

**ACCEPTANCE OF CONDITIONAL RESOLUTION
AND WAIVER OF RIGHT TO HEARING: (Proposed) ORDER**

City of Los Angeles Department of Public Works, Bureau of Engineering
Settlement Offer No. R4-2023-0020
WDID No. 4 19C385843

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the Los Angeles Regional Water Quality Control Board (Regional Water Board), the City of Los Angeles Department of Public Works, Bureau of Engineering (Permittee) hereby accepts Settlement Offer No. R4-2023-0020, "Offer to Participate in Expedited Payment Program," and waives the right to a hearing before the Regional Water Board to dispute the alleged violations described in the June 17, 2021 Notice of Noncompliance (NNC), the May 3, 2022 Notice of Violation (NOV), and the December 14, 2022 NOV, which are attached hereto and incorporated herein by reference.

The Permittee agrees that this Acceptance and Waiver shall serve as an order imposing administrative civil liability pursuant to Article 2.5 of the California Water Code (Water Code) and that no separate complaint is required for the Regional Water Board to assert jurisdiction over the alleged violations. The Permittee agrees to pay the administrative civil liability authorized by Water Code section 13399.33, in the sum of **\$2,710**, which shall be deemed payment in full of any civil liability pursuant to California Water Code section 13399.33 that otherwise might be assessed for the violations described in the NNC and NOVs. The Permittee understands that this Acceptance and Waiver waives its right to contest the allegations in the NNC and NOVs, and the amount of civil liability for such violations.

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

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

Enrique Loera, Enforcement Unit
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, California 90013

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

If no comments are received within the notice period that causes the Regional Water Board to question the settlement, the Acceptance and Waiver will be presented to the Regional Water Board Executive Officer to consider executing as a stipulated order assessing the uncontested penalty amount.

If, however, significant comments are received in opposition to the settlement, this offer may be withdrawn. In that case, the Permittee's Acceptance and Waiver will also be treated as withdrawn and the violations will be addressed in a hearing before the Regional Water Board. At the hearing, the Permittee will be free to make arguments as to any of the alleged violations, and the Permittee's agreement to accept this conditional offer will not in any way be binding or used as evidence against the Permittee. The Permittee will be provided with further information on the hearing.

The Permittee further understands that once this Acceptance and Waiver is executed by the Regional Water Board's Executive Officer, the full payment required by the deadline set forth below is a condition of this Acceptance and Waiver. In accordance with Water Code section 13399.37(a), funds collected for violations pursuant to section 13399.33(c) shall be deposited in the Waste Discharge Permit Fund. Accordingly, the **\$2,710** liability shall be paid by a cashier's check or certified check made out to the "Waste Discharge Permit Fund" and reference this Order number: "R4-2023-0020." The payment must be submitted to the State Water Resources Control Board no later than thirty (30) calendar days after the date the Acceptance and Waiver is executed by the Regional Water Board's Executive Officer.

Please mail the check to:

State Water Resources Control Board
Division of Administrative Services, Accounting Branch
Attn: ACL Payment
P.O. Box 1888
Sacramento, California 95812-1888

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.

City of Los Angeles Department of Public Works, Bureau of Engineering

By: Originally Signed by Ohaji K. Abdallah May 22, 2023
(Signed Name) (Date)

(Printed or Typed name) _____
(Title)

IT IS SO ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTION 13323 AND GOVERNMENT CODE SECTION 11415.60.

Date: _____

By: _____
for Renee Purdy
Executive Officer