

**ACCEPTANCE OF CONDITIONAL RESOLUTION
AND WAIVER OF RIGHT TO HEARING; (proposed) ORDER**

CM Topsoil Inc.
Settlement Offer No. R4-2023-0094
WDID No. 4 19I025235

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 (Los Angeles Water Board), CM Topsoil Inc. (Discharger) hereby accepts the "Offer to Participate in Expedited Payment Program" and waives the right to a hearing before the Los Angeles Water Board to dispute the allegations of violations described in Exhibit "1" and incorporated herein by reference.

The Discharger agrees that Exhibit "1" shall serve as a complaint pursuant to Article 2.5 of the California Water Code (Water Code) and that no separate complaint is required for the Los Angeles Water Board to assert jurisdiction over the alleged violations through its Chief Prosecutor. The Responsible Discharger agrees to pay the penalties required by Water Code section 13385 in the sum of \$6,000 (Expedited Payment Amount) which shall be deemed a payment in full of any civil liability pursuant to Water Code section 13385 that otherwise might be assessed for the violations described in Exhibit "1." The Discharger understands that this Acceptance and Waiver waives its right to contest the allegations in Exhibit "1" and the amount of civil liability for such violations.

The Discharger understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in Exhibit "1."

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

Pavlova Vitale, Enforcement II Unit
Expedited Payment Program
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

The Discharger understands that federal regulations set forth by title 40, Code of Federal Regulations, section 123.27(d)(2)(iii) require the Los Angeles Water Board to publish notice of and provide at least thirty (30) days for public comment on any proposed resolution of this enforcement action. Accordingly, the Acceptance and Waiver, prior to execution by the Los Angeles Water Board Executive Officer, will be published as required by law for public comment.

If no significant comments are received within the notice period, the Acceptance and Waiver will be presented to the Los Angeles Water Board Executive Officer for approval.

The Discharger understands that if significant comments are received, the Los Angeles

