



CLEAN WATER SoCAL
CREATING SUSTAINABLE SOLUTIONS

Welcome to the meeting

Pretreatment Committee

Enforcement Response Plan Considerations

September 24, 2026



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ENCINA
WASTEWATER
AUTHORITY





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Enforcement Response Guide

Insights and Considerations



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Encina Wastewater Authority



The Source Control Program

Administers and enforces the requirements of Encina's Pretreatment Ordinance and applicable federal pretreatment regulations. Under **40 CFR 403.8(f)(5)**.

The **Enforcement Response Plan (ERP)** describes how the POTW will



- Investigate Violations
- Document Enforcement and
- Respond to Industrial User violations of the ordinance, permit, and pretreatment standards.



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Calendar Year	NOVs Issued	Fines & Non-Routine Enforcement Costs
2017	34	\$9,950
2018	42	\$15,950
2019	52	\$21,700
2020	32	\$12,765
2021	29	\$11,350
2022	37	\$34,500*
2023	58	\$52,700
2024	64	\$60,350
2025	58	\$103,350

Cost Recovery

Source Control staff time spent on enforcement is significant

Prioritizing cost recovery for Escalated Enforcement Cases

Appendix A

Note: The fines prescribed in the following tables shall serve as guidance. Encina maintains the discretion to decrease or increase fines.

MONITORING VIOLATIONS			
Type of Noncompliance	Nature of Violation ⁴	Response	Responsible Staff
Exceeding discharge limitation or prohibition	First	NOV \$250	Manager, Director
	Second	NOV \$600	Manager, Director
	Three or more	NOV \$1,250	Director
Complete failure to sample/monitor	Any occurrence	NOV \$1,250 + monitoring	Director
Tampering with monitoring device	Any Occurrence (Valid reason ²)	NOV \$250	Manager, Director
	Any Occurrence (No valid reason ²)	Penalty as assessed	Director
Improper sampling and/or analysis procedures	First	NOV \$250 + Resample	Manager, Director
	Second	NOV \$600 + Resample	Manager, Director
	Three or more	NOV \$1,250 + Resample	Director

REPORTING VIOLATIONS			
Type of Noncompliance	Nature of Violation ⁴	Response	Responsible Staff
Late or incomplete report (CSR; NOV response; sample data; discharge permit application after warning)	First	NOV \$250	Manager, Director
	Second	NOV \$600	Manager, Director
	Three or more	NOV \$1,250	Director
Failure to properly report violations	First	NOV \$250	Manager, Director
	Second	NOV \$600	Manager, Director
	Three or more	NOV \$1,250	Director
Failure to report process change or change in discharge	Any occurrence	NOV \$600	Manager, Director
Reporting false information	First	NOV \$1,000	Manager, Director
	Second or more	NOV \$5,000	Director
Failure to comply with a record keeping requirement	First	NOV \$250	Manager, Director
	Second	NOV \$600	Manager, Director

Enforcement Response Plan (ERP) Updates

- Added preamble to reference to Pretreatment ordinance definitions, added, updated, and removed definitions.
- Update Appendix A – the table was reformatted, listing fines and categories as a straight forward application of simple and complex enforcement actions.
 - Accounted for inflation. Some fines were reduced, most were increased.
 - Adjusted fines to include Non-routine Enforcement Costs.
 - Divided the table into sections: Monitoring, Reporting, and General Ordinance.
 - Clearly identifies staff enforcement responsibilities.
- Expanded Encina's pursuit of additional actions or legal actions when Users fail to pay fines, including referral to collections.

Escalating Enforcement

1

Notice of Violation (NOV)

Permit #XXXX

2

Compliance Schedule

Permit #XXXX

3

Cease and Desist Order

4

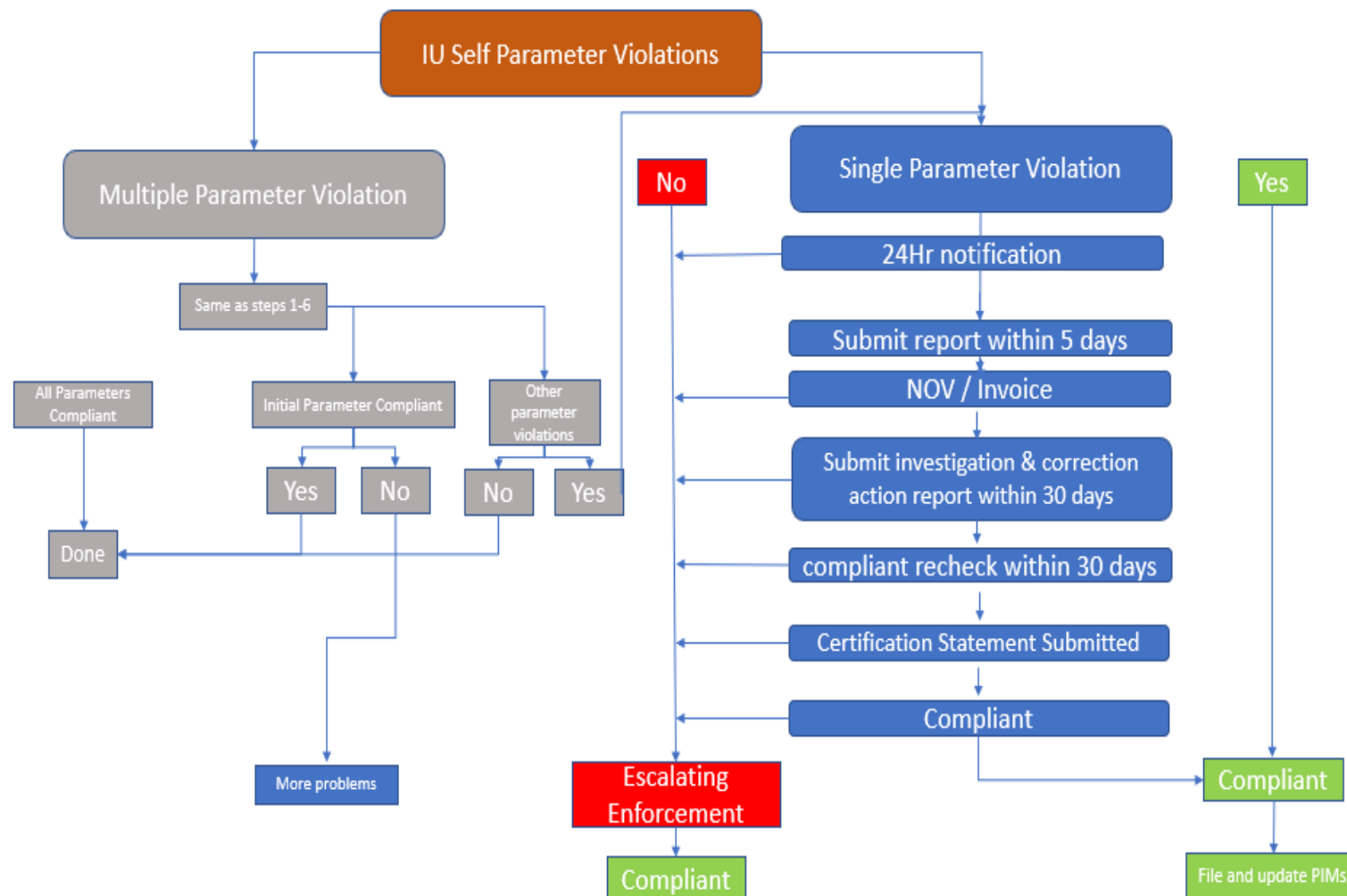
Show Cause Hearing

Notice of Decision & Order · Permit #XXXX

5

Termination of Service

Notice of Decision & Order · Permit #XXXX



The Enforcement Response Plan (ERP) Implementation Schedule

August 4, 2026: Member Agency Management.

August 11, 2026: Policy Finance Committee.

August 26, 2026: Board of Directors.

September 2026: Regional Board Notification.

October 2026: Tactical Goal Completed.

January 1, 2027: ERP Implemented.



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Discussion