

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260
(760) 346-7491

Public Notice No. 7-07-04
NPDES Permit No. CA0104965
January 12, 2007

**ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R7-2007-0019
ISSUED TO
ORMAT NEVADA, INC.
FOR DISCHARGES OF WASTEWATER
INTO STROUT DRAIN
THAT VIOLATES BOARD ORDERS NO. R7-2004-0099 & NO. R7-2005-0066
NPDES PERMIT NO. CA0104965**

Ormat Nevada, Inc. (hereinafter the Discharger) owns and operates a geothermal power plant facility. The Discharger discharges cooling tower blowdown wastewater. The final effluent is discharged to the Strout Drain, which then conveys the effluent to the Alamo River and thence flows to the Salton Sea.

On November 10, 2004, the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Board), issued Cleanup and Abatement Order (CAO) No. R7-2004-0099. CAO No. R7-2004-0099, Provision No. 5, required the Discharger to submit a report to the Regional Board containing a final set of plans for conducting Toxicity Reduction Evaluation (TRE) by May 15, 2005. This report was submitted to the Regional Board on November 10, 2005—179 days late. Failure to timely submit the TRE report subjects the Discharger to enforcement action including, but not limited to, assessment of civil liability.

In addition, on June 29, 2005, the Regional Board adopted Waste Discharge Requirements and a National Pollutant Discharge Elimination System (NPDES) Permit to regulate the discharge of the treated wastewater to the Strout Drain. The Permit is assigned NPDES Permit No. CA0104965, Board Order No. R7-2005-0066. The discharge of wastewater from the Ormat Nevada, Inc., geothermal power plant violated the requirements prescribed in Board Order No. R7-2005-0066 for total suspended solids and mercury.

The Assistant Executive Officer of the Regional Board has issued Administrative Civil Liability Complaint No. R7-2007-0019 against the Discharger, alleging that it failed to comply with CAO No. R7-2004-099 and that it discharged wastewater that exceeded effluent limits set forth in Board Order No. R7-2005-0066.

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Pursuant to Sections 13323, 13327, 13350 and 13385 of the California Water Code, this Complaint proposes that the discharger pay one hundred seventeen thousand dollars (\$123,000) in administrative civil liability and mandatory minimum penalties for violations of CAO No. R7-2004-099 and effluent limitations specified in Board Order No. R7-2005-0066. The Discharger may propose to spend a portion of that amount toward the implementation of a Supplemental Environmental Project (SEP) that is consistent with Section IX of the Water Quality Enforcement Policy (Policy). The Policy was adopted by the State Water Resources Control Board on February 19, 2002, as Resolution No. 2002-0040, was approved by the Office of Administrative Law, and became effective on July 30, 2002.

Unless the Discharger agrees to waive its right to a public hearing on the matter, as provided by California Water Code Section 13323(b), the Regional Board will proceed with the public hearing as follows:

Date: March 21, 2007
Time: 10:00 a.m.
Location: La Quinta City Council Chambers

During the hearing, the public and any other person interested in this matter can provide the Regional Board with comments on this matter.

If the Discharger waives its right to the hearing and pays the Administrative Civil Liability in full, the Regional Board may still decide to conduct a hearing on this matter. The settlement of this Complaint will become final 30 days from the date of this Public Notice. Persons wishing to file written comments on, or objections to, the proposed Administrative Civil Liability Complaint or any other aspects of this matter are required to do so within 30 days of the date of this Notice so that the Regional Board may consider the comments.

Comments must be mailed to the following address:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

A copy of the Complaint may be obtained from the Regional Board Office. Please contact Doug Wylie at (760) 346-6585 for any questions regarding this matter.

For any person who is disabled and requires special accommodations to participate in this Regional Board Meeting, please contact Hilda Vasquez at (760) 346-7491 no later than 10 days before the scheduled public hearing.