



NCRWQCB

June 24, 2010

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Mr. Luis G. Rivera
Assistant Executive Officer
California RWQCB
5550 Skylane Blvd., Ste. A
Santa Rosa, CA 95403

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<input type="checkbox"/> AEO	<input type="checkbox"/> Timber	<input type="checkbox"/> Legal
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SETTLEMENT OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R1-2010-0057

CITY OF SANTA ROSA, LAGUNA SUBREGIONAL WATER RECLAMATION FACILITY WDID No. 1B830990SON

Dear Mr. Rivera,

By this letter, the City wishes to confirm the settlement discussed with Regional Board staff regarding Administrative Civil Liability Complaint (ACLC) No. R1-2010-0057 issued against the City of Santa Rosa for alleged violations of its Waste Discharge Requirements Order and the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems. The total penalty set forth in the ACLC is \$72,750. As discussed with Regional Board staff, the City will pay 50% of the proposed penalty to the State Water Pollution Clean-up and Abatement Account and offset 50% of the proposed penalty with a Supplemental Environmental Project(SEP) in the amount of \$36,375, extending the City's Safe Medicine Disposal Pilot Program for an additional period of fifteen (15) months.

Background: As a part of a settlement of Administrative Civil Liability Order (ACLO) R1-2007-0038 issued to the City by the North Coast Regional Water Quality Control Board on June 14, 2007, the City implemented its Safe Medicine Disposal Pilot Program. The City, which operates the Subregional Wastewater Treatment Plant for Santa Rosa and its Subregional Partners: the cities of Rohnert Park, Cotati and Sebastopol, created the Program aimed at reducing the amount of pharmaceuticals in the wastewater processed through the treatment plant. Beginning in February 2008, the City implemented the Safe Medicine Disposal Pilot Program comprised of 15 pharmacies within the City and its Subregional Partner cities. The Program encourages the proper disposal of out-of-date medications to avoid dosing errors and self-medications, reduces the risk of accidental poisoning, reduces the potential of intentional abuse of medications, and reduces the amount of medicine disposed to landfills and to the water supply where it might cause harm to wildlife and the environment. The City has continued with this Program after satisfying the 2007 ACLO SEP requirements and as of June 2010, has collected and disposed of over 10,000 pounds residential pharmaceutical waste.

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Overall, the Safe Medicine Disposal Pilot Program has been very well received by residents and pharmacies. The pharmacies expressed that medication disposal was an issue frequently asked about and now they feel they are providing a wonderful service to their clients. Participants who took their unused or expired medications to one of the participating pharmacies felt relieved and grateful that the City of Santa Rosa was contributing to a solution for their needs that is also a win for people and the environment.

Settlement: During discussions with Regional Board staff, the City proposed to extend the Safe Medicine Disposal Pilot Program for approximately 15 months in order to satisfy the current ACLC SEP amount of \$36,375 and to pay the remaining penalty of \$36,375 to the State Water Pollution Clean-up and Abatement Account. The SEP amount was determined based on February, March, April, and May of 2010 collection and disposal records, where the average monthly volume of compounds collected has been approximately 460 pounds at a cost of \$3.70 per pound for disposal for an average monthly cost of \$1,702.00. Therefore the cost for an additional 15 months of disposal equates to approximately \$25,530. Three newspaper advertisements are proposed at a cost of \$3,500 each for a total of \$10,500. Printing of bill inserts, poster board, and tri-fold handouts is estimated to be \$2,000. The fifteen month expenditure is estimated to be \$38,030. The City will commence applying the cost towards the SEP for this Program on August 1, 2010. The City will submit progress reports at six month intervals, with conclusion at or about December 31, 2010, or when the full \$36,375 Program cost is satisfied.

Accordingly, the City submits the enclosed check in the amount of \$36,375 payable to the State Water Pollution Clean-up and Abatement Account. This SEP and check represent the result of settlement discussions between our respective staffs and total the amount of \$72,750 to satisfy Administrative Civil Liability Compliant (ACLC) No. R1-2010-0057.

The City wishes to express its gratitude for the dedication and diligence of Mr. William Rodriquez in the settlement of this action.

Thank you for your continued attention to this matter. Should you have any further questions or comments, please contact Mr. Lynn M. Small, Deputy Director Environmental Services, of my staff at telephone number (707) 543-3350.



Miles A. Ferris
Director of Utilities

Attachment: Check #655933