STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Brian Thompson)
MEETING DATE: June 10, 2009

ITEM: 7

SUBJECT: **Enforcement** – Information Item on Standard Hearing Procedures for Administrative Civil Liability Cases

DISCUSSION: As part the Board's enforcement of the Water Code via administrative civil liability (ACL) complaints, and our efforts to improve fair and consistent treatment of all dischargers, the Executive Officer, as head of the Board's Advisory Team, has endorsed use of the following documents in our ACL proceedings. This item informs the Board of our plan to implement the use of these documents.

- **Standard Hearing Procedure** (Appendix A):
  This document is very similar in scope to the hearing procedures that we have recently been issuing with ACL complaints. It includes procedures for ACL compliant hearings, submittal deadlines, and a discussion of the roles of prosecution and advisory staff.
- **ACL Fact Sheet** (Appendix B):
  The ACL Fact Sheet, which is referenced in the Standard Hearing Procedure, is intended to better educate recipients of ACL complaints about the ACL hearing process.

These documents are based on model templates that were developed by the State Board's Office of Enforcement through collaboration with the State Board's Office of Chief Counsel and input from staff at all Regional Water Boards. There are either no differences or minor changes between the model templates and the attached documents, with the exception of some moderate changes to the Submission of Evidence and Policy Statements section of the Standard Hearing Procedure. We revised this section to have a more structured process and defined schedule for evidence submittals and rebuttals prior to an ACL complaint hearing.

APPENDICES: A. Standard Hearing Procedure
B. ACL Fact Sheet