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## Central Valley Regional Water Quality Control Board

5 March 2018

Jaime Rodriguez  
Chief Engineer I  
Deuel Vocational Institution  
P.O. Box 400  
Tracy, CA 95378-0400

CERTIFIED MAIL  
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### ***ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2018-0503 FOR ASSESSMENT OF MANDATORY MINIMUM PENALTIES, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, DEUEL VOCATIONAL INSTITUTION, SAN JOAQUIN COUNTY***

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code section 13385, for violations of Waste Discharge Requirements (WDRs) Order R5-2014-0014-01 (NPDES CA0078093) by the California Department of Corrections and Rehabilitation (Discharger) occurring at its Deuel Vocational Institution Wastewater Treatment Facility (Facility). The Complaint charges the Discharger with administrative civil liability in the amount of **twenty seven thousand (\$27,000)**, which represents the sum of accrued mandatory minimum penalties for effluent limitation violations (identified in Attachment A of the Complaint) that occurred between 1 July 2017 and 31 December 2017. The Complaint alleges nine total coliform violations.

On 12 January 2018, Central Valley Water Board staff issued the Discharger a draft Record of Violations for the period 1 July 2017 through 30 November 2017. On 15 February 2018, the Discharger agreed with the violations. Board staff has extended the period through 31 December 2017; other than those violations cited in the ROV, four additional total coliform violations were found.

Pursuant to Water Code section 13323, the Discharger may:

- Pay the proposed administrative civil liability and waive its right to a hearing (Option #1 on the attached waiver form);
- Ask that the hearing be postponed to facilitate settlement discussions or for other reasons (Options #2 or #3 on the attached waiver form); or,
- Contest the Complaint and/or enter into settlement discussions without signing the enclosed waiver.

If the Central Valley Water Board does not receive a signed waiver by **29 March 2017**, a hearing will be scheduled for the **31 May/1 June 2018** Board meeting in Rancho Cordova. This hearing will be governed by the attached Hearing Procedures, which have been approved by the Board Chair for use in adjudicating matters such as this one. Any objections to the Hearing Procedures must be received by Stephanie Yu, whose contact information is listed in the Hearing Procedures, by **5 p.m. on 15 March 2018**.

If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations. Payment must be received by **29 March 2017**. The Discharger shall indicate on the check the number of this Complaint and send it to the State Water Resources Control Board, Accounting Office, Attn: ACL Payment, PO Box 1888, Sacramento, California, 95812-1888. The check shall be made payable to the *State Water Pollution Cleanup and Abatement Account*. The waiver and a copy of the check must also be mailed to the Central Valley Water Board at 11020 Sun Center Drive #200, Rancho Cordova, CA, 95670 attention to Howard Hold by **29 March 2018**.

The settlement will be considered final pending a 30-day comment period, starting from the date this Complaint is issued. Interested parties may comment on the proposed action during this period by submitting written comments to the Central Valley Water Board staff person listed below. Should the Central Valley Water Board receive new information or comments during this comment period, the Assistant Executive Officer may withdraw the complaint, return payment, and issue a new complaint. If the Central Valley Water Board does not hold a hearing on the matter, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

[http://www.waterboards.ca.gov/centralvalley/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/tentative_orders/)

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Kari Holmes at (916) 464-4623 or [Kari.Holmes@waterboards.ca.gov](mailto:Kari.Holmes@waterboards.ca.gov).



HOWARD HOLD, Acting Supervisor  
Compliance and Enforcement Section

Enclosures (3): ACLC R5-2018-0503  
Waiver Form  
Hearing Procedures

cc w/o encl: Kenneth Greenberg, USEPA, Region 9, San Francisco  
David Boyers, Office of Enforcement, SWRCB, Sacramento  
Nickolaus Knight, Office of Enforcement, SWRCB, Sacramento  
Pamela Creedon, Central Valley Water Board Advisory Team, Rancho Cordova  
Stephanie Yu, Office of Chief Counsel, SWRCB, Sacramento  
Adam Laputz, Central Valley Water Board Advisory Team, Sacramento  
Carol Oz, Department of Fish and Game, Region 2, Rancho Cordova

cc list: continued on next page

San Joaquin County Environmental Health Department, Stockton  
Bill Jennings, California Sportfishing Protection Alliance, Stockton  
Jae Kim, Tetra Tech, Fairfax, VA  
Kimberly A. Seibel, Acting Warden, Deuel Vocational Institution, Tracy  
Robert W. Thomas, Deuel Vocational Institution, Tracy  
Pedro Reyes, CDCR, Rancho Cordova  
Jeff Stanley, CDCR, Rancho Cordova  
Terri Madia, CDCR, Rancho Cordova  
Fred Cordano, CDCR, Rancho Cordova  
Donald Struckman, Staff Counsel, CDCR, Rancho Cordova  
Gregor Larabee, Chief of Environmental and Regulatory Compliance, CDCR,  
Sacramento  
Laurie Perri, Associate Estimator of Building Construction, CDCR, Sacramento