California Regional Water Quality Control Board
Santa Ana Region

IN THE MATTER OF:	)	
	)	
City of Corona	)	Complaint No. R8-2006-0067
815 West Sixth Street	)	for
Corona, California 91718	)	Mandatory Penalties

YOU ARE HEREBY GIVEN NOTICE THAT:

1. The City of Corona is alleged to have violated provisions of law for which the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), must impose mandatory penalties pursuant to California Water Code (Water Code) Section 13385.

2. A hearing concerning this complaint will be held before the Regional Board within 90 days of the date of issuance of this complaint, unless the City of Corona waives its right to a hearing. Waiver procedures are specified on Page 2 of this complaint. If the hearing in this matter is not waived, the hearing will be held during the Regional Board's regular meeting on February 2, 2007 in the Council Chambers of the City of Loma Linda, 25541 Barton Road, Loma Linda, California. The meeting will begin at 9:00 a.m. The City of Corona or its representatives will have an opportunity to appear and be heard and to contest the allegations in this complaint and the imposition of mandatory penalties by the Regional Board.

3. This complaint is based on the following facts:

   a. On December 19, 2001, the Regional Board adopted Waste Discharge Requirements, Order No. 01-55 (NPDES No. CA8000383), for the City of Corona. These requirements regulate discharges of waste from Municipal Wastewater Treatment Plant No.1 (Plant No. 1).

   b. The City of Corona submitted self-monitoring reports (January 2004 – July 2006) from Plant No.1, which show effluent limit violations of Total Coliform (TC) densities and Turbidity. These violations are summarized on Attachment "A" which is Page 3 of this complaint.

4. Water Code Section 13385 (i) requires the Regional Board to assess a mandatory minimum penalty of three thousand dollars ($3,000) for each violation, not counting the first three non-serious violations in each six-month period.

5. As shown in Attachment "A", Corona incurred a total of forty-five violations between January 2004 and July 2006. For the thirty-one-month period covered by Complaint No. R8-2006-0067, three non-serious violations that occurred between December 2004 and May 2005 are not subject to mandatory penalty assessments.

6. Forty-two violations out of the total of forty-five violations are subject to mandatory minimum penalties of $3,000 for each violation. In accordance with Water Code Section 13385(i), the mandatory minimum penalties for the forty-two effluent limit violations cited in Attachment "A" are $126,000.

7. In accordance with Water Code Section 13385(c), the Regional Board may impose administrative civil liability for the forty-five violations cited in Attachment "A". The maximum administrative civil liability which may be imposed for these violations is $270,000 ($10,000 per day of violation), plus an additional assessment of $10 per gallon of effluent discharged during the duration of the violation episode, in excess of the first 1000 gallons of effluent.

8. The Assistant Executive Officer proposes that mandatory penalties of $126,000 be imposed on the City of Corona by the Regional Board for the violations cited in Attachment "A."

9. You may waive your right to a hearing. If you waive your right to a hearing, please sign the attached waiver, which is Page 4 of this complaint, and return it together with a check payable to the State Water Resources Control Board in the amount of the mandatory penalties proposed in paragraph 8, above. Send the check and waiver to:

   Regional Water Quality Control Board, Santa Ana Region
   3737 Main Street, Suite 500
   Riverside, CA 92501-3339

If you have any questions regarding this complaint, please contact the undersigned, at (951) 782-3286, or Gary D. Stewart, Compliance Section Chief at (951) 782-4379, or the Regional Board's staff counsel, Erik Spiess, at (916) 341-5167.

11/30/06
Date

Kurt V. Berchtold
Assistant Executive Officer

ATTACHMENT "A"

Permit Limits & Month/Year	COLIFORM	COLIFORM	COLIFORM	TURBIDITY	TURBIDITY	VIOLATIONS TOTAL	VIOLATIONS SUBJECT TO MANDATORY MINIMUM PENALTIES
	7-day median weekly avg. violations	>23 more than twice per month violations	Daily maximum violations	>2.49 & >10 NTUs violations	>5 NTUs for more than 72 min. violations	Number of violations	Number of violations
	2.2 MPN/100 mL	23 MPN/100 mL	240 MPN/100 mL				
Sep-04	0	0	0	0	0	**0**	**0**
Oct-04	0	0	0	0	0	**0**	**0**
Nov-04	0	0	0	0	0	**0**	**0**
Dec-04	0	0	0	0	**[1]**	**1**	**0**
Jan-05	0	0	0	**[2]**	**1**	**3**	**1**
Feb-05	0	0	0	0	0	**0**	**0**
Mar-05	0	0	0	**2**	**1**	**3**	**3**
Apr-05	0	**1**	0	0	0	**1**	**1**
May-05	**4**	**2**	**2**	0	0	**8**	**8**
Jun-05	0	0	0	0	0	**0**	**0**
Jul-05	0	0	**1**	0	0	**1**	**1**
Aug-05	**1**	0	0	**4**	**2**	**7**	**7**
Sep-05	**4**	0	0	**5**	**2**	**11**	**11**
Oct-05	**2**	0	0	0	0	**2**	**2**
Nov-05	0	0	0	0	0	**0**	**0**
Dec-05	0	0	0	0	0	**0**	**0**
Jan-06	0	0	0	0	0	**0**	**0**
Feb-06	0	0	0	**3**	0	**3**	**3**
Mar-06	0	0	0	0	0	**0**	**0**
Apr-06	**1**	0	0	0	0	**1**	**1**
May-06	**1**	0	0	**1**	0	**2**	**2**
Jun-06	0	0	0	0	0	**0**	**0**
Jul-06	0	**1**	**1**	0	0	**2**	**2**
Violations Total	**13**	**4**	**4**	**17**	**7**	**45**	**42**

Notes: [ ] = Non-serious violations waived under this complaint pursuant to Water Code Section 13385 (i)

No serious and/or non-serious limit violations were reported between January 2004 and August 2004

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WAIVER OF HEARING

The City of Corona agrees to waive its right to a hearing before the Santa Ana Regional Water Quality Control Board with regard to the violations alleged in Complaint No. R8-2006-0067. The City of Corona has enclosed a check made payable to the State Water Resources Control Board in the amount of $126,000 in settlement of Complaint No. R8-2006-0067. The City of Corona understands that it is giving up its right to be heard and to argue against allegations made by the Assistant Executive Officer in Complaint No. R8-2006-0067, and against the imposition of, and amount of, the mandatory penalties.

_____ _____

Date for the City of Corona

Please submit this waiver form and the payment ($126,000) to the Regional Water Quality Control Board, Santa Ana Region by January 10, 2007.