

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO.

VIOLATION OF STIPULATED JUDGMENT BY
MA-RU HOLDING COMPANY AND THE
BONZI SANITATION LANDFILL
STANISLAUS COUNTY

WHEREAS, a Stipulated Judgment for injunction, civil penalties, and relief (Case. No. 376882) has been filed with the Superior Court of the State of California for the County of Stanislaus regarding the Ma-Ru Holding Company, Inc. and Bonzi Sanitation Landfill (hereafter Discharger); and

WHEREAS, the Discharger's landfill is on a 128-acre parcel comprised of Assessor's Parcel Numbers 17-41-36 and 17-41-11, and is found in Section 12, T4S, R4E, MDB&M; and

WHEREAS, the Stipulated Judgment includes Exhibit A (Terms and Conditions) and Exhibit B (Terms and Conditions Summary and Stayed Penalties). The Discharger must comply with the Terms and Conditions listed therein or be subject to the specified stayed penalty; and

WHEREAS, Item No. 11 of Exhibit A states that "By 1 January 2006, the Discharger shall inspect the detention pond liner system and remove any vegetation from the pond..."; and

WHEREAS, on 29 December 2005 the Discharger's attorney faxed a letter informing staff that the Discharger would not be able to comply with the 1 January 2006 date for the inspection of the detention pond liner system and the removal of vegetation; and

WHEREAS, the Stipulated Judgment states that failure to comply with the Terms and Conditions shall result in the immediate payment of penalties. Exhibit B defines the penalty for failing to inspect the pond liner and remove vegetation by 1 January 2006 as \$50,000; and, therefore, be it

RESOLVED that the Regional Board has determined the Discharger has violated Item No. 11 of the Stipulated Judgment and therefore shall immediately remit \$50,000 in the form of a check made payable to the *State Water Resources Control Board Cleanup and Abatement Account*.

I, Kenneth D. Landau, Acting Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region on 26 January 2006.

KENNETH D. LANDAU, Acting Executive Officer