REPORTING SEWAGE RELEASES:
In the past, there have been occurrences where untreated sewage was released into drinking water sources and was not properly reported to the California Governor’s Office of Emergency Services (Cal OES). Proper and timely notification is imperative to allow government agencies and downstream users to take prompt action to protect public health and safety, the environment, and drinking water supplies. The purpose of this Fact Sheet is to help clarify the reporting requirements for sewage releases in California, under California Water Code §13271, et seq. and California Health and Safety Code §5411, et seq.

State Law requires that an unauthorized discharge of sewage [as defined in 23 California Code of Regulations (CCR) 2250 (b)] into or onto state waters must be reported to Cal OES. Upon such notification, Cal OES will then immediately notify the appropriate Regional Water Quality Control Board (RWQCB), the local public health department, and local office of environmental health. These offices are responsible for determining appropriate public and environmental safety measures.

ARE THERE ANY EXCEPTIONS?
Notification of an unauthorized discharge of sewage or hazardous substances, under section 13271 (b) of the California Water Code, is not required if the discharge is in compliance with waste discharge requirements.

PENALTIES FOR NOT REPORTING:
Any person who fails to provide the proper notifications is guilty of a misdemeanor and may be punished by a fine of not more than $20,000 dollars or imprisonment for not more than 1 year or both, per section 13271 (c) of the California Water Code. Additional penalties can be administered under Health and Safety Code §5411, et seq.

ADDITIONAL INFORMATION:
Further information on reporting requirements can be located on the Cal OES Website at www.caloes.ca.gov in the California Hazardous Material Spill/Release Notification Guidance booklet. Please call the Cal OES Hazardous Materials Section at (916) 845-8788 to answer any further questions.