



GAVIN NEWSOM  
GOVERNOR



JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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## North Coast Regional Water Quality Control Board

### **ACCEPTANCE OF CONDITIONAL RESOLUTION AND WAIVER OF RIGHT TO HEARING RELATING TO VIOLATIONS OF NPDES PERMIT NO. CA0025151**

**Order No. R1-2022-0007**

Telonicher Marine Laboratory  
WDR Order No. R1-2019-0037  
NPDES No. CA0025151  
WDID No. 1B12187NHUM

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the North Coast Regional Water Quality Control Board (Regional Water Board), Humboldt State University (hereinafter, "Permittee") hereby accepts the Expedited Payment Program offer and waives the right to a hearing before the Regional Water Board to dispute the allegations of violations at the Telonicher Marine Laboratory facility, as described in the Compilation of Violations, which is attached hereto as Attachment 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 California Water Code (Water Code) and that no separate ACL Complaint is required for the Regional Water Board to assert jurisdiction over the alleged violations. The Permittee agrees to pay the penalties authorized by Water Code section 13385, as calculated in Attachment A, 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 Attachment A.

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

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

Jordan Filak, Environmental Scientist  
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 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 settlement, the Executive Officer will execute the Acceptance and Waiver.

The Permittee understands that if significant comments are received in opposition to the settlement, the offer to resolve the violations set forth in the Attachment 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, 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 **\$3,000.00** by check payable to the SWRCB Cleanup and Abatement Account referencing "R1-2022-0007" 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, 18<sup>th</sup> 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.


Humboldt State University  
(Name of Permittee)

By:  5/18/22  
(Signed Name) (Date)

Christina (Cris) Koczera  
(Printed or typed name)

Director of Risk Management  
(Title)

IT IS SO ORDERED PURSUANT TO WATER CODE SECTION 13385

 Digitally signed by  
Matthias St John  
Date: 2022.07.12 14:51:29  
By: Water Boards  
Matthias St. John  
Executive Officer