

October 17, 2007

ALLEGATIONS

6. The District violated Prohibition A.1 of Order No. 96-04 by discharging a total of 146,625 gallons of sewage from June 17 to June 20, 2006 from a 6-inch diameter sewer pipe located at 526 Aviation Road into Fallbrook Creek, tributary to Lake O'Neil and the Santa Margarita River.
7. Persons or entities that discharge waste in violation of Waste Discharge Requirements are subject to civil liability pursuant to California Water Code Section 13350, either on a daily basis, not to exceed five thousand dollars (\$5,000) for each day the violation occurs, or on a per gallon basis, not to exceed ten dollars (\$10) for each gallon of waste discharged, but not both. The statutory maximum ACL amount for the June 2006 sewage spill therefore is \$1,466,250.

PROPOSED CIVIL LIABILITY

9. It is recommended that pursuant to section 13350(e) of the CWC, the Regional Board should impose a civil liability of twenty nine thousand and three hundred dollars (\$29,300) on the Fallbrook Public Utility District alleged violation in Allegation 6 (above).

Dated this 17th day of October 2007

BY THE EXECUTIVE OFFICER



MICHAEL P. McCANN
Assistant Executive Officer (Acting)

Signed pursuant to the authority
delegated by the Executive Officer to
the Assistant Executive Officer