

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION
WAIVER OF 90-DAY HEARING REQUIREMENT FOR
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT**

By signing this waiver, I affirm and acknowledge the following:

- a. I am duly authorized to act on behalf of and to bind Lean Green Industries LLC, (hereinafter "Discharger") in connection with administrative Civil Liability Complaint No. R7-2020-0025 (hereinafter "Complaint").
- b. I am informed that California Water Code section 13323, subdivision (b), states that, "a hearing before the regional board shall be conducted within 90 days after the party has been served" with a Complaint; and
- c. I hereby waive any right the Discharger may have to a hearing before the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Board) within ninety (90) days of service of the Complaint.

☐ **Option 1.0 (Check here if the Discharger waives the hearing requirement and will pay the liability.)**

- a. I certify that the Discharger will remit payment for the civil liability imposed in the total amount of one hundred and four thousand nine hundred and forty dollars (**\$237,167.10**) by check that references "ACL Complaint No R7-2020-0025" made payable in the amount of **\$237,167.10** to the "*Waste Discharge Permit Fund.*"
- b. I understand that payment must be mailed to:

State Water Resources Control Board
Division of Administrative Services, Accounting Branch
Attn: ACL Payment
PO Box 1888
Sacramento, CA 95812-1888

I understand that payment must be received by 5:00 p.m. on July 6, 2020, or the Regional Board may adopt an Administrative Civil Liability Order requiring payment.

- c. I understand the payment of the above amount constitutes a proposed settlement of the Complaint, and that any settlement will not become final until after a 30-day public notice and comment period. Should the Regional Board receive significant new information or comments from any source (excluding the Regional Board's Prosecution Team) during this comment period, the Regional Board's Assistant Executive Officer may withdraw the Complaint, return payment, and issue a new Complaint.
- d. I understand that this proposed settlement is subject to approval by the Regional Board and that the Regional Board may consider this proposed settlement in public meeting or hearing. I also understand that approval of the settlement will

- e. result in the Discharger having waived the right to contest the allegations in the Complaint and the imposition of civil liability.
- f. I understand that payment of the above amount is not substitute for compliance with applicable laws and that continuing violations of the type alleged in the Complaint may subject the Discharger to further enforcement, including additional civil liability.

☐ **Option 2.0 (Check here if the Discharger waives the 90-day hearing requirement in order to extend the hearing date and/or hearing deadlines. Attach a separate sheet with the amount of additional time requested and the rationale.)**

- a. I hereby waive any right the Discharger may have to a hearing before the Regional Board within 90-days after service of this Complaint. By checking this box, the Discharger requests that the Regional Board delay the hearing and/or hearing deadlines so that the Discharger may have additional time to prepare for the hearing. It remains within the discretion of the Regional Board's Advisory Team to approve the extension.

☐ **Option 3.0 (Check here if the Discharger waives the 90-day hearing requirement in order to engage in settlement discussions.)**

- a. I hereby waive any right the Discharger may have to a hearing before the Regional Board within the 90 days after service of the Complaint, but I reserve the ability to request a hearing in the future. I certify that the Discharger will contact the Regional Board's Prosecution Team within five (5) business days of submittal of this waiver to the request that the Prosecution Team engage in settlement discussions to attempt to resolve the outstanding violation. As part of a settlement discussion, the Discharger may propose a supplemental environmental project to the extent such a project is authorized by law and the State Water Resources Control Board Policy on Supplemental Environmental Projects. By checking this box, the Discharger requests that the Regional Board's Advisory Team delay the hearing so that the Discharger and the Prosecution Team can discuss settlement. It remains within the discretion of the Regional Board's Advisory Team to agree to delay the hearing.

Date

Signature

(Print Name and Title)