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ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

24 July 2018

CERTIFIED MAIL:
7014 0510 0001 3246 9571

WDID No. 5A452015002

Jerry Kelley
Shasta Lake Division Manager
Sierra Pacific Industries, Inc.
3735 El Cajon Ave.
Shasta Lake, CA 96019

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R5-2018-0518 FOR ASSESSMENT OF MANDATORY MINIMUM PENALTIES, SIERRA PACIFIC INDUSTRIES INC., SHASTA LAKE DIVISION, SHASTA LAKE CITY, SHASTA 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 R5-2010-0034 and R5-2016-0025 (NPDES Permit No. CA0081400) by Sierra Pacific Industries' (Discharger) Shasta Lake Division (Facility). The Complaint charges Sierra Pacific Industries, Inc. with administrative civil liability in the amount of **thirty thousand dollars ($30,000)**, which represents the statutory Mandatory Minimum Penalty for effluent violations that occurred between 19 January 2016 and 28 February 2017.

Sierra Pacific Industries, Inc. has the right to a hearing before the Central Valley Water Board within 90 days of the service of the Complaint. Sierra Pacific Industries, Inc. may agree to pay the administrative civil liability and waive its right to a hearing before the Central Valley Water Board or may contest the Complaint and exercise its right to a hearing within 90 days of the date of the Complaint. If Sierra Pacific Industries, Inc. chooses to waive its right to a hearing and settle the Complaint, then a duly authorized agent must sign the enclosed waiver and submit it to this office by **7 August 2018.** The Complaint will be considered settled pending a 30-day public comment period, tolled from the date of this Complaint, during which time interested parties may comment on this action by submitting information to this office, attention Jeremy Pagan.

If the Regional Water Board does not receive a waiver and payment for the full amount by **7 August 2018**, then a hearing will be scheduled for the **4/5 October 2018** Central Valley Water Board meeting in Redding, CA. Specific notice about this hearing and its procedures will be provided under separate cover.

Any comments concerning the enclosed Complaint must be submitted to this office, attention Jeremy Pagan, so that they are received no later than **5 p.m. on 4 September 2018**. If the Central Valley Water Board does not hold a hearing on the matter, and 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. Written materials received after **5 p.m. on 4 September 2018** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

In order to conserve resources, this letter transmits paper copies of the documents to Sierra Pacific Industries, Inc. 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/. 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 Jeremy Pagan at (530) 224-4850.

Clint E. Snyder, P.G.
Assistant Executive Officer

HC:

Enclosures: Administrative Civil Liability Complaint No. R5-2018-0518

cc
w/o encl: Central Valley Water Board Members
Ken Greenburg, U.S. Environmental Protection Agency, Region IX, San Francisco
Matthew Kelley, U.S. Army Corps of Engineers, Redding
California Environmental Protection Agency, Sacramento
Department of Fish and Game, Region 1, Redding
Jessica Jahr, Senior Staff Counsel, SWRCB, Sacramento, CA
Patrick Pulupa, Executive Officer, CVRWQCB, Rancho Cordova
Adam Laputz, Assistant Executive Officer, CVRWQCB, Rancho Cordova
Andrew Altevogt, Assistant Executive Officer, CVRWQCB, Rancho Cordova
David Boyers, Assistant Chief Counsel, SWRCB, Sacramento