

EXECUTIVE OFFICER'S SUMMARY REPORT
8:30 a.m., October 28, 2010
Regional Water Board Office
David C. Joseph Meeting Room
5550 Skylane Blvd., Suite A
Santa Rosa California

ITEM: 5

SUBJECT: Public Hearing on Order No. R1-2010-0075 to consider whether to affirm, reject or modify an Order imposing Administrative Civil Liability, settling Administrative Civil Liability Compliant No. R1-2010-0057, in the matter of the **City of Santa Rosa, WQID No. 1B830990SON**

DISCUSSION

On May 26, 2010, the Regional Water Board Assistant Executive Officer issued Administrative Civil Liability Complaint No. R1-2010-0057, that proposed that an administrative civil liability in the amount of \$72,750 be imposed on the City of Santa Rosa for violations of Waste Discharge Requirements, Order R1-2006-0045, National Pollutant Discharge Elimination System (NPDES) Permit No. CA 0022764 (WDRs); Order No. R1-2008-0091, which amended the WDRs; and State Water Resources Control Board (State Water Board) Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems. The violations described in the Order occurred between January 1, 2007 and February 28, 2010, and were either subject to mandatory minimum penalties (MMPs) or discretionary administrative civil liability.

On June 24, 2010, the Discharger proposed to apply a portion of the administrative civil liability towards completion of a Supplemental Environmental Project (SEP). The proposed SEP will extend the Discharger's "Safe Medicine Disposal Pilot Program," which collects pharmaceuticals throughout the Cities of Santa Rosa, Rohnert Park, Cotati and Sebastopol, by at least 15 months. To date the program, which began in 2008, has collected and properly disposed of over 10,000 pounds of residential pharmaceutical waste.

By letter dated June 25, 2010, the Discharger paid \$36,375 into the State Water Pollution Cleanup and Abatement Account (CAA) and submitted a final version of the proposed SEP. The ACL Order under consideration affirms the administrative civil liability amount of \$72,750 proposed in the Complaint, and, acknowledges the Discharger's \$36,375 payment to the CAA, and describes and provides a time schedule for implementation of the Discharger's SEP, which when completed will offset the remaining administrative civil liability of \$36,375.

No comments have been received during the 30 day public comment period.

PRELIMINARY STAFF

RECOMMENDATION: Adopt Administrative Civil Liability Order No. R1-2010-0075 for the City of Santa Rosa.