



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

20 January 2015

Carlos and Bernadette Estacio
4413 S Prairie Flower Road
Turlock, CA 95380

CERTIFIED MAIL NO.
7013 1090 0001 3130 4759

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2015-0504 FOR CARLOS AND BERNADETTE ESTACIO, SAN ISIDRO JERSEY DAIRY, W DID 5B50NC00270, 4413 SOUTH PRAIRIE FLOWER ROAD, TURLOCK, STANISLAUS COUNTY

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code (Water Code) section 13323, for violations of the Waste Discharge Requirements General Order for Existing Milk Cow Dairies, Order R5-2007-0035 (2007 General Order) and for violations of the Reissued Waste Discharge Requirements General Order for Existing Milk Cow Dairies, Order R5-2013-0122 (2013 Reissued General Order). The Complaint proposes administrative civil liability against Carlos and Bernadette Estacio (Discharger) in the amount of **seventy-three thousand seven hundred and ten dollars (\$73,710)** for the failure to file the 2012 and 2013 Annual Reports required pursuant to Water Code section 13267(b).

Pursuant to Water Code section 13323, the Discharger may:

- Pay the assessed civil liability and waive its right to a hearing before the Central Valley Regional Water Quality Control Board (Central Valley Water Board) by signing the enclosed waiver (checking off the box next to item #3) and submitting it to this office by **19 February 2015**. Payment for the full amount, indicating the number of this ACL Complaint, R5-2015-0504, must be submitted at the same time to the State Water Resources Control Board, Division of Administrative Services, Accounting Office, Attn: ACL Payment, P.O. Box 1888, Sacramento, CA 95812-1888. A copy of the signed waiver and check shall be sent to Della Kramer, Central Valley Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, California, 95670; or
- Waive the right to a 90-day hearing and agree to enter into settlement discussions with the Central Valley Water Board by signing the enclosed waiver (checking off the box next to item #4) and submitting it to this office by **19 February 2015**; or
- Waive the right to a 90-day hearing in order to extend the hearing deadlines by signing the enclosed waiver (checking off box next to item #5) and submitting it to this office by **19 February 2015**; or
- Contest the Complaint and/or enter into settlement discussions with the Central Valley Water Board without signing the enclosed waiver.

If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations in the Complaint. This settlement will be considered final pending a 30-day period of public notice, during which time interested parties may comment on this action by submitting information to this office, attention Charlene Herbst. Should the Central Valley Water Board receive new information or comments during this comment period, the Central Valley Water Board's Executive Officer may withdraw the Complaint, return payment, and issue a new complaint.

If the Central Valley Water Board does not receive a signed waiver **by 19 February 2015**, then a hearing on this matter will be scheduled for the **16/17 April 2015** regular meeting of the Central Valley Water Board to be held at 1685 E Street, in the City of Fresno, California, 93706. If a hearing on this matter is held, the Central Valley Water Board will consider whether to issue, reject, or modify an Administrative Civil Liability Order based on the enclosed Complaint. Modification of the proposed Administrative Civil Liability Order may include increasing the dollar amount of the assessed civil liability.

Attached to the Complaint is a public hearing procedure identifying the type of information that must be submitted in preparation for the public hearing and explaining how the public hearing will proceed. Please note the deadlines on the last page of the hearing procedure.

Payment of this assessed civil liability amount **(\$73,710)** does not absolve the Discharger from complying with the Reissued Waste Discharge Requirements General Order for Existing Milk Cow Dairies, Order R5-2013-0122 (2013 Reissued General Order), which replaces the 2007 General Order and the terms of which remain in effect. Additional civil liability may be assessed in the future if the Discharger fails to comply with the 2013 Reissued General Order in a timely manner.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Charlene Herbst at (916) 464-4724 or Charlene.Herbst@waterboards.ca.gov.

ORIGINAL SIGNED BY

ANDREW ALTEVOGT
Assistant Executive Officer

Enclosure: Administrative Civil Liability Complaint R5-2015-0504
Attachment A
Attachment B
Exhibits A through E
Hearing Procedures for Administrative Civil Liability Complaint R5-2015-0504
Waiver
Administrative Civil Liability Fact Sheet

cc w/encl: Mr. Clay Rodgers, Central Valley Water Board, Fresno
Ms. Vanessa Young, Esq., Office of Enforcement, SWRCB, Sacramento