
North Coast Regional Water Quality Control Board

ACCEPTANCE OF CONDITIONAL RESOLUTION AND WAIVER OF RIGHT TO HEARING RELATING TO VIOLATIONS OF NPDES PERMIT NO. CA0023051

Order No. R1-2019-0030

Occidental Wastewater Treatment Facility
Order No. R1-2012-0101
Cease and Desist Order No. R1-2012-0102
NPDES No. CA0023051
WDID No. 1B830010OSON

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the Regional Water Board, the Occidental County Sanitation District and Sonoma County Water Agency (collectively "Permittee") hereby accept the "Offer to Participate in Expedited Payment Program" and waive the right to a hearing before the Regional Water Board with jurisdiction over the facility to dispute the allegations of violations described in the Compilation of Violations, which is attached hereto as Exhibit A and incorporated herein by reference.

The Permittee agrees that this Acceptance and Waiver shall serve as an Administrative Civil Liability (ACL) Order pursuant to Article 2.5 of the Water Code and that no separate ACL Complaint is required for the Regional Water Board to assert jurisdiction over the alleged violations through its Assistant Executive Officer. The Permittee agrees to pay the penalties authorized by California Water Code section 13385, as indicated on the attached Exhibit A under "Expedited Payment Amount" (Expedited Payment Amount) which shall be deemed payment in full of any civil liability pursuant to the Water Code sections 13385 and 13385.1 that otherwise might be assessed for the violations described in the Exhibit A.

The Permittee understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the Exhibit A.

Upon execution by the Permittee, the Acceptance and Waiver shall be returned to:

Claudia Villacorta, Assistant Executive Officer
California Regional Water Quality Control Board
North Coast Region
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

The Permittee understands that federal regulations set forth at title 40, Code of Federal Regulations, section 123.27, subdivision (d)(2)(iii) require the Regional Water Board to publish notice of and provide at least 30 days for public comment on any proposed resolution of an enforcement action. Accordingly, this Acceptance and Waiver, prior to execution by the Executive Officer of the Regional Water Board, will be published as required by law for public comment.

If no comments are received within the notice period which causes the Executive Officer of the Regional Water Board to reconsider the Expedited Payment Amount, the Executive Officer will execute the Acceptance and Waiver.

The Permittee understands that if significant comments are received in opposition to the Expedited Payment Amount Offer, the settlement to resolve the violations set forth in the Exhibit A may be withdrawn. In that circumstance, the Permittee will be advised of the withdrawal and an administrative civil liability complaint may be issued and the matter may be set for a hearing before the Regional Water Board. For such a hearing, the Permittee understands that this Acceptance and Waiver executed by the Permittee will be treated as a settlement communication and will not be used as evidence in that hearing.

The Permittee understands that once the Acceptance and Waiver is executed by the Executive Officer of the Regional Water Board, the full payment required by the deadline indicated in the invoice to follow is a condition of this Acceptance and Waiver. The payment period is thirty (30) days.

The Permittee shall pay the Expedited Payment Amount of **\$27,000.00** by check payable to the SWRCB Cleanup and Abatement Account referencing "R1-2019-0030" and send to the State Water Resources Control Board, Division of Administrative Services, Accounting Branch, in full. The payment shall be submitted to:

State Water Resources Control Board
Division of Administrative Services, Accounting Branch
1001 I Street, 18th Floor
Sacramento, CA, 95814

I hereby affirm that I am duly authorized to act on behalf of and to bind the Permittee in the making and giving of this Acceptance and Waiver.

Occidental County Sanitation District/Sonoma County Water Agency
(Name of Permittee)

By: Original signed by
(Signed Name)

6/25/19
(Date)

Janell Crane
(Printed or typed name)

Risk Manager
(Title)

IT IS SO ORDERED PURSUANT TO WATER CODE SECTION 13385

By: _____
Matthias St. John
Executive Officer