



California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



Linda S. Adams
Acting Secretary for
Environmental Protection

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<http://www.waterboards.ca.gov/centralvalley>

Edmund G. Brown Jr.
Governor

19 July 2011

CERTIFIED MAIL

7009 2250 0002 9885 4399

Mr. Dennis McBride
City of Redding, Wastewater Utility Manager
PO Box 496071
Redding, CA 96049-6071

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2011-0587, CITY OF REDDING, CLEAR CREEK WASTEWATER TREATMENT PLANT, (WDID# 5A450103001) REDDING, SHASTA COUNTY

Enclosed is an Administrative Civil Liability Complaint (Complaint) alleging violations of Clean Water Act (CWA) Section 301, and California Water Code (CWC) Section 13376, for discharge of pollutants to surface waters in violation of a National Pollutant Discharge Elimination System (NPDES) permit and Waste Discharge Requirements (WDRs) Orders Nos. R5-2003-0130 and R5-2010-0096, by the City of Redding, Clear Creek Wastewater Treatment Plant. The CWC Section 13385 authorizes the Central Valley Regional Water Quality Control Board (Central Valley Water Board) to impose administrative civil liability on a discharger for such violations. Based on an evaluation of the factors outlined in CWC Section 13385, the Complaint proposes an administrative civil liability of **two hundred thousand dollars (\$200,000)**.

*Pursuant to California Water Code section 13323, the City of Redding may either pay the civil liability and waive its right to a hearing before the Central Valley Water Board, or may contest the Complaint and exercise its right to a hearing. The City of Redding has the right to a hearing before the Central Valley Water Board within 90 days of the service of the Complaint. If the City of Redding chooses to waive this right and settle the Complaint without a hearing, then a duly authorized person of the City of Redding may sign the enclosed waiver and submit it to this office, along with a check payable to the State Water Resources Control Board Cleanup and Abatement Account in the full amount of the civil liability, **two hundred thousand dollars (\$200,000) by 29 July 2011**. However, any waiver of a hearing shall not be in effect until 30 days from the date of this letter to allow other interested persons to comment on this action.*

If you choose not to pay the penalty, a Central Valley Water Board hearing will be held on **12/13/14 October 2011**, in accordance with California Water Code Section 13323. At the hearing the Board may consider whether to accept the amount assessed in this Complaint, assess a different amount, or refer the matter to the Attorney General. We have enclosed a proposed notice of public hearing (NOPH) that contains a timeline and establishes the procedures for the proposed hearing before the Central Valley Water Board.

Interested persons should submit any comments on this Complaint in writing by **3 August 2011** to the Central Valley Water Board's Redding office at the above address, attention George Day.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/index.shtml

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions please contact George Day at (530) 224-4859 or email at gday@waterboards.ca.gov.

ROBERT A. CRANDALL
Assistant Executive Officer

DLW: knr

Enclosures: Complaint R5-2011-0587
Proposed Notice of Public Hearing

cc: California Regional Water Quality Control Board, Central Valley Region, Regional Board
Members, Rancho Cordova
Mr. Ken Greenberg, U.S. Environmental Protection Agency, Region IX, San Francisco
California Environmental Protection Agency, Sacramento
Department of Fish and Game, Region 1, Redding
Department of Health Services, Office of Drinking Water, Redding
Department of Water Resources, Northern District Office, Red Bluff
Mr. David Coupe, State Water Resources Control Board, OCC, Sacramento
Mr. Mark Bradley, State Water Resources Control Board, Sacramento
Mr. Kurt Starman, City Manager, Redding
Mr. Rick Duvernay, City Attorney, Redding

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