spills occurred from the SASM collection system. Those sewage spills were reported as spills to surface waters or to storm drains. A summary of the sewage spills from SASM's collection system is provided in Attachment 1.

23. Based upon its review of those records and reports, EPA further finds that various spills from the sewage collection systems operated by Almonte, Alto, Mill Valley, Homestead Valley, Richardson Bay, Tamalpais or SASM have been caused, and resultant public health and environmental impacts have been exacerbated, by excessive infiltration and inflow into those collection systems and by inadequate control of blockages within those systems.
24. In March 2006, SASM indicated in its Annual Report to the Regional Board that four SSOs occurred in SASM's collection system, and that "the predominant cause of the SSOs was high wet weather flow due to high rainfall and infiltration."
25. In August and October 2007, EPA staff and contractors conducted inspections of the collection systems operated by Almonte, Alto, Homestead Valley, Richardson Bay, Tamalpais, and SASM. In February 2008, EPA conducted an inspection of the City of

Mill Valley collection system. Copies of the inspection reports were provided to the agencies. Based upon the observations made in those inspections, EPA finds that various sewage spills from the member agencies' collection systems were caused by sewer line blockages, that the blockages were primarily caused by root intrusion and debris, and that inflow and infiltration in the member agencies' collection systems resulted in high wet weather flows to the collection system operated by SASM and to the Sewerage Agency of Southern Marin Wastewater Treatment Plant.

26. On January 25, 2008, an estimated 2,450,000 gallons of screened wastewater from the Sewer Agency of Southern Marin Wastewater Treatment Plant's equalization ponds bypassed the plant and discharged to Pickleweed Inlet of Richardson Bay, in violation of paragraph III.A. of the 2007 permit. EPA finds that the unpermitted discharge was caused, in part, by excessive inflow and infiltration to the member agencies' collection systems that resulted in peak wet weather flows through the collection systems and to the wastewater treatment plant.
27. The aging, deteriorated condition of many sewer pipes in the collection systems has allowed for infiltration of ground water into the sewer pipes, increasing wastewater flow to the SASM collection system and wastewater treatment plant. Therefore, the member agencies contributed to the discharge on January 25, 2008.
28. Based on the spills, permit violations, and unpermitted discharges identified above, EPA finds that on various occasions, SASM, Almonte, Alto, Homestead, Mill Valley, Richardson Bay, and Tamalpais have each discharged, or have caused and contributed to the discharge of, pollutants to waters of the U.S. in violation of section 301(a) of the Act.

Considering the foregoing Findings and the potential environmental and human health effects of the violations, EPA has determined that compliance in accordance with the following requirements is reasonable. Pursuant to the authority of sections 308(a) and 309(a) of the Act, it is hereby ORDERED:

ORDER

The Sewerage Agency of Southern Marin, Almonte Sanitary District, Alto Sanitary District, City of Mill Valley, Homestead Valley Sanitary District, Richardson Bay Sanitary District, and Tamalpais Community Services District (collectively, "SASM and the member agencies") shall implement a Sewage Spill Reduction Action Plan (SSRAP) that includes the following components for reducing and eliminating collection system sewage spills. Each component plan of the SSRAP required in paragraphs II to VII of this Order is subject to review and approval by EPA as specified in paragraph VIII of this Order. SASM and the member agencies each shall implement their current programs for controlling sewage spills and shall immediately implement improvements to their current programs that are consistent with the requirements below. A

timetable for submittal of plans and reports required by this Order is included as Attachment 2. If a program currently being implemented by SASM or the member agencies fails to meet the requirements of this Order, SASM or a member agency, as appropriate, must implement the improvements necessary to satisfy this Order. To the extent that an existing program satisfies the requirements of this Order, SASM or a member agency may submit a description of its program for review and approval by EPA.

I. ELIMINATION OF COLLECTION SYSTEM SPILLS

A. Beginning immediately, SASM and the member agencies each shall consistently and substantially reduce the frequency and volume of sewage spills to waters of the United States. SASM and the member agencies shall prevent sewage spills caused by that respective agency to waters of the United States.

B. SASM shall eliminate unpermitted discharges of wastewater from its wastewater treatment plant to waters of the U.S. and achieve consistent compliance with the 2007 Permit.

C. The member agencies each shall complete improvements necessary to eliminate conditions in its collection system that cause or contribute to wastewater spills from SASM's collection system or wastewater treatment plant.

II. SPILL RESPONSE, RECORDKEEPING, NOTIFICATION & REPORTING

A. **Sanitary Sewer Overflow Response Plan:** By October 15, 2008, SASM and the member agencies each shall submit to EPA a Sanitary Sewer Overflow Response Plan that describes emergency response and contingency procedures to address SSOs from its collection system, including measures for containing and recovering spilled sewage, establishment of interim system operations, and timely repair and restoration of normal operations. Each agency shall ensure that agency staff and responders are adequately trained to perform the procedures outlined in the SSO response plan. The plan shall include:

1. Procedures to notify the responders during normal business hours and after business hours. The responders shall respond within 30 minutes after notification.
2. Procedures to ensure containment, termination, maximum recovery, and cleanup of spilled sewage. These procedures shall prevent spills from reaching storm drains and surface water and mitigate the impact of spills that reach storm drains and surface water.
3. Procedures to estimate spill volume. The procedures should include more than one estimation method that can be used in different spill scenarios.

4. Procedures to secure the area surrounding a spill and post warning signs as necessary in coordination with the County of Marin's Department of Health and Human Services.
5. Procedures to sample and monitor surface waters following spills.
6. A list of necessary spare parts and emergency equipment to ensure adequate response time and maximum recovery of spilled sewage.
7. A description of staffing needs required to respond to SSOs and whether staffing duties will be carried out by agency staff, staff from other agencies, or private contractor(s). To the extent that any SSO response duties will be carried out by private contractor(s), the plan shall describe the contractor and include copies of the contracts obligating the contractor(s) to fulfill the requirements of the SSO response plan implemented pursuant to this Order.

B. Recordkeeping: The response plan developed in Paragraph II.A. shall include procedures for agency staff or its contractors to maintain records of spill incidents, including field reports that provide adequate information to meet reporting requirements to regulatory agencies, and procedures to link these records to the Maintenance Management System described in Paragraph III.B.

C. Notification: The response plan developed in Paragraph II.A. shall include procedures for notifying the public, including schools and recreational clubs, that may be affected by a spill. The plan should include procedures for advising the public to avoid contact and to take steps, as appropriate, in cases of contact with spilled sewage. For spills in homes and businesses, the plan should include procedures for cleaning the spill area. The plan shall identify the agency staff person(s) responsible for public notification.

D. Reporting: The response plan developed in Paragraph II.A. shall include procedures for reporting spills, as required, to the appropriate regulatory agencies, including the Regional Board, State Water Resources Control Board, the State of California's Office of Emergency Services, and the County of Marin's Department of Health and Human Services. The plan shall identify the agency staff person(s) responsible for reporting sewage spills.

III. COLLECTION SYSTEM MAINTENANCE AND MANAGEMENT

A. Sewer System Cleaning and Root Control Program:

1. By October 15, 2008, SASM and the member agencies each shall submit to EPA a plan to implement a Sewer System Cleaning and Root Control Program to ensure regular cleaning of sewer pipes. The program shall ensure that at least 30 percent of that agency's pipe mileage is cleaned each year such that the entire collection system

is cleaned within three years. The program must be sufficient to eliminate or reduce blockage-related spills and shall include the following elements:

- a. A schedule for routine cleaning of the agency's entire collection system;
 - b. A list of locations where pipe blockages and SSOs have frequently occurred ("hot spots"), a plan to regularly monitor these areas, a hot spot cleaning schedule and procedures for adjusting the hot spot cleaning schedule based on changing conditions;
 - c. Written procedures for cleaning and repairing sewer pipes in easements including cleaning schedules, instructions for gaining access to sewer pipes in easements, and cleaning procedures;
 - d. A plan for preventing blockage of sewer pipes by roots, including a description of root control methods, locations where root control methods may be used within the collection system, and a schedule for application of root control methods;
 - e. A plan for staffing the sewer system cleaning and root control program, indicating whether duties will be carried out by agency staff, staff from other agencies, or private contractor(s). To the extent that any sewer cleaning or root control duties will be carried out by private contractor(s), the plan shall describe the contractor and provide copies of the contracts obligating the contractor(s) to fulfill the requirements of the sewer cleaning and root control program implemented pursuant to this Order.
2. By October 15 of each year, SASM and the member agencies each shall submit an annual report to EPA documenting activities conducted under that agency's sewer cleaning and root control program during the previous annual cycle, including miles of pipe cleaned as part of the routine and hot spot cleaning programs and miles of pipe treated by each method used for controlling roots. SASM and the member agencies each shall include a description of the success of the sewer cleaning and root control program at preventing blockages and sewage overflows as well as any changes to be made to the program to further reduce spills.

B. Maintenance Management System:

1. By October 15, 2008, SASM and the member agencies each shall obtain and implement a computerized sewer maintenance management system (MMS) capable of scheduling and tracking completion of sewer cleaning, maintenance, repairs, and SSOs. The MMS shall record information on sewer system inspections, condition ratings, and sewers repaired, rehabilitated and replaced. The MMS shall have the capability to be used to generate reports summarizing SSOs and identify hot spots.

2. By April 15, 2009 the MMS shall be linked to a Geographic Information System (GIS) map of the sewage collection systems, which in turn shall be linked to an inventory of sewer system assets that includes information on asset age, material, dimensions and capacities.

C. Pump Station Reliability Certification:

1. By April 15, 2009, SASM and the member agencies each shall submit to EPA a report describing the pump stations within its collection system, including number of primary and redundant pumps, pumping capacity, emergency generators, alarm systems, and estimated time to overflow in the event of station failure during peak dry weather flow.
2. By April 15, 2009, SASM and the member agencies each shall certify to EPA that each pump station for which it is responsible is equipped for peak wet weather flows and continuous operation in the event of electrical failure, mechanical failure or power outage.
3. If an agency is unable to certify that a pump station is adequately equipped, the agency by April 15, 2009, shall submit a plan, including a schedule and financial plan, for completing all repairs, renovations, and upgrades on each pump station and force main to ensure adequate capacity for peak wet weather flows and to ensure continuous operation.
4. By October 15 of each year, SASM and the member agencies each shall submit an annual report to EPA documenting pump station and force main renovations, and upgrades during the previous year and describing projects to be completed in the coming annual cycle.

D. Fats, Oils & Grease (FOG) Blockage Control Program Report:

By October 15, 2008, SASM and the member agencies each shall submit a report documenting its program to control sources of FOG and the effectiveness of the program at eliminating grease blockages. The report shall include:

1. A list of locations where grease blockage spills have occurred and, if known, the sources causing the spill;
2. A summary of sewer cleaning activities aimed at sewer pipes prone to blockages by grease;
3. A description of FOG source control programs, including ordinances, treatment, best management practice requirements, source inspections and enforcement procedures, and outreach and education efforts;

4. A description of the effectiveness of the program at controlling and eliminating grease blockages; and
5. A description of any modifications needed to improve the effectiveness of the FOG source control program.

IV. COLLECTION SYSTEM ASSESSMENTS

A. Sewer Pipe and Maintenance Hole Inspection and Condition Assessment:

1. By October 15, 2008, SASM and the member agencies each shall submit a plan to EPA for periodic inspection and assessment of the condition of gravity sewers and maintenance holes throughout the agency's collection system. The inspection and condition assessment program shall be sufficient to evaluate the condition of pipes following blockage-related spills, identify pipes in need of emergency repair, and provide a schedule for completion of a system-wide condition assessment no later than April 15, 2010. The requirements for system-wide condition assessment may be satisfied with reliable condition data obtained from an inspection and assessment conducted within the last five years. The plan shall describe:
 - a. Inspection methods to be used, including direct visual inspection, closed-circuit television (CCTV) inspection, and whether the SASM and the member agencies will purchase, lease, or contract for CCTV inspection equipment;
 - b. An inspection schedule including an estimation of the miles of sewer pipe and number of maintenance holes that will be inspected each year for the next two years; and
 - c. A system for timely evaluation of inspection findings and documentation of the assessed condition.
2. By October 15, 2008, SASM and the member agencies each shall submit a report to EPA summarizing inspections and condition assessments completed during the previous five years.
3. By October 15, 2009, SASM and the member agencies each shall submit an annual progress report to EPA summarizing the inspection methods and findings of the sewer pipe condition assessments conducted during the previous year and the estimated miles of sewer pipe and number of maintenance holes to be inspected during the current year.
4. By October 15, 2010, SASM and the member agencies shall submit a final report summarizing the findings of the inspections and condition assessments required by Paragraph IV.A.1.

B. Capacity Assessment:

1. By October 15, 2008, SASM and the member agencies each shall install flow meters to assess average and peak dry and wet weather flow rates through its collection system.
2. By October 15, 2009 and each year thereafter, SASM and the member agencies each shall submit a report to EPA providing the results of collection system flow monitoring, including the average dry weather flow and peak wet weather flow from each of the member agency collection systems.
3. By October 15, 2010, SASM and the member agencies each shall complete an assessment and submit a report to EPA on collection system flows and hydraulic capacity. The assessments shall include flow measurements, visual observations of flow levels and predictive flow modeling as needed to complete a report that:
 - a. identifies areas, sources and quantities of significant inflow to the sewage collection system;
 - b. identifies areas, sources and quantities of significant infiltration to the sewage collection system;
 - c. identifies any bottlenecks in the collection system which lack sufficient capacity to convey sewage flows through the collection system and to the Sewerage Agency of Southern Marin Wastewater Treatment Plant during wet weather; and
 - d. provides a discussion of the impact of wet weather flow from one agency to another as well as the impact on the Sewerage Agency of Southern Marin Wastewater Treatment Plant.

V. CAPACITY ASSURANCE

A. Short-Term Contingency Plan:

By October 15, 2008, SASM shall develop and implement a short-term contingency plan for improvements necessary to eliminate spills from its wastewater treatment plant and equalization basins to Richardson Bay and its tributaries. The plan may include options for expanding the basins, rerouting basin overflows to the permitted outfall in Racoon Strait, or implementing other measures to eliminate overflows to Richardson Bay.

B. Capacity Assurance Plan:

1. By October 15, 2010, SASM and the member agencies shall propose and schedule short-term and long-term improvements identified from the condition and capacity assessments completed in Paragraph IV. The plan(s) shall consider the effects that existing capacity limitations and future upgrades may have on the Sewerage Agency of Southern Marin Wastewater Treatment Plant and other collection systems. The plan(s) should be sufficient to eliminate spills from the collection systems and wastewater treatment plant during peak wet weather.
2. By October 15, 2013, SASM and the member agencies shall complete short-term improvements identified pursuant to Paragraph V.A. The improvements shall address preliminary I&I control, conveyance of peak flows, storage of peak flows, and improvements to treatment plant capacity.
3. SASM and the member agencies shall implement the long-term improvements pursuant to Paragraph V.B.1. in accordance with the approved schedule. The improvements shall address long-term I&I control, rehabilitation and repair of sewer mains, and as needed, rehabilitation of private laterals.

VI. INFRASTRUCTURE RENEWAL

A. Sewer Repair, Rehabilitation and Replacement: By October 15, 2010, SASM and the member agencies each shall submit a plan to EPA for both short-term (repairs of acute defects to occur within one year of inspection and assessment completed) and long-term repair, rehabilitation and replacement of sewer pipes. The plan shall include a schedule and financial plan. The plan shall be sufficient to: 1) ensure timely repair of sewer pipes in imminent danger of failure or blockage; 2) ensure the long range sustainable rehabilitation or replacement of obsolete assets; 3) improve system performance and reduce spills caused by pipe defects and blockages from roots and debris; and 4) control inflow and infiltration as needed pursuant to the Capacity Assurance Plan in Paragraph V.B. The plan shall include:

1. The length of pipe repaired, rehabilitated, or replaced in the last 20 years;
2. An estimate of the miles of sewer pipe to undergo emergency repair or replacement each year;
3. An estimate of the miles of sewer pipe to be rehabilitated or replaced over the next 10 years and identification of the pipe reaches to be rehabilitated or replaced in the next 5 years;
4. A 10-year financial plan for short-term and long-term repair, rehabilitation, and replacement of sewer pipes; and

5. A plan to address private lateral repair, rehabilitation and replacement as needed pursuant to the Capacity Assurance Plan in Paragraph V.B.
- B. By October 15 of each year, SASM and the member agencies each shall submit an annual report to EPA documenting sewer repair, rehabilitation or replacement activities completed in the previous year; describing projects to be completed in the coming annual cycle; and providing an updated 10-year Capital Improvement Plan (CIP).

VII. IMPLEMENTATION STUDY AND REPORT

By October 15, 2008, SASM and the member agencies shall complete a study and submit a report that evaluates options for collaboration among the member agencies on efforts to implement and comply with the requirements of this Order. This evaluation shall consider:

1. options for deploying staff, equipment, and other resources, where possible, to minimize costs to each agency and provide for efficient implementation of collection system maintenance and spill response;
2. measures to reduce energy use within the collection systems and at the wastewater treatment plant, such as energy audits of pump stations and efforts to increase water conservation;
3. coordination among the agencies and SASM on completing the condition and capacity assessments;
4. coordination among the agencies on reaching sound engineering decisions on the most cost-effective means for ensuring adequate capacity throughout the collection systems and at the SASM Wastewater Treatment Plant;
5. collaboration among the agencies to ensure the most cost-effective and efficient delivery of the capital improvements needed to renew the aging sewer systems and complete the capacity improvements required by this Order; and
6. collaboration among the agencies to develop financial plans and secure funding needed to complete the requirements of this Order.

VIII. PLAN REVIEW AND APPROVAL

Where this Order requires the submittal of a plan to EPA, that plan shall be subject to EPA review, comment and approval. If EPA does not approve or comment upon a plan within 60 days of receipt (or does not, in writing, extend EPA's review for an additional 30 days), the agency submitting the plan shall implement the plan submitted. SASM and the member agencies shall make any revisions requested by EPA in writing or respond to any EPA comments and

submit a revised plan to EPA within 30 days of receipt of EPA's comments or requested revisions. Upon approval by EPA, the plans are automatically incorporated by reference as an enforceable part of this Order. All annual reports required by this Order are also subject to EPA review and approval in accordance with this paragraph.

IX. QUARTERLY SPILL REPORTS

On the fifteenth day of January, April, July, and October in each year in which activities are conducted pursuant to this Order, SASM and the member agencies each shall submit a tabulation of all sewage spills occurring during the previous calendar quarter. The quarterly reports shall indicate, for each spill, the spill date, spill volume, volume recovered, spill location, cause, and spill destination. An agency may include certified and uncertified spill reports submitted to the State Water Resources Control Board's California Integrated Water Quality System during the previous calendar quarter.

X. ANNUAL PROGRESS REPORTS

Beginning in 2008, on October 15 of each year in which activities are conducted pursuant to this Order, SASM and the member agencies each shall submit a written summary progress report detailing the implementation of the requirements of this Order during the preceding annual cycle pursuant to Paragraphs III.A.2., III.C.4., IV.A.3., IV.B.2., and VI.A.2. The reports shall evaluate the effectiveness of the spill elimination programs, and detail all additional actions each agency plans to take in order to eliminate spills. The annual progress reports shall also contain an updated wastewater collection system annual budget for the current year and the cost of compliance with this Order. Annual progress reports are subject to EPA review and approval in accordance with Paragraph VIII.

XI. INFORMATION SUBMITTAL

A. All submittals made pursuant to this Order shall be mailed to the following addresses:

Fatima Ty
U.S. Environmental Protection Agency
Clean Water Act Compliance Office (WTR-7)
Water Division
75 Hawthorne Street
San Francisco, CA 94105

Michael Chee
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

B. All reports submitted pursuant to this Order shall be signed by a principal executive officer, ranking elected official or duly authorized representative of the agency [as specified by 40 CFR §122.22(b)(2)] and shall include the following statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

C. The information requested herein must be provided notwithstanding its possible characterization as confidential business information or trade secrets. EPA has promulgated regulations to protect the confidentiality of the business information it receives. These regulations are set forth in part 2, subpart B of Title 40 of the Code of Federal Regulations. A claim of business confidentiality may be asserted in the manner specified by 40 C.F.R. §2.203(b) for part or all of the information requested. EPA will disclose business information covered by such a claim only as authorized under 40 C.F.R. part 2, subpart B. If no such claim accompanies the business information at the time EPA receives it, EPA may make it available to the public without further notice.

XII. GENERAL PROVISIONS

A. This Order is not a permit under the Act, and does not relieve the Sewerage Agency of Southern Marin, Almonte Sanitary District, Alto Sanitary District, City of Mill Valley, Homestead Valley Sanitary District, Richardson Bay Sanitary District, and Tamalpais Community Services District of any obligations imposed by the Act or any other law, regulation or permit.

B. All requirements to submit information to EPA set forth in this Order are not subject to review by the Office of Management and Budget (“OMB”) under the Paperwork Reduction Act because they are not “information collection requests” within the meaning of 44 U.S.C. §§3502(3), 3507, 3512, and 3518(c)(1). See also, 5 C.F.R. §§1320.3(c), 1320.4, and 1320.6(a). Furthermore, they are exempt from OMB review under the Paperwork Reduction Act because they are directed to fewer than ten persons and are an exempt investigation. 44 U.S.C. §§3502(4), (11), and 3518(c)(1); 5 C.F.R. §§1320.4 and 1320.6(a).

C. Issuance of an Order for Compliance shall not be deemed an election by EPA to

forego any administrative, civil, or criminal action to seek penalties, fines, or other appropriate relief under the Act or any other statutes.

D. Failure to comply with this Order could subject SASM and the member agencies each to civil action for appropriate relief, including judicial penalties under Section 309(d) of the Act. 33 USC §1319(d). Failure to submit information required under Section 308 of the Act (including information required under this Order), or to comply with the NPDES permit or other Act provisions, could subject SASM and the member agencies each to actions under Section 309(a) (for administrative compliance orders), Section 309(b) (for judicial injunctive relief), Section 309(d) (for civil judicial penalties), and/or Section 309(g) (for administrative penalties). 33 USC §1319(b), (d) and (g). In addition, Section 309(c) of the Act provides criminal sanctions for negligent or knowing violations of the Act, and for knowingly making false statements. 33 USC §1319(c).

E. If any event occurs that may cause a failure to timely carry out any requirement of this Order, the agency shall notify EPA in writing within twenty-one (21) calendar days of the time the agency becomes aware of the effect the event may have on compliance. The notice shall describe in detail the precise cause of the failure and measures taken to prevent or minimize the failure. The agency shall implement reasonable measures to avoid or minimize any such failure.

F. This Order remains in effect until terminated by the Director of the Water Division, EPA, Region 9. An agency may petition the Director to terminate the Order based on the progress by the agency toward reducing and eliminating sewage spills that are a violation of the Act and certification by the agency that they have completed each requirement of this Order and have in place programs and financial plans to assure the continued improvement of the collection system.

Dated this 10th day of April 2008



Alexis Strauss
Director
Water Division
U.S. Environmental Protection Agency, Region 9

ATTACHMENT 1: Finding of Violation and Order Docket No. CWA-309(a)-08-030

**Sewerage Agency of Southern Marin and its Member Agencies
Sewage Spills to Waters of the United States: December 1, 2004 to February 29, 2008**

Agency	Date	Location	No. of Spills	Spill Volume (gal)	Spill Destination	Data Source
SASM Collection System						
	12/22/2005	In the area of Miller Ave	100	Waters of the State	Annual Report 12/2004-12/2005	
	12/27/2004	Almonte Blvd 200' north of intersection with Shoreline Highway.	600	Storm Drain	RB SSO Track No. 698	
	12/27/2004	Intersection Almonte Blvd and Wisteria Lane.	1,200	Storm Drain	RB SSO Track No. 699	
	12/27/2004	Miller Avenue at Tam High baseball field.	6,000	Storm Drain	RB SSO Track No. 700	
Almonte Sanitary District						
	11/16/2007	213 Cleveland	20	Street/Curb & Gutter	SB SSO No. 707901	
	10/17/2007	145 Stadium Avenue	200	Street/Curb & Gutter; Unpaved Surface	SB SSO No. 705756	
	7/26/2007	151 Lark Lane	10	Street/Curb & Gutter	SB SSO No. 655328	
	7/1/2007	193 Lavender	50	Street/Curb & Gutter	SB SSO No. 653825	
	6/30/2007	276 Morning Sun	100	Street/Curb & Gutter	SB SSO No. 653821	
	6/10/2007	211 California Avenue	600	Unpaved Surface	SB SSO No. 651694	
	6/10/2007	211 California Avenue	600	Unpaved Surface	SB SSO No. 651698	
	5/1/2007	264 Morning Sun Avenue	10	Street/Curb & Gutter	RB SSO Track No. 5190	
	2006	In the District	2	10 - 99 Not Waters of the State	Annual Report 1/2006-12/2006	

11/4/2006	25 Homestead Blvd	300	Street/Curb & Gutter	RB SSO Track No. 4075
4/19/2006	261 Cleveland Avenue	150	Yard/Land	RB SSO Track No. 3220
2/13/2006	138 Stadium Avenue	200	Yard/Land	RB SSO Track No. 2804
12/31/2005	157 Lark Lane	600	Building/Structure	RB SSO Track No. 2499
2/5/2005	MH #125A - 126 beside 225 Rosemont Avenue	300	Street/Curb & Gutter	RB SSO Track No. 978
12/16/2004	Rod hole in backyard sewer easement behind 215 California Avenue	850	Yard/Land	RB SSO Track No. 615
Alto Sanitary District				
2007	In the District	2	<10 Contained & Returned	Annual Report 1/2007-2/2008
2006	In the District	100	Not Waters of the State	Annual Report 1/2006-12/2006
2006	In the District	60	Waters of the State	Annual Report 1/2006-12/2006
9/30/2005	39 Plaza Drive, Mill Valley, CA	100	Storm Drain	RB SSO Track No. 1911
Homestead Valley Sanitary District				
2007	In the District	4	100 - 999 500 gal Contained & Returned; 1,293 gal Not to Waters of the State	Annual Report 1/2007-2/2008
2007	In the District	6	10 - 99 500 gal Contained & Returned; 1,293 gal Not to Waters of the State	Annual Report 1/2007-2/2008
2007	In the District	7	<10 500 gal Contained & Returned; 1,293 gal Not to Waters of the State	Annual Report 1/2007-2/2008
2006	In the District	3	100 - 999 475 gal to Waters of the State; 770 gal Not to Waters of the State	Annual Report 1/2006-12/2006
2006	In the District	1	10 - 99 475 gal to Waters of the State; 770 gal Not to Waters of the State	Annual Report 1/2006-12/2006

2006	In the District	2	<10	475 gal to Waters of the State; 770 gal Not to Waters of the State	Annual Report 1/2006-12/2006
2005	In the District	11	<100	Contained & Returned	Annual Report 12/2004-12/2005
City of Mill Valley					
2/21/2008	3 Wainwright Pl		100	Unpaved surface	SB SSO No. 714429
2/19/2008	280 Buena Vista Ave		225	Unpaved surface	SB SSO No. 713154
2/8/2008	209 Molino Ave		90	Street/curb and gutter	SB SSO No. 712677
2/7/2008	775 Redwood Hwy		65	Other: Captured in storm drain	SB SSO No. 712598
2/6/2008	77 Molino Avenue		105	Storm drain	SB SSO No. 712534
1/25/2008	15 Elinor Ave		30	Street/curb and gutter	SB SSO No. 711907
1/22/2008	80 Cypress Ave		80	Unpaved surface	SB SSO No. 711519
1/21/2008	10 Glen Drive		20	Street/curb and gutter	SB SSO No. 711471
1/11/2008	60 Monte Vista Ave		30	Unpaved surface	SB SSO No. 711234
1/9/2008	315 Magee Ave		45	Unpaved surface	SB SSO No. 711227
1/9/2008	343 Hazel Ave		50	Unpaved surface	SB SSO No. 711232
1/1/2008	56-60 Monta Vista Ave		100	Unpaved surface	SB SSO No. 710689
12/31/2007	116 Rose Ave		100	Unpaved surface	SB SSO No. 710687
12/30/2007	14 Glen Drive		200	Unpaved surface	SB SSO No. 710685
12/28/2007	Behind 12 Azalea Dr		30	Unpaved surface	SB SSO No. 710682
12/25/2007	233-235 Eldridge Ave		25	Unpaved surface	SB SSO No. 710680
12/12/2007	340 W. Blithedale Ave		20	Unpaved surface	SB SSO No. 709328
12/11/2007	Bernard Street @ Lovell Ave		30	Storm drain	SB SSO No. 709013
12/9/2007	360 W. Blithedale Ave		900	Unpaved surface	SB SSO No. 709482
12/5/2007	120 Shelley Drive		10	Street/curb and gutter	SB SSO No. 708800
11/28/2007	58 Florence Ave		180	Unpaved surface	SB SSO No. 708399
11/28/2007	19 Sunrise Avenue		1	Street/curb and gutter	SB SSO No. 708394
11/28/2007	403 Vista Linda Dr		100	Unpaved surface	SB SSO No. 708395
11/25/2007	Bernard Stairs		1000	Unpaved surface	SB SSO No. 708248
11/23/2007	26 Corte Madera Ave		225	Storm drain	SB SSO No. 708245
11/22/2007	11 Sheridan Court		5	Street/curb and gutter	SB SSO No. 708239

11/21/2007	11 Sunrise Avenue	10	Unpaved surface	SB SSO No. 708244
11/19/2007	401 Summit Ave	50	Unpaved surface	SB SSO No. 707961
11/18/2007	12 Oak Lane	500	Unpaved surface	SB SSO No. 708234 *
11/16/2007	2 Shelley Drive	25	Storm drain	SB SSO No. 707959
11/16/2007	2 Shelley Drive	100	Unpaved surface	SB SSO No. 707472
11/15/2007	85 Shelley Drive	25	Unpaved surface	SB SSO No. 707210
10/31/2007	389 Ethel Ave	55	Unpaved surface	SB SSO No. 707183
10/26/2007	460 Summit Ave	100	Unpaved surface	SB SSO No. 706695
9/28/2007	Vista Linda Drive	300	Unpaved surface	SB SSO No. 704429
9/27/2007	Vista Linda Dr @ Sheridan Ct	30	Street/curb and gutter	SB SSO No. 658174
9/14/2007	125 Shelley Drive	20	Unpaved surface	SB SSO No. 657579
9/5/2007	107 Wildomar St	50	Unpaved surface	SB SSO No. 656840
9/4/2007	4 Marsh Drive	25	Street/curb and gutter	SB SSO No. 656802
8/30/2007	67 Molino Ave	5	Unpaved surface	SB SSO No. 656780
8/28/2007	52 Longfellow Rd	10	Unpaved surface	SB SSO No. 656753
8/28/2007	108 Miller Ave	15	Street/curb and gutter	SB SSO No. 656796
8/26/2007	21 Monte Vista Ave	5	Other: dirt channel	SB SSO No. 656761
8/25/2007	Molino Ave at Cascade Dr	225	Street/curb and gutter	SB SSO No. 656758
8/25/2007	50 Shelley Dr	50	Unpaved surface	SB SSO No. 656759
8/25/2007	117 Tamalpais Avenue	2	Unpaved surface	SB SSO No. 656757
8/24/2007	701 Miller Ave	360	Street/curb and gutter	SB SSO No. 656754
8/20/2007	E. Blithedale Ave	300	Unpaved surface	SB SSO No. 656756
8/2/2007	225 Tamalpais Ave	20	Street/curb and gutter	SB SSO No. 658055
7/31/2007	352 W. Blithedale Ave	50	Street/curb and gutter	SB SSO No. 658059
7/21/2007	2 Overhill	3000	Surface water	SB SSO No. 655722
7/6/2007	Ethel Avenue	100	Other: Dirt channel	SB SSO No. 653847
6/25/2007	across from 403 Vista Linda Dr	2	Unpaved surface	SB SSO No. 652811
6/20/2007	16 Vasco Drive	5	Unpaved surface	SB SSO No. 652671
6/7/2007	151 Monte Vista	30	Unpaved surface	SB SSO No. 651602
6/7/2007	18 Stanton Way	4	Unpaved surface	SB SSO No. 651600
5/31/2007	Lovell Ave @ Elma Street	25	Storm drain	SB SSO No. 651214
5/29/2007	66 Molino	90	Unpaved surface	SB SSO No. 651215
5/23/2007	335 Molino Ave	5	Unpaved surface	SB SSO No. 651471

5/7/2007	24 Longfellow Rd	15	Unpaved surface	SB SSO No. 650446
4/30/2007	400 Vista Linda Dr	200	Yard/Land	RB SSO Track No. 5186
4/30/2007	166 Shelley Dr	20	Yard/Land	RB SSO Track No. 5184
4/28/2007	Bernard Street @ Lovell Ave	195	Street/curb and gutter	SB SSO No. 652594
4/28/2007	35 Bernard & Bayview Stairs	195	Street/curb and gutter	RB SSO Track No. 5182
4/28/2007	333 Summit Avenue	180	Street/curb and gutter	RB SSO Track No. 5180
4/27/2007	409 Summit Avenue	150	Street/curb and gutter	RB SSO Track No. 5178
4/25/2007	427 Summit Ave	50	Ground Water Impacted	RB SSO Track No. 5143
4/19/2007	14 Eton Way	40	Storm Drain	RB SSO Track No. 5084
4/12/2007	11 Locust Ave	20	Storm Drain	RB SSO Track No. 5080
4/12/2007	583 Throckmorton	20	Street/curb and gutter	RB SSO Track No. 5078
4/9/2007	371 Cascade Drive	300	Surface Water Impact	RB SSO Track No. 5076
3/3/2007	424 W. Blithedale Ave.	120	Street/curb and gutter	RB SSO Track No. 4862
2/22/2007	18 Buena Vista	50	Storm Drain	RB SSO Track No. 4795
2/12/2007	57 Longfellow	550	Yard/Land	RB SSO Track No. 4747
2/12/2007	77 Cascade Dr	30	Street/curb and gutter	RB SSO Track No. 4741
1/10/2007	Bernard Ave Stairs	35	Street/curb and gutter	RB SSO Track No. 4495
cross street - Bayview				
1/6/2007	12 Montford Ave	300	Storm Drain	RB SSO Track No. 4463
1/5/2007	Summit Ave @ Tamalpais Ave	375	Street/Curb & Gutter	RB SSO Track No. 4461
1/4/2007	31 Millside Lane	65	Storm Drain	RB SSO Track No. 4456
1/4/2007	410 Summit	75	Storm Drain	RB SSO Track No. 4452
2006	In the District	2	10 - 99 Not Waters of the State	Annual Report 1/2006-12/2006
12/20/2006	389 Ethel Ave	30	Storm Drain	RB SSO Track No. 4374
12/12/2006	Manor Dr @ Alvarado	80	Storm Drain	RB SSO Track No. 4297
11/20/2006	120 Shelley Drive	10	Yard/Land	RB SSO Track No. 4139
11/14/2006	67 Molino Avenue	200	Yard/Land	RB SSO Track No. 4115
11/13/2006	524 Miller Avenue	450	Storm Drain	RB SSO Track No. 4110
10/21/2006	49 Cascade Drive	360	Street/Curb & Gutter	RB SSO Track No. 4019

10/17/2006	21 Monte Vista	200	Storm Drain	RB SSO Track No. 4000
10/17/2006	5 Monte Vista	420	Storm Drain	RB SSO Track No. 4002
10/17/2006	352 W. Blithedale	80	Storm Drain	RB SSO Track No. 4004
10/5/2006	10 Dorset Lane	110	Street/Curb & Gutter	RB SSO Track No. 3968
9/25/2006	106 Miller Avenue	35	Street/Curb & Gutter	RB SSO Track No. 3919
9/16/2006	86 Molino Avenue	675	Street/Curb & Gutter	RB SSO Track No. 3892
9/15/2006	21 Monte Vista	350	Storm Drain	RB SSO Track No. 3884
9/4/2006	14 Glen Drive	30	Storm Drain	RB SSO Track No. 3831
8/14/2006	80 Cypress Ave	120	Street/Curb & Gutter	RB SSO Track No. 3751
8/6/2006	115 Marion Avenue	180	Street/Curb & Gutter	RB SSO Track No. 3749
6/29/2006	30 Shelley Drive	720	Yard/Land	RB SSO Track No. 3614
6/29/2006	30 Shelley Drive	6000	Yard/Land	RB SSO Track No. 3619
6/17/2006	Cascade Way & Dipsea Stairs	60	Street/Curb & Gutter	RB SSO Track No. 3541
4/25/2006	52 Longfellow Drive	90	Yard/Land	RB SSO Track No. 3543
4/25/2006	362 Edgewood Ave	120	Yard/Land	RB SSO Track No. 3545
1/14/2006	517 Throckmorton Cross Street Cornwall	10	Yard/Land	RB SSO Track No. 2963
2005	In the District	1	10 - 99 200 gal Contained & Returned; 750 gal to Waters of the State; 20 gal to Not Waters of the State	Annual Report 12/2004- 12/2005
12/16/2005	Safeway 1 Camino Alto cross street Miller	0	Unknown	RB SSO Track No. 2971
12/13/2005	144 Corte Madera Avenue cross street Eldridge	10	Unknown	RB SSO Track No. 2973
12/10/2005	13 Lyon Place cross street Corte Madera Avenue	200	Yard/Land	RB SSO Track No. 2965
11/20/2005	40 Bay View cross street Bernard	250	Street/Curb & Gutter	RB SSO Track No. 2967
3/26/2005	Marion Ave @ Florence Ave	500	Surface Water Impact	RB SSO Track No. 1225
Richardson Bay Sanitary District				
2/11/2008	24 East Strawberry Drive	25	Street/Curb & Gutter	SB SSO No. 712808
2/11/2008	6 Southridge East	75	Storm drain; Street/curb and gutter	SB SSO No. 712804

1/4/2008	60 Bayview Terrace	200	Street/curb and gutter	SB SSO No. 711047
2007	In the District	7	10 - 99	5 gal Contained & Returned; 1,755 gal to Not Waters of the State
12/9/2007	385 Cecilia Way	200	Unpaved surface	SB SSO No. 709184
12/7/2007	604 Seminary Drive	10	Street/curb and gutter	SB SSO No. 709177
12/7/2007	38 Claire Way	30	Other paved surface; Storm drain	SB SSO No. 709165
9/21/2007	100 Reed Blvd	20	Street/curb and gutter	SB SSO No. 658080
9/6/2007	14 Southridge East	20	Street/curb and gutter	SB SSO No. 657028
8/30/2007	11 Benton Court	40	Street/curb and gutter	SB SSO No. 656770
7/24/2007	Bay Vista Court	50	Other paved surface	SB SSO No. 654747
6/18/2007	56 Reed Ranch Road	75	Street/curb and gutter	SB SSO No. 652452
5/19/2007	4 Felipa Court	300	Unpaved surface	SB SSO No. 650801
4/22/2007	26 Sutter Court	250	Yard/Land	RB SSO Track No. 5126
4/16/2007	32 Great Circle Drive	500	Yard/Land	RB SSO Track No. 5088
4/15/2007	24 Great Circle Way	800	Unpaved Surface	SB SSO No. 714122
2006	In the District	9	10 - 99	75 gal Contained & Returned; 3,300 gal to Not Waters of the State
12/12/2006	125 Stewart Drive	400	Street/Curb & Gutter	RB SSO Track No. 4306
9/26/2006	594 Virginia Drive	500	Yard/Land	RB SSO Track No. 3935
8/30/2006	305 Trestle Glen Blvd.	300	Yard/Land	RB SSO Track No. 3812
6/28/2006	2 and 3 Warren Ct. MH BG 225.01 map page F3	500	Yard/Land	RB SSO Track No. 3591
4/3/2006	15 Rowley Circle	500	Yard/Land	RB SSO Track No. 3120
2/19/2006	26 Sutter Ct.	225	Yard/Land	RB SSO Track No. 2852
1/11/2006	MH SW 100.11 in front of 213 E. Strawberry Drive	500	Storm Drain	RB SSO Track No. 2603
2005	In the District	4	10 - 99	100 gal Contained & Returned; 2,000 gal to Not Waters of the State
				Annual Report 12/2004-12/2005

2005	In the District	1	<10	100 gal Contained & Returned; 2,000 gal to Not Waters of the State	Annual Report 12/2004-12/2005
12/31/2005	3 Mercury Avenue		500	Street/Curb & Gutter	RB SSO Track No. 2563
11/17/2005	MH RR 260.15, MH on easement located at 104 Tiburon Blvd., Tiburon, CA 94941.		750	Storm Drain	RB SSO Track No. 2137
6/27/2005	MH HP220.03 located in back of 32 Great Circle Way		500	Yard/Land	RB SSO Track No. 1564
1/17/2005	Rod Hole R-103 Map pg. F-5 in easement between 400 & 402 Hillary Drive		850	Yard/Land	RB SSO Track No. 872
12/6/2004	MH SW 424.09 - Map page C3. Easement in back of Blackfield Drive.		200	Street/Curb & Gutter	RB SSO Track No. 415

Tamalpais

9/4/2005	1045 Erica Rd.		100	YARD/LAND	
10/12/2005	296 Morning Sun Ave		30	STREET/CURB & GUTTER	
11/22/2005	203 Marin ave		3600	SURFACE WATER IMPACT	
12/2/2005	309 carrera		25	STORM DRAIN	
12/2/2005	W Calif & Shoreline Hwy		0	NO WATER INVOLVED	
12/2/2005	388 Carrera		200	YARD/LAND	
12/2/2005	Shoreline Hwy & Tenn Ave		100	STORM DRAIN	
1/17/2006	295 morning sun		100	STREET/CURB & GUTTER	

1/23/2006	315 carrera dr	200	YARD/LAND
2/22/2006	chamberlain ct	600	STREET/CURB & GUTTER
8/13/2006	301 enterprise concour.	30	YARD/LAND
8/14/2006	360 jean st	100	STORM DRAIN
8/19/2006	335 jean st	450	STORM DRAIN
11/20/2006	247 shoreline hwy	0	NO WATER INVOLVED
12/2/2006	335 s morning sun	40	GROUND WATER IMPACTED
2006		>100	Unknown
2/6/2007	Intersection of Ross St and Linda St.	3,300	SURFACE WATER IMPACT
2/6/2007	Shoreline Highway (State Route 1) between Tennessee Valley Road and Redwood Highway (U.S. Route 101)	1,600	SURFACE WATER IMPACT
2/15/2007	410 maple st	30	YARD/LAND
2/18/2007	558 fairview	100	STREET/CURB & GUTTER
3/23/2007	806 smith rd	100	STREET/CURB & GUTTER
4/20/2007	Shore Line Hwy	120	YARD/LAND
4/24/2007	1031 Erica Rd	50	YARD/LAND
4/26/2007	532 Pine Crest	50	BUILDING/STRUCTURE

8/16/2007	541 Midvale	100	CREEK
8/19/2007	541 Midvale	100	BEACH; BUILDING OR STRUCTURE; OTHER PAVED SURFACE
11/29/2007	309 Bristol Place	25	BEACH; BUILDING OR STRUCTURE; OTHER PAVED SURFACE
12/10/2007	371 County View	100	BEACH; BUILDING OR STRUCTURE; OTHER PAVED SURFACE

ATTACHMENT 2: Finding of Violation and Order Docket No. CWA-309(a)-08-030

Sewerage Agency of Southern Marin and its Member Agencies

Timetable of Order Requirements

October 15, 2008

- II.A. Submit Spill Response Plan
- III.A.1. Submit Cleaning and Root Control Plan
- III.B.1. Obtain and Implement MMS
- III.D. Submit FOG Program Report
- IV.A.1. Submit Inspection and Assessment Plan
- IV.A.2. Submit Initial Assessment Report
- IV.B.1. Install flow meters
- V.A. Submit and Implement Short-Term Contingency Plan
- VII. Submit Implementation Study Report

April 15, 2009

- III.B.2. Link MMS to GIS map
- III.C.1. Submit Pump Station Report
- III.C.2. Submit Pump Station Certification
- III.C.3. Submit Pump Station Upgrade Plan

October 15, 2009

- IV.A.3. Submit Condition Assessment Progress Report

October 15, 2010

- IV.A.4. Submit Final Condition Assessment Report
- IV.B.3. Submit Capacity Assessment Report
- V.B.1. Submit Capacity Assurance Plan
- VI.A. Submit Rehabilitation and Replacement Plan

October 15, 2013

- V.B.2. Complete Short-Term Improvements

Quarterly Spill Reports Due Each January 15, April 15, July 15, and October 15, beginning 2008:

- IX.A. Quarterly Spill Reports

Annual Reports Due Each October 15, beginning 2008:

- III.A.2. Sanitary Sewer Overflow Response Planning
- III.C.4. Pump Station Reliability
- IV.A.3. Inspection and Condition Assessment
- IV.B.2. Flow Monitoring Reports
- VI.B. Infrastructure Renewal Program

* Plan subject to review and approval by EPA pursuant to paragraph VIII of this Order.