

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

Public Notice No. 7-08-34
NPDES Permit No. CA0104523
August 15, 2008

NOTICE OF PUBLIC HEARING

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R7-2008-0060
ISSUED TO CITY OF BRAWLEY, OWNER/OPERATOR,
MUNICIPAL WASTEWATER TREATMENT PLANT,
FOR DISCHARGES OF WASTEWATER INTO THE NEW RIVER
IN VIOLATION OF BOARD ORDER NO. R7-2005-0021, NPDES PERMIT NO.
CA0104523

The City of Brawley (Discharger) owns and operates a sewage collection, treatment, and disposal system and provides sewerage service to its residents. The wastewater treatment plant (WWTP) has a treatment capacity of 5.9 million gallons-per-day. The final effluent from the WWTP is discharged to the New River. On June 29, 2005, the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Board) adopted Waste Discharge Requirements and a National Pollutant Discharge Elimination System (NPDES) Permit to regulate the discharge of the treated municipal wastewater to the New River. The Permit is assigned NPDES Permit No. CA0104523, Board Order No. R7-2005-0021.

The Assistant Executive Officer of the Regional Board has issued Administrative Civil Liability Complaint No. R7-2008-0060 against the Discharger, alleging that it discharged wastewater that exceeded effluent limits set forth in Board Order No. R7-2005-0021.

Pursuant to Section 13385 of the California Water Code, this Complaint proposes that the Discharger pay one hundred twenty-nine thousand dollars (\$129,000) in mandatory minimum penalties (MMP) for violations of effluent limitations specified in Board Order No. R7-2005-0021. The Complaint also offers the Discharger the opportunity to spend a portion of the penalty 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: September 17, 2008
Time: 10:00 a.m.
Location: City of Indio
City Council Chambers
150 Civic Center Mall
Indio, CA 92201

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, a hearing may still be held by the Regional Board. 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 Public 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.

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.