



California Regional Water Quality Control Board
Central Valley Region
Katherine Hart, Chair



Matthew Rodriguez
Secretary for
Environmental Protection

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<http://www.waterboards.ca.gov/centralvalley>

Edmund G. Brown Jr.
Governor

6 September 2011

Michael McHatten, City Administrator
City of Angels
P.O. Box 667
Angels Camp, CA 95222

CERTIFIED MAIL
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***ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2011-0589, CITY OF ANGELS
WASTEWATER TREATMENT FACILITY, CALAVERAS COUNTY***

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code (CWC) section 13323. The Complaint charges the City of Angels (Discharger) with civil liability in the amount of **one hundred and twenty five thousand dollars (\$125,000)** for violations of Waste Discharge Requirements Order 98-110 and Cleanup and Abatement Order 5-01-535. The violations are associated with spills of wastewater at the sprayfield.

The Discharger may:

- Pay the proposed administrative civil liability and waive its right to a hearing (Option #1 on the attached waiver form);
- Ask that the hearing be postponed to facilitate settlement discussions or for other reasons (Options #2 or #3 on the attached waiver form); or
- Contest the Complaint and/or enter into settlement discussions without signing the enclosed waiver.

If the Central Valley Water Board does not receive a signed waiver by **6 October 2011**, a hearing will be scheduled for the **30 November and 1/2 December 2011** Board meeting in Rancho Cordova. This hearing will be governed by the attached Hearing Procedures, which have been approved by the Board Chair for use in adjudicating matters such as this one. Any objections to the Hearing Procedures must be received by Patrick Pulupa, whose contact information is listed in the Hearing Procedures, by **5 p.m. on 20 September 2011**.

If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations. The settlement will be considered final pending a 30-day comment period, starting from the date this Complaint is issued. Interested parties may comment on the proposed action during this period by submitting written comments to the Central Valley Water Board staff person listed below. Should the Central Valley Water Board receive new information or comments during this comment period, the Executive Officer may withdraw the complaint, return payment, and issue a new complaint. If the Central Valley

California Environmental Protection Agency

Water Board does not hold a hearing on the matter, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/.

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Mary Boyd at (916) 464-4676 or mboyd@waterboards.ca.gov.

WENDY S. WYELS, Supervisor
Compliance and Enforcement Section

Enclosure: ACL Complaint R5-2011-0589
Hearing Procedures
Waiver Form

cc w/o enc: Kenneth Landau, Central Valley Water Board, Rancho Cordova
Reed Sato, Office of Enforcement, SWRCB, Sacramento
David Boyers, Office of Enforcement, SWRCB, Sacramento
Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento
Brian Moss, Calaveras County Environmental Health, San Andreas
Vanessa Apodaca, Weber, Ghio & Associates, Inc., San Andreas
Mary Kelly, City Clerk, City of Angels
Garrett Walker, Senior WWTF Supervisor, City of Angels

mb/wsw: 25 Aug-11