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(760) 346-7491

Public Notice 7-19-14  
NPDES Permit CA0105023  
January 18, 2019

NOTICE OF  
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 OF A PROPOSED SETTLEMENT AGREEMENT AND  
STIPULATION FOR ENTRY OF ADMINISTRATIVE CIVIL LIABILITY ORDER**

**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 \$216,000 be imposed as authorized by Water Code sections 13385 and 13385.1.

The Discharger and the Colorado River Basin Water Board Prosecution Staff (Parties) 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. The settlement was noticed for a 30-day public comment period. Following the comment period and prior to the board meeting, an additional \$3,000 in mandatory minimum penalties was added to the settlement due to inadvertently mislabeling a violation as exempt from mandatory minimum penalties.

The Parties brought the settlement before the Colorado River Basin Water Board at the January 10, 2019 Board Meeting. The Colorado River Basin Water Board asked, and the Parties agreed, to revise the settlement to remove an aspect of the proposed compliance project. The Colorado River Basin Water Board delegated the authority to approve Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order R7-2019-0001 (Stipulated Order) to its Executive Officer following a 30-day public comment period.

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, 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 **\$297,000** in liability against Seeley County Water District pursuant to Water Code section 13323 and Government Code section 11415.60. The Parties

have agreed that **\$297,000** of the total liability will be suspended pending completion of a Compliance Project. Additional details concerning this proposed settlement are described in the proposed Stipulated Order. **The settlement is contingent on the Colorado River Basin Water Board Executive Officer's 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/](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](mailto:Hilda.Vasquez@waterboards.ca.gov).

The Regional Water Board will accept written comments regarding this proposed Stipulated Order during a thirty (30) day public comment period, which begins January 18, 2019 and ends February 17, 2019. 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 February 17, 2019**. Written comments submitted after February 17, 2019, will not be accepted into the record. 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:

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

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