

73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260  
(760) 346-7491

Public Notice No. 7-07-33  
WDRs R7-2006-0030  
May 21, 2007

NOTICE OF PUBLIC HEARING  
CONCERNING  
ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R7-2007-0064  
ISSUED TO  
APPLE CORE ENTERPRISES, INC.  
APPLEBEE'S RESTAURANT, WASTEWATER TREATMENT FACILITY  
TOWN OF YUCCA VALLEY, SAN BERNARDINO COUNTY  
FOR  
VIOLATIONS OF BOARD ORDER NO. R7-2006-0030

Apple Core Enterprises, Inc. (Discharger) owns and operates a wastewater treatment facility (WWTF) for its Applebee's Restaurant in the Town of Yucca Valley, San Bernardino County. On April 26, 2007, the Assistant Executive Officer of the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Board), issued Administrative Civil Liability (ACL) Complaint (Complaint) Order No. R7-2007-0057 against the Discharger for alleged violations of Regional Board Order No R7-2006-0030. The violations include violations of the effluent limits, monitoring and reporting requirements, and provisions requiring submittal and implementation of a technical report.

Pursuant to Section 13350(e)(1) of the California Water Code, the Complaint proposed that the Discharger pay \$25,000 in liability for the violations. The Complaint also offered the Discharger with the opportunity to spend up to ten thousand dollars (\$10,000) of the total liability amount toward the implementation of a Supplemental Environmental Project (SEP) that is consistent with Section IX of the Water Quality Enforcement Policy of the State Water Resources Control Board (Enforcement Policy).

Pursuant to California Water Code Section 13323(b), the Discharger was timely informed of its right to waive the Public Hearing that the Regional Board has scheduled for June 26, 2007, in the La Quinta City Council Chambers to consider this enforcement matter. Prior to that hearing, the Discharger agreed to waive its right to the hearing. The Discharger also submitted a settlement proposal that included an agreement to spend up to \$10,000 of the penalty amount toward implementation of a SEP consistent with the Enforcement Policy, and to pay the remainder of the penalty of \$15,000 to the State (Waste Discharge Permit Fund).

The Assistant Executive Officer has accepted the settlement proposal. Accordingly, ACL Complaint No. R7-2007-0057 was rescinded and a draft ACL Order, Board Order No. R7-2007-0064, was prepared to reflect this tentative settlement and provide parties and interested persons in this matter with an opportunity to comment and/or object to the settlement.

The draft ACL Order will be placed on the calendar to be considered for adoption by the Regional Board at a public hearing, which is scheduled as follows:

Date of hearing: June 26, 2007  
Time: 10:00 a.m.  
Location: La Quinta City Council Chambers  
78-495 Calle Tampico  
La Quinta, CA 92253

During the hearing, the public and any other person interested in this matter can provide the Regional Board with comments on this matter. Persons who wish to file written comments on, or objections to, the proposed Administrative Civil Liability Order must submit them by **5:00 p.m., June 8, 2007**, so that the Regional Board may consider the comments. Comments must be mailed to the following address:

California Regional Water Quality Control Board  
Colorado River Basin Region  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

To the extent any interested person objects to the proposed settlement, comments received are significant, and/or the Regional Board decides on its own motion to consider this matter pursuant to formal adjudicatory hearing procedures, the Regional Board will reschedule this matter for an evidentiary hearing at a later date. Otherwise, the draft ACL Order will become final upon adoption by the Regional Board at the June 26, 2007 Public Hearing.

A copy of the draft ACL Order may be obtained from the Regional Board Office. Please contact Jon Rokke at (760) 776-8959 for any questions regarding this matter.

Any person who is disabled and requires special accommodations to participate in this Regional Board Public Hearing, please contact Hilda Vasquez at (760) 776-8950 no later than 10 days before the hearing.

---

ROBERT PERDUE, Executive Officer

---

May 21, 2007  
Date