



**Linda S. Adams**  
*Secretary for  
Environmental Protection*

# State Water Resources Control Board

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**Office of Chief Counsel**  
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**Arnold Schwarzenegger**  
*Governor*

## NOTICE OF PUBLIC HEARING

**July 10, 2007**

**1:30p.m.**

**The Joe Serna, Jr./Cal/EPA Building  
1001 I Street, Training Room 2 East and West  
Sacramento, CA 95814**

PLEASE TAKE NOTICE THAT at the date, time, and location indicated above, the State Water Resources Control Board (State Water Board) will hold a hearing on:

**Whether to Impose Administrative Civil Liability as Proposed in  
Administrative Civil Liability Complaint No. SB-2007-0002-OE  
against Mr. Louis Zamora**

### SUBJECT OF HEARING

The purpose of this hearing is for the State Water Board to receive evidence relative to determining whether to impose liability against Mr. Louis Zamora as proposed in Administrative Civil Liability Complaint No. SB-2007-0002-OE.

### BACKGROUND

Pursuant to Water Code, section 13627, subdivision (a), a person who operates a wastewater treatment plant (WWTP) must possess a certificate of the appropriate grade issued by the State Water Board in accordance with the California Code of Regulations, Title 23, Division 3, Chapter 26. (See also Water Code, § 13625.) The Office of Enforcement determined that the State Water Board has never issued Mr. Zamora a WWTP operator certificate. The Office of Enforcement also determined that Mr. Zamora previously held a WWTP Grade I operator-in-training certificate issued by the State Water Board that expired on June 1, 1997.

After conducting its investigation, the Office of Enforcement determined that Mr. Zamora was the sole operator of the Stratford Public Utility District (SPUD) WWTP from 1995 until approximately June 4, 2005, at which time Mr. Ron Bales was hired to provide oversight of plant operations. The Office of Enforcement also determined that after Mr. Bales was hired, Mr. Zamora continued to conduct the daily operations at the plant.

The Acting Executive Director, Thomas Howard, issued Administrative Civil Liability Complaint No. SB-2007-0002-OE against Mr. Zamora, alleging that he operated the SPUD WWTP without a WWTP operator certificate issued by the State Water Board. Pursuant to Water Code, section 13627.1, subdivision (a), this complaint proposes that Mr. Zamora pay \$8,000 in penalties for

operating a WWTP without an operator certificate issued by the State Water Board from January 16, 2004, through January 16, 2007.<sup>1</sup>

### **ABOUT THIS HEARING**

In this hearing, there will be a staff prosecutorial team who will be a party in the hearing. The prosecutorial team members will include Casey Weaver, Engineering Geologist; Yvonne M. West, Staff Counsel; and David Boyers, Senior Staff Counsel. The prosecutorial team is separated by an ethical wall from the hearing team, and is prohibited from having *ex parte* communications with the hearing team regarding substantive issues and controversial procedural issues within the scope of this proceeding. The hearing team consists of the Board members and the staff assisting the Board members with the hearing.

State Water Board member and Vice Chair Gary Wolff will preside as the hearing officer over this proceeding. Other Board members may be present during the hearing. State Water Board staff hearing team members will include Julie M. Osborn, Staff Counsel; and Sudhakar Talanki, Senior Water Resources Control Engineer.

### **KEY ISSUES**

1. Did Mr. Zamora operate the SPUD WWTP without an operator's certificate issued by the State Water Board?
2. Should the State Water Board order liability in response to Administrative Civil Liability Complaint No. SB-2007-0002-OE against Mr. Louis Zamora? If the State Water Board orders liability, should the amount be increased or decreased, and if so on what basis?

### **HEARING PARTICIPATION**

All persons who plan to participate in this hearing should carefully read the enclosure entitled "Information Concerning Participation in Hearing." As stated in that enclosure, parties intending to present evidence at the hearing must submit a **Notice of Intent to Appear**, which must be received by the State Water Board on or before **5:00pm on Thursday June 21, 2007**. A copy of the Notice of Intent to Appear must be received by the persons on the enclosed Service List on or before Thursday June 21, 2007.

Copies of witnesses' proposed testimony, exhibits, list of exhibits, and qualifications must be served upon and received by the State Water Board on or before **5:00pm on Friday June 29, 2007**. Copies of witnesses' proposed testimony, exhibits, list of exhibits, and qualifications must be served upon and received by the persons on the enclosed Service List on or before Friday

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<sup>1</sup> Although the complaint alleges violations of Water Code, section 13627.1, subdivision (a), prior to January 16, 2004, the complaint only assess penalties for those violations occurring from January 16, 2004, through January 16, 2007.

June 29, 2007. Questions concerning this notice may be directed to Julie M. Osborn at (916) 341-5176.

### **PARKING AND ACCESSIBILITY**

The enclosed map shows the location of the Joe Serna, Jr./California Environmental Protection Agency (Cal EPA) Building in Sacramento. Public parking is available in metered spaces on area streets, and in the public garages shown on the attached map.

The Cal EPA Building is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Juan De La Fuente at (916) 324-8865 at least five working days before the hearing date. TTY users may contact the California Relay service at 1-800-735-2929 or voice line at 1-800-735-2922. Training Room 2 East and West is located on the 2<sup>nd</sup> floor of the Cal EPA Building.

All visitors are required to sign in and receive a badge prior to attending any meeting. The Visitor and Environmental Services Center is located just inside and to the left of the Cal/EPA Building's public entrance. Valid picture identification may be required due to the security level so please allow up to 15 minutes for this process.

### **IF YOU HAVE ANY QUESTIONS**

During the pendency of this proceeding, commencing no later than the issuance of this notice, there will be no *ex parte* communications between State Water Board members or State Water Board hearing team staff and any of the participants regarding substantive issues within the scope of the proceeding. (Gov. Code, §§ 11430.10-11430.80.) Communications regarding routine, noncontroversial procedural matters should be directed to Julie M. Osborn at (916) 341-5176.

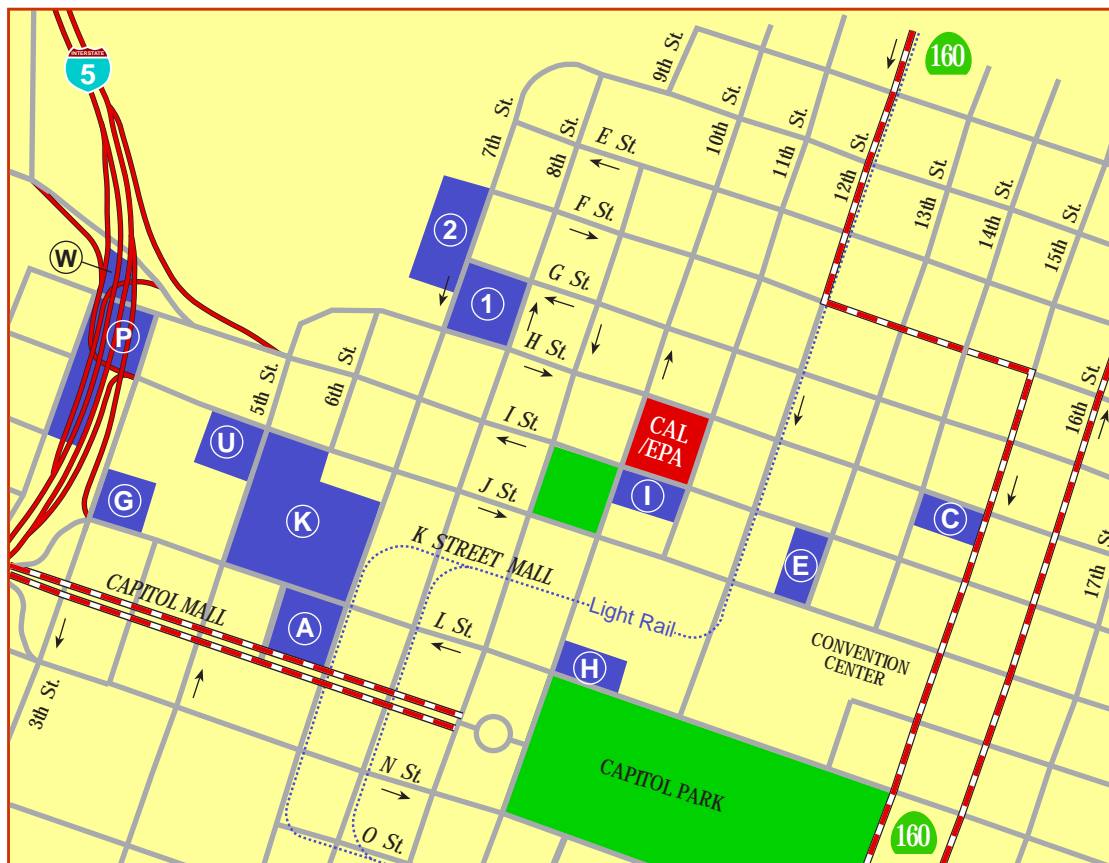
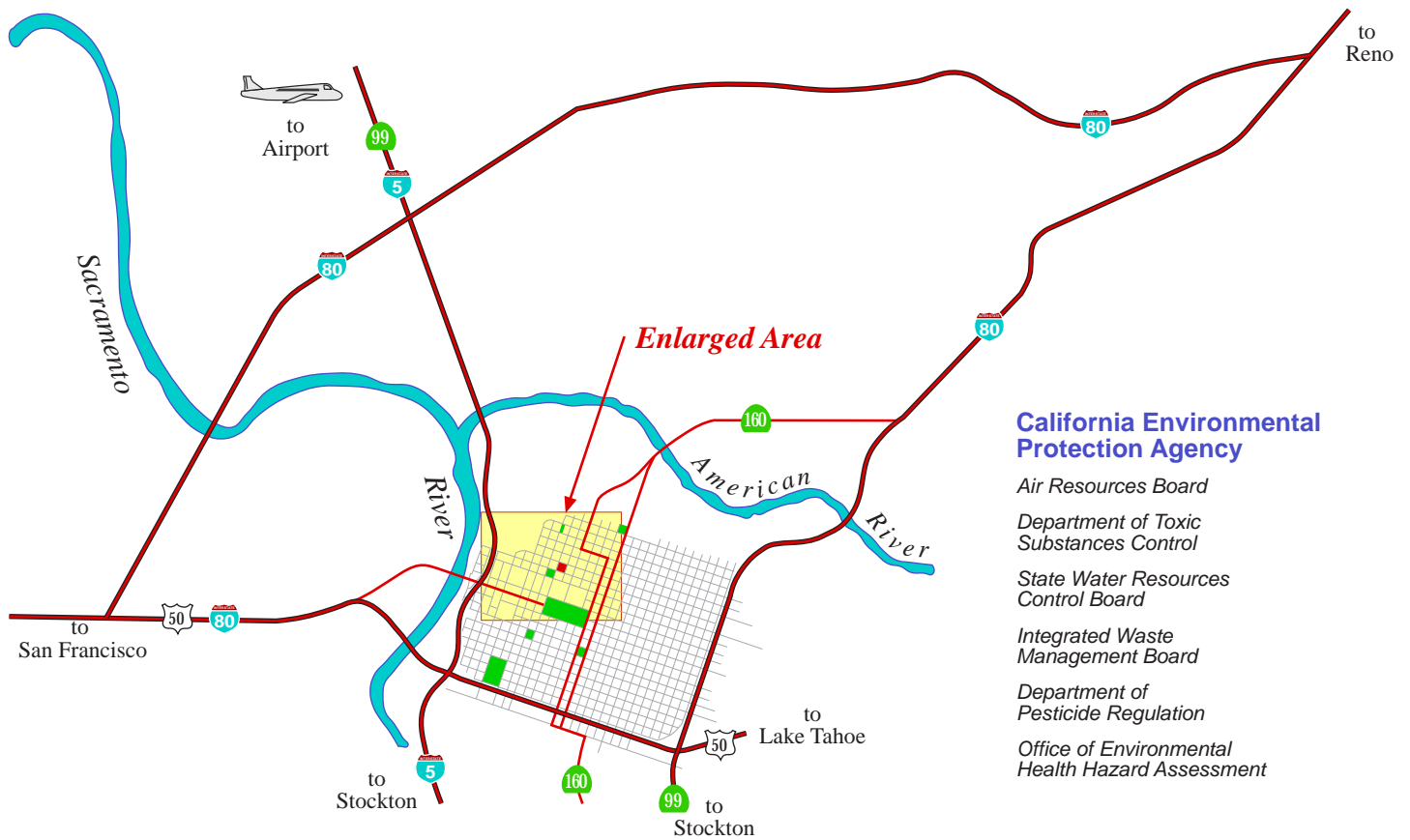
June 15, 2007  
Date



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Song Her  
Clerk to the Board

Enclosures

cc: Interested Persons



**Lot 1 (7th & G St.)**

\$0.75 ea. 1/2 hr.

**Lot 2 (7th & G St.)**

\$0.75 ea. 1/2 hr.

**Lot A (7th & Capitol)**

\$0.75 ea. 1/2 hr. for first 2 hrs.  
\$1.50 ea. additional hr.  
\$8.00 maximum charge

**Lot C (14th & H St.)**

\$5.00 flat rate

**Lot G (3rd & L)**

\$0.75 ea. 1/2 hr. for first 2 hrs.  
\$1.25 ea. additional 1/2 hr.  
\$13.00 daily maximum charge

**Lot H (10th & L)**

\$1.25 each 1/2 hr.  
\$15.00 daily maximum charge

**Lot I (10th & I, 11th & I)**

\$1.00 each 1/2 hr.  
\$12.00 daily maximum charge

**Lot K (6th & J/L, 7th & K)**

\$0.75 ea. 1/2 hr. for first 2 hrs.  
\$1.25 ea. additional 1/2 hr.  
\$13.00 daily maximum charge

**Lot P (2nd & I)**

\$0.75 ea. 1/2 hr. for first 3 hrs.  
\$1.00 ea. additional 1/2 hr.  
\$12.00 daily maximum charge

**Lot U (5th & J)**

\$0.50 ea. 1/2 hr. for first 2 hrs.  
\$1.00 ea. additional 1/2 hr.  
\$12.00 maximum charge

**Lot W (2nd & I St.)**

\$5.00 flat rate