

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF February 5, 2009

Prepared on January 9, 2008

ITEM NUMBER: 12

SUBJECT: Administrative Civil Liability Order No. R3-2008-0074, California Department of Corrections and Rehabilitation, California Men's Colony, San Luis Obispo County

KEY INFORMATION

Discharger: California Men's Colony
Location: Hwy 1, North of San Luis Obispo, behind Cuesta College, San Luis Obispo County
Discharge Type: Treated Domestic Wastewater
Existing Order: Waste Discharge Requirements Order No. R3-2006-0032, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0047856
This Action: **Consider Administrative Civil Liability Order**

SUMMARY

On December 17, 2008, the Assistant Executive Officer, on behalf of the Central Coast Water Board's prosecution team, issued Administrative Civil Liability (ACL) Complaint No. R3-2008-0074 (Complaint) to the California Men's Colony (Discharger). The Complaint alleged that the Discharger violated its NPDES Permit by violating total chlorine residual effluent limitations 20 times from July 1, 2006 to August 31, 2008. The Complaint proposed that the Discharger be assessed civil liability in the amount of \$140,000.

On December 26, 2008, the Water Board's advisory team (Counsel Frances McChesney and Executive Officer Roger Briggs) notified the Discharger that it would present an order to the Water Board on February 6, 2009 (hearing date subsequently changed to the 5th), unless the Discharger waived its right to a hearing and paid the proposed penalty. As of the date of this report, the Discharger has not waived its right to a hearing or paid the proposed civil liability. In a letter to the Discharger dated December 17, 2008, the prosecution team notified the Discharger to provide any written comments, arguments, and evidence by January 12, 2009. The prosecution team will submit its written evidence to the advisory team on the same date. Those materials are attached.

Attached to this staff report are the Complaint and a draft ACL order.

RECOMMENDATION

The advisory staff will present its evaluation and recommendation at the hearing.

ATTACHMENTS

1. Dept. of Corrections and Rehabilitation letter January 12, 2009.
2. Central Coast Water Board Prosecution Team memo January 12, 2009, with attached memo September 3, 2008
3. ACL Complaint No. R3-2008-0074, with cover letter and waiver instructions
4. Draft Administrative Civil Liability Order No. R3-2008-0074

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