

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

Public Notice 7-18-30
NPDES Permit CA0105023
October 30, 2018

NOTICE OF PUBLIC HEARING

PROPOSED SETTLEMENT AGREEMENT AND STIPULATION FOR ENTRY OF ADMINISTRATIVE CIVIL LIABILITY ORDER R7-2019-0001

SEELEY COUNTY WATER DISTRICT
SEELEY COUNTY WASTEWATER TREATMENT PLANT
SEELEY – IMPERIAL COUNTY

NOTICE IS HEREBY GIVEN THAT A HEARING WILL BE HELD BEFORE THE COLORADO RIVER BASIN WATER BOARD ON JANUARY 10, 2019

Background

On December 11, 2017, the Assistant Executive Officer of the Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) issued Administrative Civil Liability Complaint No. R7-2017-0040 (ACLC) pursuant to California Water Code (Water Code) section 13323 to Seeley County Water District (Discharger), owner/operator of the Seeley County Wastewater Treatment Plant. The Discharger is alleged to have violated effluent limitations and monitoring and reporting requirements of Waste Discharge Requirements (WDRs) Orders R7-2007-0036 and R7-2012-0011 (NPDES No. CA0105023). The ACLC proposed that administrative civil liability in the amount of \$294,000 be imposed as authorized by Water Code sections 13385 and 13385.1.

The Discharger and the Colorado River Basin Water Board Prosecution Staff (Parties) have entered into a tentative settlement to resolve the violations in the ACLC, and additional effluent limit violations of WDRs Orders R7-2012-0011 and R7-2017-0016 from April 1, 2017 to July 31, 2018.

As a result, the Parties have agreed to settle the matter and intend to recommend to the Colorado River Basin Water Board at the January 10, 2019 Board Meeting that it adopt the proposed Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order R7-2019-0001 (Stipulated Order) under Water Code section 13323 and Government Code section 11415.60. The Prosecution Staff believes that the resolution of the alleged violations are fair and reasonable and fulfills the Prosecution Staff's enforcement objectives, that no further action is warranted concerning the specific violations, and that this proposed Stipulated Order is in the best interest of the people of the state of California.

Accordingly, to resolve by consent and without further administrative proceedings, the Parties have agreed to the final imposition of **\$294,000** in liability against Seeley County Water District pursuant to Water Code section 13323 and Government Code section 11415.60. The Parties have agreed that **\$294,000** of the total liability will be suspended pending completion of a Compliance Project (CP). Additional details concerning this proposed settlement are described in the proposed Stipulated Order. **The settlement is contingent on Colorado River Basin Water Board approval.**

Copies of the proposed Stipulated Order are available on the Colorado River Basin Water Board's website at:

https://www.waterboards.ca.gov/coloradoriver/board_decisions/tentative_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.

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

Date: January 10, 2019
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, CA 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 30, 2018 and ends November 29, 2018. 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 29, 2018**. Written comments may be emailed to Prosecution Staff member, Maribel Jernegan, at Maribel.Jernegan@waterboards.ca.gov or mailed to her attention at:

73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

Written comments may also be faxed to the Colorado River Basin Water Board at (760) 341-6820.

Written comments submitted after November 29, 2018, will not be accepted into the record, unless allowed by the Chair of the Colorado River Basin Water Board. Comments received by this date will be considered in preparation of staff recommendations to the Colorado River Basin 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 Colorado River Basin 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.