WAIVER FORM FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT

By signing this waiver, I affirm and acknowledge the following:

I am duly authorized to represent Sea World, Inc.(hereinafter "Discharger") in connection with Administrative Civil Liability Complaint No. R9-2010-0138 (hereinafter the "Complaint"). I am informed that California Water Code section 13323, subdivision (b), states that, "a hearing before the regional board shall be conducted within 90 days after the party has been served [with the complaint]. The person who has been issued a complaint may waive the right to a hearing."

🛛 (OPTION 1: Check here if the Discharger waives the hearing requirement and will pay the liability.)

- a. I hereby waive any right the Discharger may have to a hearing before the San Diego Water Board.
- b. I certify that the Discharger will remit payment for the civil liability imposed in the amount of six thousand dollars (\$6,000) by check that references "ACL Complaint No. R9-2010-0138." made payable to the "State Water Resources Control Boardt". Payment must be received by the San Diego Water Board by November 15, 2010 or this matter will be placed on the San Diego Water Board's agenda for a hearing as initially proposed in the Complaint.
- c. I understand the payment of the above amount constitutes a proposed settlement of the Complaint, and that any settlement will not become final until after the 30-day public notice and comment period. Should the San Diego Water Board receive significant new information or comments from any source (excluding the San Diego Water Board's Prosecution Team) during this comment period, the San Diego Water Board's Assistant Executive Officer may withdraw the complaint, return payment, and issue a new complaint. I understand that this proposed settlement is subject to approval by the Executive Officer of the San Diego Water Board, and that the San Diego Water Board may consider this proposed settlement in a public meeting or hearing. I also understand that approval of the settlement will result in the Discharger having waived the right to contest the allegations in the Complaint and the imposition of civil liability.
- d. I understand that payment of the above amount is not a substitute for compliance with applicable laws and that continuing violations of the type alleged in the Complaint may subject the Discharger to further enforcement, including additional civil liability.

(OPTION 2: Check here if the Discharger w	vaives the 90-day hearing requirement in order to engage in
Water Board within 90 days after service of the	ight the Discharger may have to a hearing before the San Diego complaint, but I reserve the ability to request a hearing in the future
	the San Diego Water Board Prosecution Team in settlement
	g violation(s). By checking this box, the Discharger requests that be that the Discharger and the Prosecution Team can discuss
	e San Diego Water Board to agree to delay the hearing. Any
proposed settlement is subject to the conditions	
•	vaives the 90-day hearing requirement in order to extend the
	ch a separate sheet with the amount of additional time
	any right the Discharger may have to a hearing before the San of the complaint. By checking this box, the Discharger requests
that the San Diego Water Board delay the hearing	ng and/or hearing deadlines so that the Discharger may have nains within the discretion of the San Diego Water Board to approve
the extension.	Andrew Fichtham, Executive UP& GM (Print Name and Title)
	(Print Name and Title)
	_ Q ZH_
	(Signature)
	10/29/2016
	(Date)