

**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. 7-09-35
NPDES Permit No. CA0104370
December 17, 2009

NOTICE OF PUBLIC HEARING

**ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R7-2009-0075
ISSUED TO CITY OF HEBER PUBLIC UTILITY DISTRICT
FOR
DISCHARGES OF EFFLUENT THAT EXCEED THE EFFLUENT LIMITATIONS
OF THE CENTRAL DRAIN IN VIOLATION OF BOARD ORDER NO. R7-2006-0049
NPDES PERMIT NO. CA0104370**

Heber Public Utility District (Discharger) owns and operates a sewage collection system and wastewater treatment plant serving the City of Heber. The wastewater treatment plant is designed to treat municipal wastewater.

The Assistant Executive Officer of the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) issued Administrative Civil Liability Complaint No. R7-2009-0075 against the Discharger, alleging that it discharged wastewater that exceeded effluent limits for lead set forth in Board Order No R7-2006-0049 (NPDES Permit No. CA0104370). Additionally, the Discharger violated its Monitoring and Reporting Program (MRP) by 1) submitting monitoring data for E. coli prepared by a laboratory that was not certified by the California Department of Public Health and 2) failing to report sampling results and failure to analyze samples for priority pollutants lead and cyanide in accordance with provisions in the MRP. Pursuant to Sections 13385(h) and 13385(c) of the California Water Code, this Complaint proposes that the Discharger pay \$6,000 in mandatory minimum penalties and \$21,000 in discretionary penalties for a total of \$27,000 in administrative civil liability.

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 of hearing: March 18, 2010
Time: 10:00 AM
Location: City Council Chambers
City of Palm Desert
73-510 Fred Waring Drive
Palm Desert, CA 92260

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 not be held. Any settlement of this Complaint constitutes a proposed settlement and will not become final until after the completion of the 30-day public notice and comment period. Should the Regional Water Board receive new significant information or comments from any source during this comment period, the Assistant Executive Officer may withdraw the complaint, return payment, and issue a new complaint.

A copy of the Complaint may be obtained from the Regional Water Board Office. Please refer to the Regional Water Board's website at www.waterboards.ca.gov/coloradoriver for future developments and updates, including any hearing date changes. Please contact Doug Wylie at (760) 346-6585 with any questions regarding this matter.

Any person who is disabled and requires special accommodations to participate in this Regional Meeting, please contact Hilda Vasquez at (760) 776-8950 no later than 10 days before the scheduled public hearing.