State of California
California Regional Water Quality Control Board
Santa Ana Region

IN THE MATTER OF:	)	
	)	
City of Beaumont	)	Complaint No. R8-2007-0032
550 East Sixth Street	)	for
Beaumont, California 92223	)	Mandatory Penalties

YOU ARE HEREBY GIVEN NOTICE THAT:

1. The City of Beaumont 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) Sections 13385(h) and (i).

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 Beaumont 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 June 29, 2007 at 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 Beaumont 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 May 19, 2000, the Regional Board adopted Waste Discharge Requirements, Order No. 00-10 (NPDES No. CA0105376), for the City of Beaumont. These requirements regulated discharge of treated effluent from Wastewater Treatment Plant No. 1 (Plant No. 1). On January 18, 2006, the Regional Board adopted Waste Discharge Requirements, Order No. R8-2006-0003, which superseded Order No. 00-10.

   b. The City of Beaumont submitted self-monitoring reports (September 2003–July 2006) for Plant No. 1, which show effluent limit violations of total coliform, ammonia, and turbidity. These violations are summarized on Attachment "A", which is Page 3 of this complaint.

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

5. As shown in Attachment "A", the City of Beaumont incurred a total of thirty-seven reported violations between September 2003 and July 2006. For the thirty-four-month period covered by Complaint No. R8-2007-0032, three chronic violations that occurred between February 2004 and July 2004 are not subject to mandatory penalty assessments.

6. Thirty-four violations out of the total of thirty-seven violations are subject to mandatory minimum penalties of $3,000 for each violation. In accordance with Water Code Sections 13385(h) and (i), the mandatory minimum penalties for the thirty-four effluent limit violations cited in Attachment "A" are $102,000.

7. 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 6, above. Send the check and the waiver form to this office in the enclosed pre-printed envelope.

If you have any questions regarding this complaint, please contact the undersigned, at (951) 782-3284, or Gary D. Stewart, Surveillance and Enforcement Section Chief, at (951) 782-4379, or the Regional Board's legal counsel, Erik Spiess, at (916) 341-5167.

5/22/07
Date

Gerard J. Thibeault
Executive Officer

ATTACHMENT "A"

	TOTAL COLIFORM	TOTAL COLIFORM	NH_3	TURBIDITY	TURBIDITY	VIOLATIONS TOTAL	VIOLATIONS SUBJECT TO MANDATORY MINIMUM PENALTIES
Pemit Limits & Date	7-day median weekly avg. violations	>23 more than twice per month violations	Monthly average limit violations	>2.0 NTUs violations	>10 NTUs violations	Number of violations	Number of violations
	2.2 MPN/100 mL	23 MPN/100 mL	5.0 mg/L				
February-04	0	0	0	0	[1]	1	0
March-04	0	0	0	0	0	0	0
April-04	0	0	0	0	[1]	1	0
May-04	0	0	0	0	0	0	0
June-04	0	0	0	0	0	0	0
July-04	0	0	0	0	[1] + 1	2	1
August-04	0	1	0	3	5	9	9
September-04	0	0	0	0	5	5	5
October-04	0	0	0	0	1	1	1
November-04	0	0	0	0	2	2	2
December-04	0	1	0	0	3	4	4
January-05	2	1	1*	0	3	7	7
February-05	1	3	0	0	0	4	4
March-05	0	0	0	0	0	0	0
April-05	0	0	0	0	0	0	0
May-05	0	0	0	0	0	0	0
June-05	0	1	0	0	0	1	1
Violations Total	**3**	**7**	**1**	**3**	**23**	**37**	**34**

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

* = Serious violations as defined under Water Code Section 13385 (h) (2)

No violations were reported by discharger between July 2005 and July 2006

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WAIVER OF HEARING

I agree to waive the right of the City of Beaumont to a hearing before the Santa Ana Regional Water Quality Control Board with regard to the violations alleged in Complaint No. R8-2007-0032. I have enclosed a check, payable to the State Water Resources Control Board, in the amount of $102,000. I understand that I am giving up the right of the City of Beaumont to be heard and to argue against allegations made by the Executive Officer in this Complaint, and against the imposition of, and amount of, the mandatory penalties.

_____ _____

Date for the City of Beaumont

Please submit this waiver form and the payment ($102,000) to the Regional Water Quality Control Board, Santa Ana Region by June 22, 2007.