

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF FEBRUARY 5, 2009**

Prepared on January 14, 2009

**ITEM NUMBER: 13**

**SUBJECT: Mandatory Minimum Penalty Order No. R3-2009-0005, Cuyama  
Community Services District, Santa Barbara County**

**KEY INFORMATION**

Discharger: Cuyama Community Services District (CSD)  
Location: 5500 Highway 166, Santa Barbara County  
Discharge Type: Municipal wastewater  
Existing Order: Waste Discharge Requirements Order No. R3-2007-0020 for Cuyama  
Community Services District Wastewater Facility, Santa Barbara County  
(NPDES Permit No. CA0048089)

**This Action: Adopt Mandatory Minimum Penalty Order No. R3-2009-0005**

**SUMMARY**

On December 17, 2008, the Assistant Executive Officer, on behalf of the Central Coast Water Board's prosecution team, issued Mandatory Minimum Penalty Complaint No. R3-2009-0005 (Complaint) to Cuyama CSD (Discharger). The Complaint alleged that the Discharger violated its Waste Discharge Requirements/NPDES Permit by failing to comply with effluent limitations for dibromochloromethane and bromodichloromethane. The Complaint proposed that the Discharger be assessed civil liability in the amount of \$6,000.

On December 17, 2008, the Water Board's advisory team notified the Discharger that it would present an order to the Water Board on February 6, 2009 (date subsequently changed to the 5<sup>th</sup>), 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 was to submit its written evidence to the advisory team on the same date. Those materials from the prosecution team are attached. Cuyama CSD did not submit any information..

Attached to this staff report are the Complaint and a draft Mandatory Minimum Penalty order.

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

**ATTACHMENTS**

1. Prosecution Team memo dated January 12, 2009
2. MMP Complaint No. R3-2009-0005, with cover letter and waiver instructions
3. Draft Mandatory Minimum Penalty Order No. R3-2009-0005