

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

Public Notice 7-15-37  
NPDES Permit CA0104841  
October 8, 2015

**REVISED NOTICE OF PUBLIC HEARING**

**PROPOSED SETTLEMENT AGREEMENT AND ADMINISTRATIVE CIVIL LIABILITY  
ORDER R7-2015-0044**

**PETER M. ORMOND, OWNER  
DATE GARDENS MOBILE HOME PARK  
WASTEWATER TREATMENT PLANT  
EI CENTRO – IMPERIAL COUNTY**

On July 1, 2015, the Assistant Executive Office of the Colorado River Basin Regional Water Quality Control Board (Regional Water Board) issued Administrative Civil Liability Complaint R7-2015-0038 (ACL Complaint) pursuant to California Water Code (Water Code) section 13323 to Peter M. Ormond (hereinafter referred to as Discharger), owner of the Date Gardens Mobile Home Park, Wastewater Treatment Plant (WWTP), alleging that the Discharger violated Waste Discharge Requirements (WDRs) Orders R7-2003-0054, R7-2008-0010, and R7-2013-0009 (NPDES No. CA0104841). The Complaint proposed that the Regional Water Board assess administrative civil liability in the amount of \$623,457 against the Discharger, as authorized by Water Code section 13385.

The Notice of Public Hearing and Hearing Procedure regarding the Complaint was provided on July 1, 2015 (Public Notice 7-15-31). During the 30-day period following the public notice, no comments were received by the Regional Water Board regarding the Complaint. The Regional Water Board's Prosecution Staff subsequently met with the Discharger (collectively referred to as "the Parties") to engage in settlement negotiations.

The Parties have entered into a tentative settlement to resolve any and all claims for civil liability the Regional Water Board has or may have against Peter M. Ormond, arising from or relating to the violations of the WDRs Orders R7-2003-0054, R7-2008-0010, and R7-2013-0009 (NPDES No. CA0104841). As a result, the Parties have agreed to settle the matter and intend to recommend to the Regional Water Board, at its **November 19, 2015** Board meeting, to approve that settlement through adoption of a proposed Administrative Civil Liability Order (proposed Stipulated Order) pursuant to Government Code section 11415.60. The Prosecution Staff believes that the resolution of the alleged violations is fair and reasonable and fulfills the Prosecution Staff's enforcement objectives, that no further action is warranted concerning the specific violations alleged in the Complaint except as provided in the Stipulated Order, and that the Stipulated Order is in the best interest of the people of the state of California. If the Regional Water Board adopts the proposed Stipulated Order, the Discharger will be liable for a total of **\$460,225**.

Date Gardens Mobile Home Park WWTP, ACLO R7-2015-0044  
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Under the terms of the proposed Stipulated Order, to resolve by consent and without further administrative proceedings all of the alleged violations set forth in the Complaint, the Discharger has agreed to pay **\$337,800** in monetary payment to the State Water Resources Control Board Cleanup and Abatement Account within 30 days of execution of the Stipulated Order. The remaining \$122,425 shall be suspended upon completion of an Enhanced Compliance Action (ECA) at the WWTP. The ECA proposed by the Discharger complies with the State Water Board Enforcement Policy. Details concerning the settlement are described in the proposed Stipulated Order. The settlement is contingent on Regional Water Board approval. Copies of the proposed Stipulated Order, Board Order R7-2015-0044, are available on the Regional Board's website at:[http://www.waterboards.ca.gov/coloradriver/board\\_decisions/adopted\\_orders/](http://www.waterboards.ca.gov/coloradriver/board_decisions/adopted_orders/)

These documents are also available by request at the office of the Colorado River Basin Regional Water Board. You may also request a mailed copy of these documents by contacting Hilda Vasquez at 760-346-7491 or [hilda.vasquez@waterboards.ca.gov](mailto:hilda.vasquez@waterboards.ca.gov)

The Regional Water Board will consider adopting the proposed Stipulated Order during a Public Hearing that will commence at the time and place indicated:

Date: November 19, 2015  
Time: 9:00 a.m.  
Location: California Regional Water Quality Control Board  
Colorado River Basin Region Board Room  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, California 92260

The Regional Water Board will accept written comments regarding this proposed Stipulated Order during a thirty (30) day public comment period, which begins October 8, 2015, and ends November 6, 2015. Persons wishing to submit written comments on the proposed Stipulated Order are requested to do so as soon as possible, but no later than **5:00 p.m. on November 6, 2015**. Written comments may be emailed to Prosecution Staff member Maribel **Jernegan** at [Maribel.Jernegan@waterboards.ca.gov](mailto:Maribel.Jernegan@waterboards.ca.gov) or mailed to her attention at the **Regional Water Board** address shown above. Written comments may also be faxed to the **Regional Water Board** at (760) 341- 6820.

Written comments submitted after November 6, 2015, will not be accepted into the record, unless allowed by the Chair of the Regional Water Board. Comments received by this date will be considered in preparation of staff recommendations to the Regional Water Board. Also, an opportunity for oral comments will be provided at the hearing, although time limits may be imposed by the Board. Please note that all exhibits, charts, graphs, and other testimony timely presented as evidence must be left with the Regional Water Board as part of the administrative record.

Please bring this information to the attention of anyone you know to be interested in this issue.

Any person who is disabled and requires special accommodations to participate in this Public Hearing, please contact Hilda Vasquez at (760) 346-7491 no later than ten (10) days before the scheduled Public Hearing.