



### Central Valley Regional Water Quality Control Board

23 September 2020

Patrick Covello, Warden California Department of Corrections Mule Creek State Prison P.O. Box 409099 Ione, CA 95640 Via Email: Patrick.Covello@cdcr.ca.gov

#### NOTICE OF VIOLATION FOR SANITARY SEWER OVERFLOWS, CALIFORNIA DEPARTMENT OF CORRECTIONS-MULE CREEK STATE PRISON, AMADOR COUNTY

The Central Valley Water Board regulates the California Department of Corrections (CDCR, Discharger) under Waste Discharge Requirements (WDRs) Order R5-2015-0129 for the treatment and disposal of domestic and industrial wastewater. The WDRs incorporate Monitoring and Reporting Program (MRP) R5-2015-0129 and the March 1991 Standard Provisions and Reporting Requirements (SPRR) into the permit. The collection system is also regulated under Water Quality Order 2006-0003-DWQ, the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (CS General Order).

Mule Creek State Prison has reported three instances 30 months of releases of sewage or wastewater effluent to Mule Creek totaling 77,727 gallons. This is value does not include any discharges of stormwater or comingled stormwater from the stormwater collection system of the Old Prison facility, which are currently being addressed through other enforcement actions. These releases are summarized below and the Office of Emergency Services (OES) spill reports are attached. All spill volumes were estimated by the Discharger and reported to both OES and the Regional Board.

- OES #18-2255, 6 April 2018: 33,000 gallons of sewage spilled to Mule Creek due to pump failure.
- OES #19-1088, 14 February 2019: 2,500 gallons of treated effluent released to drainage that leads to Mule Creek caused by power outage at lift station.
- OES #20-4927, 10 August 2020: 42,227 gallons of treated sewage released from lift station which flowed into Mule Creek due to SCADA control failure. An estimated 13,600 gallons was recovered.

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

## Violations of the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems

The SSO(s) identified here are in violation of the following requirements of CS General Order, as described below:

- Prohibition C.2 of the WDRs states: "Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited."
- Prohibition C.1, which states: "Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited."
- Provision D.1 of the WDRs states: "The Enrollee must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for enforcement action."

The Enrollee should take the appropriate actions to prevent future SSO occurrences, take all feasible steps to remediate the consequences of any future overflows, and implement the provisions of the CS General Order.

#### **Site Inspection Report:**

In response to the OES spill notification for the most recent spill on 10 August 2020, Board staff conducted a focused inspection on the same day to observe the condition of the creek, the cleanup efforts, and discuss the cause of the spill. For additional details please see the attached inspection report. Board staff made the following observations:

- 1. The majority of the volume of the spill had either been cleaned up or percolated into the soil. Damp soil was present in many locations in the creek bed downstream of the spill location, but not upstream. Some shallow ponded water was observed in depressions in the creek bed near the spill location. It was not clear exactly how far down stream the spill traveled due to the amount of time it was allowed to percolate and evaporate between when the spill occurred and the inspection.
- 2. The SCADA system should be fully inspected to determine what changes can be made to prevent a reoccurrence of this issue.
- 3. The land application areas appear to be underutilized and inconstantly irrigated. Uneven irrigation and poor vegetation management is likely decreasing disposal capacity, and may be causing runoff or seepage into the creek.
- 4. Flowing water was observed in the creek downstream of the facility, but the creek was dry upstream. The source(s) of the flowing water in the creek under

the bridge at Highway 104 is unknown but appears to be coming from the MCSP facility. Water is entering the creek is likely from the stormwater system, land application area runoff, seepage from over irrigation in some areas, or from the spill. The source should be identified, characterized, and addressed.

#### **Required Actions:**

Board staff is currently evaluating further enforcement action.

The following items must be completed by the Discharger in order to come back into compliance with the related requirements of the WDRs:

- 1. No later than **15 October 2020**, submit a statement, certified by the Chief Plant Operator, that the SCADA system and MCIC lift station has been inspected and repairs/corrections have been made to ensure an issue similar to what caused the spill on 10 August 2020 will not occur in the future.
- 2. No later than **15 October 2020**, submit the current Sanitary Sewer Maintenance Plan for the facility.

If you have questions, please contact me at kenny.croyle@waterboards.ca.gov or (916) 464-4676.

HOWARD HOLD, PG #7466

Thraul Flex

Senior Engineering Geologist

Title 27 and WDR Compliance and Enforcement Unit

Encl: 11 August 2020 Inspection Report and Photo Log

OES Report #18-2255 OES Report #19-1088 OES Report #20-4927

cc: Nickolaus Knight, Office of Enforcement, SWQCB, Sacramento

Mayumi Okomoto, Office of Enforcement, SWQCB, Sacramento

Elizabeth Lee, RWQCB, Rancho Cordova

Scott Armstrong, RWQCB, Rancho Cordova

Lixin Fu. RWQCB. Rancho Cordova

Mohammed Farhad, RWQCB, Rancho Cordova

Xuan Luo, RWQCB, Rancho Cordova

Grant Scavello, USEPA, San Francisco

Eric Papathakis, Staff Council, California Department of Corrections, Sacramento

Mike Israel, Amador County Dept. of Environmental Health, Jackson

(cont.)

Gregor Larabee, California Department of Corrections, Sacramento Adam Wolfe, California Department of Corrections, Sacramento Terry Bettencourt, California Department of Corrections, Sacramento Christofer Hudgens, California Department of Corrections, Ione Felix Vasquez, California Department of Corrections, Sacramento Jennifer Buckman, Bartkiewicz, Kronick & Shanahan, APC, Sacramento Sally Baron, Interested Party, Rancho Cordova Virginia Silva, Interested Party, Ione David Anderson, Interested Party, Ione

CIWIQS Violations: 1079479 CIWIQS Inspection ID: 41484979

#### **INSPECTION REPORT**

#### CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

13 August 2020

DISCHARGER: CALIFORNIA DEPARTMENT OF CORRECTIONS, MULE CREEK

STATE PRISON

**LOCATION & COUNTY:** Highway 104, Amador County

**CONTACT(S):** Anthony Stark, Chief Plant Operator

**INSPECTION DATE**: 11 August 2020

**INSPECTED BY:** Kenny Croyle, Central Valley Water Board

ACCOMPANIED BY: Howard Hold, RWQCB, Estevan Fregeau, CDCR

INTRODUCTION: The Central Valley Water Board regulates the California Department of Corrections (CDCR, Discharger) under Waste Discharge Requirements (WDRs) Order R5-2015-0129 for the treatment and disposal of domestic and industrial wastewater. In response to receiving an Office of Emergency Services (OES) spill notification on 11 August 2020, Board staff conducted a focused inspection on the same day to observe the condition of the creek, the cleanup efforts, and discuss the cause of the spill. The facility conditions that were inspected are described below, and photographs are provided in the attached log.

**OBSERVATIONS AND COMMENTS** The weather was warm and dry. Water Board staff met with Anthony Stark and Estevan Fregeau at the Wastewater Treatment Plant at approximately 4:15 pm and followed them over to the Mule Creek Infill Complex (MCIC) lift station on the other side of Mule Creek.

<u>CDCR's Statements on Cause of Spill and Cleanup:</u> Anthony explained the following about the cause of the spill and the cleanup efforts:

- -The spill occurred at the lift station just downhill and southwest of the MCIC. The logic controller for the lift station had faulted, which had automatically closed a knife gate that controls the output flow from the lift station. With the gate closed, sewage slowly backed up in the vault, eventually overflowing and running down the hill towards Mule Creek.

  -The fault occurred around 7 pm on 10 August, and the issue was discovered around noon on 11 August. The highwater alarm and other fail safes did not trigger due to the fault, and the SCADA system showed that the knife gate was open due to the
- noon on 11 August. The highwater alarm and other fail safes did not trigger due to the fault, and the SCADA system showed that the knife gate was open due to the communication error. The issue was only discovered when CDCR staff noticed the reported values for the lift station had not changed at all in several hours and physically went to the lift station to inspect it.
- -When the issue was discovered, CDCR staff manually opened the knife gate to allow sewage to flow out of the vault, and then set the knife gate to operate on a float switch until the SCADA control was reestablished. At the time of the inspection the logic controller had not been fixed, and it appeared to require technical support.

-Anthony estimated the spill volume of 42,227 gallons based on the difference between flow meters on either side of the lift station. When the spill was discovered, the entire creek bed at the stream crossing was full of sewage. However, the pooled sewage did not appear to have flowed past a point about 250 feet from the stream crossing. They believe a large portion of the spill seeped into the ground during the roughly 18 hours prior to discovery.

- 2 -

- -When the vault overflowed, sewage flowed downhill overland to the west towards the creek. It first encountered a bermed area built to catch potential overflows, approximately 300 feet from the lift station. Unfortunately, the slide gate in the berm was open at the time and so only a small amount of the total capacity of the berm area was utilized to contain the spill. CDCR staff utilized a trash pump and hose to pump the contained sewage back into the vault at the lift station. CDCR staff estimate that 11,100 gallons was contained here and pumped back to the vault.
- -The rest of the spill continued downhill another 100 feet where it intersected a dirt access road. The spill followed along the side of the road another 100 feet to a location where the stream crosses Mule Creek, when the sewage flowed into the creek.
- -CDCR staff utilized vacuum trucks to collect sewage from the creek bed. They stated they removed 5 vacuum truck loads from the creek, with each track having a capacity of 500 gallons. This recovered sewage was discharged to the drying beds.
- -No samples were collected.
- -The creek bed had been dry for many weeks prior to the spill, due to lack of rain and hot weather.
- -OES was notified, but inadvertently reported 42,227,000 gallons. CDCR called OES and revised the volume of 42,227 gallons.
- -At the conclusion of the inspection communication between the lift station and the SCADA system had not been reestablished.

#### Board Staff's Observations:

Lift Station: Lift station computer showed an error at the time of the inspection. CDCR staff's efforts to reboot were unsuccessful. The area around the lift station was wet from washdown as part of the cleanup effort. The knife gate was open (Photo 1) and the vault was pumped down (Photo 2). The hose running from the bermed area to the vault was still in place (Photos 3, 4). No solids were observed, and the only odors were directly above the vault opening when the lid was open.

Flow Path and Streambed: The bermed area was located 300 feet downhill of the lift station, and had an area of roughly 1000 square feet. The volume of the area was difficult to estimate due to the sloped ground (Photo 5). The trash pump was still in the bermed area, and was a Honda WT20X pump (Photo 6). Another 100 feet downslope (Photo 7) was a dirt access road, where some water was ponded (Photo 8). At this point the flow followed the edge of the access road which lead downhill about 100 feet to a stream crossing where the spill had entered the creek bed (Photos 9, 10, and 11). Vacuum truck hoses were still in the creek from the cleanup effort (Photo 12). Many damp areas and a few shallow ponded depressions were observed in the creek bed for about 250 feet downstream from the stream crossing (Photos 13, 14, and 15). Beyond that area there was a high spot in the creek bed, where CDCR staff stated it did not appear that the spill had overtopped. No damp soil was observed within about

100 feet of that location. Board staff also noted that the creek bed was dry upstream of the stream crossing, and both upstream and downstream of the MCIC access bridge, which is further upstream of the stream crossing in Photo 11. Based on the dead and dry vegetation, it did not appear any water had flowed in the creek from above the stream crossing location in some time.

Bridge at Highway 104: Board staff observed a significant amount of water just upstream of (on CDCR property) and under the bridge where Mule Creek passes under Highway 104 (Photos 16, 17, 18, and 19). A small amount of flow was observed in the creek at this location, less than 5 gallons per minute. Water appeared slightly opaque and had a mild stagnant odor (Photo 19). Algae clumps were also observed in the water. Thick green vegetation in the area suggests that the area is wet frequently even through the dry season. The stormwater outfall is located just upstream of the bridge, but was obstructed by thick vegetation. It was unclear if there was a discharge from the stormwater system at the time of the inspection. Just downstream of the bridge was a deeper ponded area of water of a similar quality (Photo 20. Rags including what appeared to be partially broken down toilet paper and sanitary wipes were observed in the brush along the creek just downstream of the bridge (Photo 22). CDCR staff stated they thought it was more likely irrigation runoff from the land application areas than sewage from the spill.

Land Application Area: The sprayfields staff observed while driving to the lift station and along Highway 104 did not appear to be fully utilized or properly managed. Vegetation was dry or sparse in many locations, but lush and green in small patches. Based on the volume of effluent stored in the onsite reservoir these fields should be better utilized.

Board Staff's Request: At the time of the inspection Board staff requested that CDCR staff collect a sample of standing water that had pooled in depressions in the creek bed, as well as the water under the bridge at Highway 104. Board staff also recommended they collect a sample of the water that was being irrigated on the land application areas so they had data to compare.

**SUMMARY.** Board staff observed a few areas of concern that are outlined below:

- 1. The majority of the volume of the spill had either been cleaned up or percolated into the soil. Damp soil was present in many locations in the creek bed downstream of the spill location, but not upstream. Some shallow ponded water was observed in depressions in the creek bed near the spill location. It was not clear exactly how far down stream the spill traveled due to the amount of time it was allowed to percolate and evaporate between when the spill occurred and the inspection.
- 2. The SCADA system should be fully inspected to determine what changes can be made to prevent a reoccurrence of this issue.
- 3. The land application areas appear to be underutilized and inconstantly irrigated. Uneven irrigation and poor vegetation management is likely decreasing disposal capacity, and may be causing runoff or seepage into the creek.

4.	Flowing water was observed in the creek downstream of the facility, but the creek
	was dry upstream. The source(s) of the flowing water in the creek under the bridge
	at Highway 104 is unknown. Water is entering the creek is likely from the stormwater
	system, land application area runoff, seepage from over irrigation in some areas, or
	from the spill. The source should be identified, characterized, and addressed.

KENNY CROYLE, WRCE



Photo Log Map 1: The locations where pictures 1 through 14 were taken are detailed on this map. The larger end of the triangle is closer to the subject in the photo.

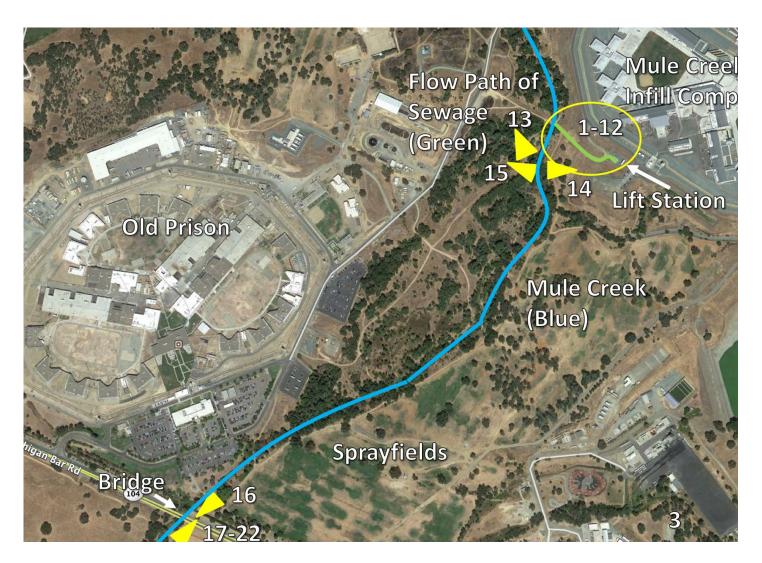


Photo Log Map 2: The locations where pictures 1 through 22 were taken in relation to the entire facility. The larger end of the triangle is closer to the subject in the photo.



Photo 1. Knife gate that was closed by SCADA system failure, causing the backup in the lift station vault and eventual overflow. Lift station is located just southwest of Mule Creek Infill Complex.



Photo 2. Vault of lift station where overflow occurred. Knife gate in photo 1 is approximately 20 feet to the right. Vault is approximately 500 feet from the creek bed of Mule Creek.



Photo 3. Hose running from small diversion downhill from the lift station back to the lift station vault. Hose was used to pump back collected sewage in bermed area (see photo 4).



Photo 4. View from bermed area looking east towards lift station approximately 300 feet away. Hose on left leading from trash pump to vault.



Photo 5. View of bermed area and trash. Bermed area was constructed in case of overflow from lift station. CDCR staff stated that there is a slide gate installed in the berm, but the slide gate was open during the discharge so only a small portion of the total volume of the bermed area was able to hold back sewage.



Photo 6. Honda WT20X trash pump which was used to pump sewage contained by bermed area back to lift station vault.



Photo 7. Picture taken from the access road, approximately 400 feet west of lift station. Mule Creek creek bed is approximately 100 feet further west.



Photo 8. Pooled water on access road from spill, approximately 100 feet from creek.



Photo 9. Damp soil going down the road towards creek, facing approximately east.



Photo 10. Damp soil going down the road towards creek, facing approximately west.



Photo 11. Small puddle of water on road of creek crossing. Creek bed in background. This is the location where the overland flow of sewage entered the creek bed.



Photo 12. Creek bed of Mule Creek from the stream crossing nearest to the lift station. Lift station is approximately 500 feet to the left of this picture, east of the creek. Hoses were left from vacuum truck after recovery effort.



Photo 13. Creek bed of Mule Creek approximately 200 feet downstream from crossing in Photo 11. Damp soil observed.



Photo 14. Creek bed of Mule Creek approximately 150 feet downstream from crossing in Photo 11. Damp soil observed.



Photo 15. Creek bed of Mule Creek approximately 250 feet downstream from crossing in Photo 11. Small amount of ponded water in depressions.



Photo 16. Looking up Mule Creek from the Highway 104 bridge. Location is approximately 4000 feet downstream from the crossing shown in Photo 11. Significant water was present in creek. Very small amount of flow was observed.



Photo 17. Ponded water under bridge where Mule Creek passes under Highway 104.



Photo 18. Ponded water under bridge where Mule Creek passes under Highway 104. Mild stagnant water odor observed.



Photo 19. Close up of ponded water under bridge where Mule Creek passes under Highway 104. Water appeared slightly opaque and had large clumps of green algae looking material.



Photo 20. Looking downstream from under the bridge. Small amount of flow moving downstream. Water appeared slightly opaque and had large clumps of algae. Some rags observed (see Photo 22).



Photo 21. Close up of ponded just downstream of bridge where Mule Creek passes under Highway 104.



Photo 22. Rags observed in brush next to creek. Appears to be toilet paper and a sanitary wipe.

# **Governor's Office Emergency Services**

		Haz	ardous Ma	aterials <mark>Spill I</mark>	Report		
DATE: 04/06 TIME: 1416			RECEIVED BY:		CONTROL#: Cal OES - 18-2255 NRC -		
1.a. PERSON	NOT	IFYING Cal (	DES:				
<b>1. NAME:</b>		2. AGENCY			4. Ext:	5. PAG/CELL:	
		Mule Creek	State Prison				
1.b. PERSON	REPO	ORTING SPII	LL (If different f	from above):			
<b>1. NAME:</b>		2. AGENCY	7• - •	3. PHONE#:	4. Ext:	<b>5. PAG</b> /	CELL:
2. SUBSTAN	CE TY	PE:					
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1. Sewage	=	33,000	Gal(s)	<b>SEWAGE</b>		No 1	No
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3.	=					No 1	No
g. DESCRIP	TION:	Pe	er the caller a pur	np control failure cau	sed the relea	ase.	
h.		i.	WATER	j. WATERWAY:			ATER
STOPPAGE/	CONT	AINMENT:II	NVOLVED:		<b>IMPA</b>	CTED	
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I. KNOWN II	MPAC	T N	one				
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Ione			mador County	95640	AMA	DOR COUNT	ΓΥ APCD
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e. INJURIES	ı	f.	<b>FATALITY</b>	g. EVACUATION	h. CL	EANUP BY:	
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	d. ADMIN. AGENCY: Amador County				AGENCY:		
Environmental H			<u>,</u>				
f. ADDITIONAL COUNTY: Sacramento County				<b>g. ADMIN. AGENCY:</b> Sacramento County Environmental Management			
h. NOTIFICA	ATION	LIST:					

**DOG** Unit: i. RWQCB Unit:

5B

AA/CUPA, DTSC, RWQCB, US EPA, USFWS, DFG-OSPR, LANDS, PARKS & REC, Co/WP, Co/E-Hlth

Photo Attachment:

\*\*\*\*\*\* Control No: 18-2255 \*\*\*\*\*\*\*

Created by: Warning Center on: 04/06/2018 02:16:52 PM Last Modified by: Warning Center on: 04/06/2018 03:00:02 PM

# Governor's Office Emergency Services Hazardous Materials Spill Report

		па	zaruous Ma	teriais Spin	Keport										
DATE: 02/14/2019 TIME: 1323			RECEIVED BY:		CONTROL#: Cal OES - 19-1088 NRC -										
								1.a. PERSON	NOTI	FYING Cal	OES:				
								1. NAME:		2. AGENC	<b>Y</b> :	3. PHONE#:	4. Ext:	5. PAG/CELL:	
		Mull Creek	State Prison												
1.b. PERSON	REPO	RTING SPI	LL (If different f	rom above):											
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2. SUBSTANC	E TY	PE:													
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SUBSTANCE:							>= 300 Tons								
1. Treated	=	2500	Gal(s)	OTHER	Effluent	No	No								
Effluent Water					Water										
2.	=					No	No								
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g. DESCRIPT	ION:	to S	o the pump and sultorm water drainag	lease occurred due to be be sequently release. If ge that leads to Mull	Per the caller	the release i	mpacted the								
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I. KNOWN IM			None												
3. a. INCIDEN	NI LO		_	J 71D.											
b. CITY:			. COUNTY:	d. ZIP:	43.64	DOD COLD									
Ione 4. INCIDENT DESCRIPTION			Amador County		AMA	DOR COUN	ITY APCD								
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02/14/2019		1	215	Other	Mechanical										
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e. INJURIES			. FATALITY	g. EVACUATION		h. CLEANUP BY:									
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o. NUTIFICA	HUN	INFURMA	TION:	LOCENIE	OTHE	D MOTIEIE	D								

a. ON SCENE: b. OTHER ON SCENE: c. OTHER NOTIFIED:

d. ADMIN. AGENCY: Amador County

e. SEC. AGENCY:

**Environmental Health** 

f. ADDITIONAL COUNTY: g. ADMIN. AGENCY:

h. NOTIFICATION LIST:

DOG Unit: i. RWQCB Unit:

AA/CUPA, DTSC, RWQCB, US EPA, USFWS, DFG-OSPR, CDPH-D.O., LANDS, PARKS & REC, Co/WP, Co/Hlth, Co/E-Hlth

Photo Attachment:

\*\*\*\*\*\* Control No: 19-1088 \*\*\*\*\*\*

Created by: Warning Center on: 02/14/2019 01:23:29 PM Last Modified by: Warning Center on: 02/14/2019 01:28:15 PM

PrevDoc NextDoc

### **Governor's Office of Emergency Services Hazardous Material Spill Update**

CONTROL#: 20-4297 NRC#

NOTIFY DATE	/TIME: 08/	/11/2020 /	RECEIVED BY:		CITY/OP. AREA:		
1258			OCCURENCE DATE/TIME:		Ione/Amador County		
			08/10/2020/1900		AMADOR COUNTY	7 A DCD	
1 DEDCON NO		LC LOE			AMADOR COUNT	APCD	
1.a. PERSON NO							
AGENCY: Mule							
1.b. PERSON REPORTING SPILL (If different from above):							
AGENCY:							
SUBSTANCE TY	YPE:						
a. SUBSTANCE:	b. QTY: Amount	Measure	c. TYPE:	d. OTHER:	e. PIPELINE	f. VESSEL >= 300 Tons	
1.Sewage	42,227,000	Gal(s)	SEWAGE		No	No	
2.					No	No	
3.	D 11	A 1 C	iled at the MCIC lift		No	No	
			•	PHONE#:	Ext:	PAG/CELL:	
UPDATE QUAN	TITY	Measure					
<b>Amount</b> 1. 42,227		Gal(s)					
2. 3. 4.							
UPDATE KNOV	WN IMPA	CT:					
UPDATE CAUS	SE:						
<b>SITUATION UP</b>							
FAX NOTIFICATIO	ON LIST:	,	ecorded previously, the LANDS, PARKS & REC, Co/WP,		eased was 42,227.		

**ADMINISTERING AGENCY:** Amador County Environmental Health

**SECONDARY AGENCY:** ADDITIONAL COUNTIES: ADDITIONAL ADMIN. AGENCY:

**OTHER NOTIFIED:** 

**RWQCB Unit:** 5B

Cal GEM:

**CONFIRMATION REQUEST:** 

**FAX NOTIFICATION** 

LIST:

**ADMINISTERING** 

**AGENCY:** 

ADDITIONAL ADMIN.

**AGENCY:** 

**SECONDARY AGENCY:** 

**ADDITIONAL COUNTIES:** 

Cal GEM:

**RWQCB Unit:** 

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\*\*\*\*\*\*\*\*\*\* End of Form \*\*\*\*\*\*\*\*\*