

**ATTACHMENT A
ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R4-2025-0268
FOR
THE BOEING COMPANY
SANTA SUSANA FIELD LABORATORY
CI 6027
NPDES NO. CA0001309**

This Attachment A is prepared by the Los Angeles Regional Water Quality Control Board's (Los Angeles Water Board) Prosecution Team pursuant to the State Water Resources Control Board's (State Water Board) 2024 Water Quality Enforcement Policy (2024 Enforcement Policy)¹, designed to consider California Water Code (Water Code) section 13327 factors applicable to discretionary administrative civil liabilities. Pursuant to Water Code section 13327, in determining the amount of discretionary administrative civil liability, the Los Angeles Water Board shall take into consideration the nature, circumstances, extent, and gravity of the violation, whether the discharge is susceptible to cleanup or abatement, the degree of toxicity of the discharge, and, with respect to the violator, the ability to pay, the effect on the ability to continue in business, any voluntary cleanup efforts undertaken, any prior history of violations, the degree of culpability, economic benefit or savings, if any, resulting from the violation, and other matters as justice may require.

The penalty calculation methodology in the 2024 Enforcement Policy is designed to help ensure liability is imposed in a transparent, fair, and consistent manner.

This attachment describes the methodology and factors used by the Los Angeles Water Board's Prosecution Team to calculate the proposed administrative civil liability for Violations 1-35.²

Violations 1-35: Discharges in Violation of Effluent Limitations in NPDES Permits from January 2023 through March 2025 for Manganese, TCDD Equivalents, Lead, pH, Mercury, and Sulfate

The Respondent discharged pollutants to Bell Creek or Arroyo Simi, both waters of the state, in violation of effluent limitations for manganese, TCDD equivalents, lead, pH, mercury, and sulfate in Waste Discharge Requirements for The Boeing Company, Santa Susana Field Laboratory, Order Nos. R4-2015-0033, NPDES No. CA0001309 (2015 Permit) and R4-2023-0359, NPDES No. CA0001309 (2023 Permit).³ The thirty-five (35) alleged violations occurred on seventeen distinct days from January 2023 through March

¹ The 2024 Enforcement Policy is available at:

https://waterboards.ca.gov/water_issues/programs/enforcement/docs/2024/2024-enforcement-policy.pdf.

² The penalty calculation methodology does not apply to Violations 36-39 because the Los Angeles Water Board Prosecution Team seeks mandatory minimum penalties, rather than discretionary administrative civil liabilities for those violations.

³ Alleged violations from January 1, 2022 to December 31, 2023 fall under the 2015 Permit and alleged violations on or after January 1, 2024 fall under the 2023 Permit.

2025. On those days, the discharge flows for each discharge point associated with an effluent limitation violation were reported by the Respondent as follows:

Table 1. Days of Violations and Discharge Flow

Violation Number	Violation Date	Discharge Point	Flow (Gallons per Day)	Parameter
1	01/10/23	011	16,653,000	Manganese
2	01/11/23	010	380,000	TCDD Equivalents
3	02/25/23	011	17,198,000	Manganese
4		011		TCDD Equivalents
5	08/22/23	009	2,048,300	Lead
6	12/22/23	009	261,300	TCDD Equivalents
7				Lead
8	01/03/24	002	1,244,800	pH
9	01/23/24	009	679,900	Lead
10	02/02/24	001	26,320	Manganese
11	02/02/24	002	373,000	TCDD Equivalents
12	02/02/24	009	2,224,000	Lead
13				Mercury
14				TCDD Equivalents
15				Lead ⁴
16	02/06/24	004	295,900	Mercury
17	02/06/24	006	297,300	Mercury
18	02/20/24	009	700,100	TCDD Equivalents
19				Lead
20	03/08/24	009	744,900	TCDD Equivalents
21				Lead
22	03/24/24	002	300,410	Sulfate
23	03/31/24	009	2,715,000	Lead
24				TCDD Equivalents
25				Lead ⁴

⁴ There were both exceedances of concentration and mass-based effluent limitations on the same day.

Violation Number	Violation Date	Discharge Point	Flow (Gallons per Day)	Parameter
26	04/15/24	002	455,960	Sulfate
27	04/15/24	009	233,000	Lead
28	02/14/25	001	38,520	Lead
29				Manganese
30				TCDD Equivalents
31	02/14/25	002	316,170	TCDD Equivalents
32	02/15/25	009	793,200	Lead
33				Mercury
34				TCDD Equivalents
35	03/14/25	009	220,900	Lead

Total Discharge Flow: **48,199,980 gallons**

A table listing additional information for the alleged effluent limitation violations for manganese, TCDD equivalents, lead, pH, mercury, and sulfate in Violations 1-35 is also included as Attachment B, herein incorporated by reference.

Application of the 2024 Enforcement Policy Penalty Calculation Methodology

Between January 2023 through March 2025, the Respondent reported thirty-five (35) effluent violations for manganese, TCDD equivalents, lead, pH, mercury, and sulfate. As the violations are similar in nature, the Prosecution Team is addressing the penalty calculation methodology steps in the 2024 Enforcement Policy in a single discussion for these effluent limitation violations rather than listing the individual discussion of the steps for each effluent limitation violation.

STEP 1 – Actual or Potential for Harm for Discharge Violations

The Actual or Potential for Harm is determined by using a three-factor scoring system to quantify: (1) the degree of toxicity of the discharge; (2) the actual harm or potential harm to beneficial uses; and (3) the discharge's susceptibility to cleanup or abatement. The determination of these three factors and the final score are discussed below.

Factor 1: The Degree of Toxicity of the Discharge

The evaluation of the degree of toxicity considers the physical, chemical, biological, and/or thermal characteristics of the discharge and the risk of damage the discharge could cause to the receptors or beneficial uses. A score between 0 and 4 is assigned based on a determination of whether the discharged material poses a negligible (0), minor

(1), moderate (2), above moderate (3), or significant (4) risk or threat to potential receptors. As opposed to Factor 2 which focuses on impacts or the threat of impacts to beneficial uses in specific receiving waters, Factor 1 focuses on the nature and characteristics, or toxicity of the material discharged in the context of potential impacts to beneficial uses more generally.

Effluent Limitation Violations for Lead (Violations 5, 7, 9, 12, 15, 19, 21, 23, 25, 27, 28, 32, 35), Mercury (Violations 13, 16, 17, 33), and TCDD Equivalents (Violations 2, 4, 6, 11, 14, 18, 20, 24, 30, 31, 34)⁵:

A score of above moderate (3) is assigned for the alleged lead, mercury, and TCDD equivalents violations. The 2024 Enforcement Policy defines a score of 3 as the “[d]ischarged material poses an above-moderate risk or a direct threat to potential receptors (e.g., the chemical and/or physical characteristics of the discharged material exceed known risk factors or there is substantial threat to potential receptors [e.g. human health, aquatic life, habitat, etc.]”.

Lead is not biodegradable and tends to bioaccumulate in living organisms when it is released into the environment. It has the potential to negatively impact the health of potential receptors such as humans, animals, plants, and aquatic life. Once in the soil, lead may be biologically incorporated into plants and invertebrates, which are then ingested by wildlife. This process can cause a range of biochemical, physiological, and behavioral effects in some species of invertebrates, fish, amphibians, reptiles, birds, and mammals. In aquatic environments, lead is highly toxic; as fish are typically at the top of the food chain, they are most susceptible to the toxic effects of lead exposure. Lead accumulation in fish tissues causes oxidative stress, which induces synaptic damage and neurotransmitter malfunction as neurotoxicity; lead exposure can also influence immune responses in fish as well as disruption of the endocrine system, impairment with gametogenesis, and negatively impacting reproduction. Lead poisoning can also impair the reproductive success of other wildlife; for example, lead exposure can lead to decreased fertility, lower hatching success, and hinder chick survival in birds. This can have population-level impacts, especially for species already facing other endangerment challenges. Clinical signs of lead toxicosis in birds include incoordination, weakness, drooped wings, anorexia, reduced activity, and green watery diarrhea. Toxic effects may cause birds to be more vulnerable to predation, trauma, and other diseases. Lead can also negatively impact human health, as it can enter the human body through various routes such as skin contact, inhalation, and ingestion, and may result in a range of health issues, including anemia, hypertension, renal impairment, immunotoxicity, toxicity to the reproductive organs, kidney damage, cardiovascular problems, and neurological issues. The United States Environmental Protection Agency (U.S. EPA) established a maximum contaminant level goal (MCLG) of zero for lead in drinking water as the U.S. EPA classifies

⁵ See Table 1 above for the violation number assigned to each violation.

lead as a Class B₂ carcinogen⁶; lead can be harmful to human health even at low exposure levels, especially in children. Therefore, the presence of lead in the discharge poses an above-moderate risk or threat to humans, animals, plants, and aquatic life given the potential impacts to these receptors from lead exposure as discussed above.

Mercury is a heavy metal that is a potent neurological poison in fish, wildlife, and humans. Once mercury is released into the environment, it can be converted to a biologically toxic form of methylmercury by microorganisms found in soil and in the aquatic environment. Mercury is absorbed easily and bioaccumulates in the food chain; the harmful form of mercury readily crosses biological membranes and can accumulate to harmful concentrations in the exposed organism and become increasingly concentrated up the food chain. Sensitivity to mercury varies according to species, health status, age, and sex. In fish, mercury exposure can produce reproductive toxicity and teratogenic and neurotoxic effects; these effects can cause harm to cells, tissues, proteins and genes, impacting their survival, growth, and behavior. Reproductive problems are the primary concern for birds suffering from mercury poisoning. Other mercury effects in birds and mammals include liver damage, kidney damage, and neurobehavioral effects. Mercury is a neurotoxin, and clinical signs in animals include lethargy, incoordination, weakness, behavioral alterations, and other sensory and motor deficits. Mercury exposure at high levels can harm the human brain, heart, kidney, lungs and immune system, leading to personality changes, stupor and coma. Chronic exposure in humans may interfere with immune, gastrointestinal, reproductive, kidney, liver, and cardiovascular functions; it can also negatively impact fetal brain and nervous system development. Therefore, the presence of mercury in the discharge poses an above-moderate risk or threat to potential receptors, including wildlife, aquatic life, and humans given the potential impacts to these receptors from exposure to mercury as listed above.

TCDD equivalents is a measurement of the presences of a mixture of dioxin and dioxin-like compounds, including polychlorinated dibenzo-p-dioxins (PCDDs), polychlorinated dibenzofurans (PCDFs), and certain polychlorinated biphenyls (PCBs) by expressing their toxicities relative to 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD), the most toxic of all dioxins. Wastewater with detected TCDD equivalents value contains dioxin and dioxin-like compounds, which together contribute to the overall toxicity. Dioxins are highly toxic and categorized as persistent organic pollutants (POPs). They have the potential to bioaccumulate in animals and humans. In animals, TCDD causes various systemic effects at a wide range of exposure concentrations, including tumorigenesis, immunological dysfunction, and teratogenesis. Animals take up dioxins through ingestion, inhalation, and skin contact. These pollutants bind to fatty tissue throughout the body, and like many contaminants, they bio-magnify, becoming more concentrated in animals at higher levels of the food chain. Dioxins are a health concern related to diet and habitat for all animals, including humans. Fish and fish-eating animals, including humans, are at the highest risk

⁶ A Class B₂ carcinogen is one that is probably carcinogenic to humans. There is sufficient evidence to indicate a causal relationship from animal bioassay data, but there is little or no human data.

of accumulating high levels of dioxins. Exposed animals may also have discolored skin, loss of hair or feathers, and enlarged livers. In fish, TCDD has the potential to interfere with several biological processes that impair growth and development of various organs and function of the cardiovascular, immune, skeletal, reproductive, and central nervous systems. In humans, dioxin exposure can cause cancer, reproductive and developmental problems, damage to the immune system, and interference with hormones. Studies of humans exposed to TCDD-contaminated materials suggest that TCDD is the cause of observed chloracne, metabolic disorders (porphyria), and other systemic problems; the studies are also suggestive of TCDD's ability to cause cancer. Therefore, the presence of TCDD equivalents in the discharge poses an above-moderate risk or threat to potential receptors such as humans, animals, and aquatic life given the potential impacts to these receptors from exposure to TCDD equivalents as listed above.

Effluent Limitation Violations for pH (Violation 8), Sulfate (Violations 22, 26), and Manganese (Violations 1, 3, 10, 29):

A score of minor (1) is assigned to the alleged pH, sulfate, and manganese violations. The 2024 Enforcement Policy defines a score of 1 for this factor as “[d]ischarged material poses only minor risk or threat to potential receptors (e.g., the chemical and/or physical characteristics of the discharged material are relatively benign and would not likely cause harm to potential receptors [e.g. human health, aquatic life, habitat, etc.]).”

pH level affects most chemical and biological processes in water. The pH scale ranges from zero (the most acidic) to 14 (the most basic). It is one of the most important environmental factors limiting species distributions in aquatic habitats. Different species flourish within different ranges of pH, with the optima for most aquatic organisms falling between pH 6.5 to 8.5 standard unit (S.U.). Short-term exposures of fish to high pH (around 9.5 S.U.) are rarely lethal to most fish species. However, prolonged exposure to pH between 9.5 S.U. and 10 S.U. can damage outer surfaces such as gills, eyes, and skin. High pH also can affect the sensory epithelium of the fish olfactory system, making it difficult for fish to detect food, sex hormones or pheromones, alarm substances from conspecifics or toxic chemicals. The exceedance for Violation 8 was reported at 8.61 S.U., exceeding the optimal upper limit of 8.5 S.U. by 0.11 S.U., but lower than the range of high pH (around 9.5 S.U.) where negative impacts to most fish species are observed. Therefore, a score of 1 is assigned because a deviation of 0.11 S.U. outside of the optimal range for most aquatic organisms poses a minor risk or threat to potential receptors including fish and other aquatic organisms.

Sulfate, a common anion in the water environment, is widely distributed in various natural environments from both natural and anthropogenic sources. Elevated levels of sulfate can have harmful effects on aquatic life in freshwaters; sulfate can cause osmotic stress or specific ion toxicity in aquatic organisms. Sulfate may be transformed into toxic substances under certain conditions in water, resulting in the loss of essential metal elements in aquatic plants and changes in the original eco-hydrological function. Studies

have also shown that high concentrations of sulfate can cause the death of freshwater invertebrates. High concentration of sulfate in the aquatic environment can threaten human health, ecological balance, affect carbonate weathering, and erosion processes. Studies have shown that excessive sulfate consumption in humans can cause diarrhea, dehydration, and gastrointestinal disorders, etc.

Manganese occurs naturally in the environment and can also be released into the environment due to human activity. It is an essential nutrient and enzyme cofactor but despite its benefits, adverse health effects can be caused by over-exposure. There is evidence demonstrating that exposure to manganese at high levels can pose a neurotoxic risk in humans. In aquatic life, nutritional manganese requirements vary widely among species; however, concentrations higher than those requirements may result in toxic effects. Once uptake of manganese occurs, the metal moves quickly through the blood to other parts of the body and can cross biological membranes into the kidney, brain and liver. There is evidence to suggest manganese promotes the formation of reactive oxygen species inducing oxidative stress, damage to tissues, inflammation and neurodegeneration in fish. In some algal species, manganese may induce iron deficiency, which can lead to inhibition of chlorophyll synthesis.

The presence of sulfate and manganese in the discharges at the concentrations detected for the alleged violations poses a minor risk or threat to potential receptors, such as human and aquatic life, given the potential impacts to these receptors from exposures to sulfate and manganese as listed above.

Factor 2: Actual Harm or Potential Harm to Beneficial Uses

The evaluation of the actual harm or the potential harm to beneficial uses factor considers the harm to beneficial uses in the affected receiving water body that may result from exposure to the pollutants or contaminants in the discharge. Direct or indirect actual or potential harm to human health and beneficial uses may be considered under this factor. A score between 0 and 5 is assigned based on a determination of whether the harm or potential for harm is negligible (0), minor (1), below moderate (2), moderate (3), above moderate (4), or major (5).

Discharge Points 001, 002, and 011 discharge to Bell Creek. The existing beneficial use of Bell Creek includes Wildlife Habitat. The intermittent beneficial uses include Ground Water Recharge, Water Contact Recreation, Non-Contact Water Recreation, and Warm Freshwater Habitat. The potential beneficial use includes Municipal and Domestic Supply.

Discharge Points 004, 006, 009, and 010 discharge to Arroyo Simi. The existing beneficial uses include Wildlife Habitat. The intermittent beneficial uses include Industrial Service Supply, Ground Water Recharge, Freshwater Replenishment, Water Contact Recreation,

Non-Contact Water Recreation, Warm Freshwater Habitat, Municipal and Domestic Supply.⁷

Effluent Limitation Violations for Lead (Violations 5, 7, 9, 12, 15, 19, 21, 23, 25, 27, 28, 32, 35) and TCDD Equivalents (Violations 2, 4, 6, 11, 14, 18, 20, 24, 30, 31, 34):

A score of moderate (3) is assigned for the alleged lead and TCDD equivalents violations. The 2024 Enforcement Policy defines a score of moderate (3) as a “moderate harm or potential harm to beneficial uses. A score of moderate is typified by observed or reasonably expected potential impacts, but harm or potential harm to beneficial uses is moderate and likely to attenuate without appreciable medium or long term acute or chronic effects.”

Lead tends to accumulate in living organisms when they are released into the environment, and has the potential to negatively impact the health of humans, animals, plants, and aquatic life. Ecosystems near point sources of lead demonstrate a wide range of adverse effects including losses in biodiversity, changes in community composition, decreased growth and reproductive rates in plants and animals, and neurological effects in vertebrates. This Complaint alleges lead violations at Discharge Points 001 (discharging to Bell Creek) and 009 (discharging to Arroyo Simi). Both Bell Creek and Arroyo Simi include Wildlife Habitat, Warm Freshwater Habitat, Ground Water Recharge, Water Contact Recreation, Non-Contact Water Recreation, and Municipal and Domestic Supply beneficial uses. The U.S. EPA and California established action levels of 15 µg/L for lead in drinking water and the California Office of Environmental Health Hazard Assessment (OEHHA) developed a public health goal (PHG) of 0.2 µg/L for lead. Concentrations of lead in the alleged violations range from 5.9 to 380 µg/L at Discharge Points 001 and 009, higher than the actions levels in drinking water and the PHG, potentially impacting the Water Contact Recreation, Non-Contact Water Recreation, Ground Water Recharge, and Municipal and Domestic Supply beneficial uses of the receiving waters. Also, the lead exceedances for the alleged violations were as much as 7,000% higher than the effluent limitations that were developed based on the California Toxics Rule (CTR) criteria established to protect freshwater aquatic life from long term exposure to lead, potentially negatively impacting the Freshwater Replenishment, Wildlife Habitat, and Warm Freshwater Habitat beneficial uses of the receiving waters. Although there was no specific actual harm reported due to the presence of lead in the discharges, it is appropriate to assign a score of moderate (3) to these violations based on the reasonably expected moderate potential impacts to the beneficial uses that were likely to attenuate without appreciable medium or long term acute or chronic effects as the discharges are stormwater and occurred during storm events.

⁷ MUN is designated under State Water Board Resolution No. 88-63 and Los Angeles Water Board Resolution No. 89-03. However, the Los Angeles Water Board has only conditionally designated these receiving waters with the MUN beneficial use.

TCDD equivalents consists of dioxins and dioxin-like chemicals expressed in toxicity equivalent to TCDD. Environmental exposure to TCDD results in developmental and reproductive toxicity in fish, birds and mammals. Dioxins take a long time to break down once they are in the environment, and they tend to accumulate in the food chain. The higher an animal is in the food chain, the higher the concentration of dioxins. Once they enter the body, they remain for a long time because of their chemical stability and their ability to be absorbed by fat tissue, where they are stored. Their half-life in the human body is estimated to be 7 to 11 years. Short-term exposure of humans to high levels of dioxins may result in skin lesions, such as chloracne and patchy darkening of the skin, and altered liver function. Long-term exposure is linked to impairment of the immune system, the developing nervous system, the endocrine system and reproductive functions. The National Institute for Occupational Safety and Health recommends that TCDD be regarded as a potential occupational carcinogen. The U.S. EPA and California established maximum contaminant levels (MCLs) in drinking water for 2,3,7,8-TCDD at 3×10^{-5} µg/L and OEHA developed a PHG of 5×10^{-8} µg/L. Concentrations of TCDD equivalents for the alleged violations range from 3.1×10^{-8} to 2×10^{-7} µg/L at Discharge Points 001, 002, 009, 010, and 011, lower than the MCLs in drinking water, which indicate that there is likely no major impact to human health from direct ingestion of the receiving water; however, the upper concentration range exceeds the PHG, which indicates there could still be potential impacts to the Water Contact Recreation, Non-Contact Water Recreation, Ground Water Recharge, and Municipal and Domestic Supply beneficial uses of the receiving waters. As discussed in the toxicity factor, TCDD equivalents can also affect the health of fish and fish-eating animals; the TCDD concentrations for the alleged violations were as much as 614% higher than the effluent limitation which was developed based on the CTR human health criteria for consumption of organisms established to protect human health for the consumption of aquatic organisms, thereby potentially impacting the Freshwater Replenishment, Wildlife Habitat, and Warm Freshwater Habitat beneficial uses of the receiving waters. Although there was no specific actual harm reported due to the presence of TCDD in the discharge for the alleged violations, it is appropriate to assign a score of moderate (3) to these alleged violations based on the reasonably expected moderate potential impacts to the beneficial uses that were likely to attenuate without appreciable medium or long term acute or chronic effects as the discharges are stormwater and occurred during storm events.

Effluent Limitation Violations for Mercury (Violations 13, 16, 17, 33):

A score of below moderate (2) is assigned for the alleged mercury violations. The 2024 Enforcement Policy defines a score of below moderate (2) as a “less than moderate harm or potential harm to beneficial uses. A score of below moderate is typified by observed or reasonably expected impacts, but based on the characteristics of the discharge and applicable beneficial uses, harm or potential harm to beneficial uses is measurable in the short term, but not applicable.”

As previously discussed under the toxicity factor, mercury exposure at high levels can harm the brain, heart, kidneys, lungs, and immune system of people of all ages. High levels of methylmercury in the bloodstream of babies developing in the womb and young children may harm their developing nervous systems, affecting their ability to think and learn. At high levels of exposure, methylmercury's harmful effects on animals include death, reduced reproduction, slower growth and development and abnormal behavior. At high levels of exposure its harmful effects will threaten wildlife habitats and freshwater habitats. The U.S. EPA and California established MCLs for mercury at 2 µg/L and OEHHA developed a PHG of 1.2 µg/L for mercury. Concentrations of mercury in the alleged violations range from 0.025 to 0.032 µg/L at Discharge Points 004, 006, and 009, which discharge to the Arroyo Simi. The mercury concentrations in the discharge were lower than the MCLs in drinking water and the PHG, indicating there is likely no major impact to human health from direct ingestion of the receiving water. However, given the mercury concentrations for the alleged violations were up to 33% higher than the effluent limitations that were developed based on the Mercury Provision that established fish tissue-based mercury water quality objectives to protect human and wildlife consuming contaminated fish, potential impacts to the intermittent beneficial uses of Freshwater Replenishment, Wildlife Habitat, and Warm Freshwater Habitat beneficial uses were reasonably expected. There was no specific actual harm reported due to the presence of mercury in the discharges for the alleged violations. Considering the above and given that the discharges are stormwater and only occurred during storm events, these alleged violations pose a less than moderate potential harm to beneficial uses in the short-term and a score of below moderate (2) is appropriate.

Effluent Limitation Violations for pH (Violation 8), Sulfate (Violations 22, 26), and Manganese (Violations 1, 3, 10, 29):

A score of minor (1) is assigned for the alleged pH, sulfate, and manganese violations. The 2024 Enforcement Policy defines a score of minor (1) as “no actual harm and low threat of harm to beneficial uses. A score of minor is typified by a lack of observed impacts, but based on the characteristics of the discharge and applicable beneficial uses; there is potential for short term impact to beneficial uses with no appreciable harm.”

The optima pH for most aquatic organisms falls between 6.5 to 8.5 S.U. However, short-term exposures of fish to high pH (around 9.5 S.U.) are rarely lethal to most fish species. Prolonged exposure to pH between 9.5 S.U. and 10 S.U. can damage outer surfaces and affect the sensory epithelium of the fish olfactory system, making it difficult for fish to detect food, sex hormones or pheromones, alarm substances from conspecifics or toxic chemicals. Given the singular pH violation was 0.11 S.U. over the optimal range for most fish aquatic organism and there was no reported actual harm due to the pH level of the discharge for the alleged Violation, a score of minor (1) is appropriate for the alleged violation as it had a potentially short-term impact to the Wildlife Habitat and Warm Freshwater Habitat beneficial uses with no appreciable harm, especially since the discharge is stormwater and occurred during a storm event.

Sulfate is commonly found in surface water, but excess amounts of sulfate can cause osmotic stress or specific ion toxicity in aquatic organisms, result in the loss of essential metal elements in aquatic plants, change the original eco-hydrological function, and can cause the death of freshwater invertebrates. Excessive sulfate consumption in humans can cause diarrhea, dehydration, and gastrointestinal disorders. The U.S. EPA and California established secondary maximum contaminant levels (SMCLs) in drinking water for sulfate at 250 mg/L for aesthetic considerations and not directly linked to health risks. Additionally, California includes an upper consumer acceptance contaminant level range of 500 mg/L for sulfate in drinking water. Studies also suggest a mild laxative response can occur in humans at sulfate concentration greater than 500 mg/L. The sulfate concentration for the alleged violations ranges from 310 to 390 mg/L at Discharge Point 002, which were lower than the level of sulfate that may result in impacts to human health. Nonetheless, the concentrations were higher than the SMCLs, which can potentially impact the Ground Water Recharge, Water Contact Recreation, Non-Contact Water Recreation, and Municipal and Domestic Supply beneficial uses. The sulfate concentrations for the alleged violations were also up to 30% higher than the effluent limitations, which were established based on the Basin Plan water quality objective for sulfate at the receiving water. Therefore, considering the above and that there was no reported actual harm due to the sulfate level in the discharge for the alleged violations, a score of minor (1) is appropriate for these alleged violations as they had a potentially short-term and minor impact to the beneficial uses with no appreciable harm, given the discharges are stormwater and occurred during storm events.

Manganese is a basic and essential nutrient for living organisms, but overexposure may result in hazardous and irreversible damage to the ecosystem and human health. At high levels, it may influence the respiration and metabolism of the microorganisms in soil, cause a decrease of organic carbon, and cause the physiological dysfunction and malnutrition of plants. In aquatic life, concentrations higher than the nutritional manganese requirements may result in toxic effects. High levels of manganese may induce oxidative stress, damage to tissues, inflammation and neurodegeneration in fish. In some algal species, high levels of manganese may induce iron deficiency, which can lead to inhibition of chlorophyll synthesis. The U.S. EPA and California established SMCLs in drinking water for manganese at 50 µg/L for aesthetic considerations; the 2015 and 2023 Permits also established effluent limitations for manganese at 50 µg/L at Discharge Points 001 and 011. Additionally, California established a notification level of 500 µg/L for manganese in drinking water. Concentrations of manganese in the alleged violations range from 61 to 400 µg/L at Discharge Points 011 and 001, lower than California's drinking water notification level but higher than the SMCLs and effluent limitations, indicating it likely had little to no impact to human health but might have potential minor impact to the Ground Water Recharge, Water Contact Recreation, Non-Contact Water Recreation, and Municipal and Domestic Supply beneficial uses of the receiving water. There was also no reported actual harm due to the manganese level in the discharge for the alleged violations. Considering the above and given that the discharges are

stormwater during storm events, the alleged violations pose potential short-term impacts to beneficial uses with no appreciable harm and a score of minor (1) is appropriate.

Factor 3: Susceptibility to Cleanup and Abatement

A score of 0 is assigned if the discharger cleans up 50 percent or more of the discharge within a reasonable amount of time. A score of 1 is assigned if less than 50 percent of the discharge is susceptible to cleanup or abatement, or if 50 percent or more of the discharge is susceptible to cleanup or abatement, but the discharger failed to clean up 50 percent or more of the discharge within a reasonable time. Natural attenuation of discharged pollutants in the environment is not considered cleanup or abatement for purposes of evaluating this factor.

Less than 50 percent of the discharge for each alleged violation was susceptible to cleanup or abatement and was not cleaned up. Therefore, a score of 1 is assigned for Violations 1-35.

Final Score – “Potential for Harm”

The Potential for Harm score for each violation is calculated as the sum of the scores from Factors 1-3 above as follows:

Effluent Limitation Violations for Lead (Violations 5, 7, 9, 12, 15, 19, 21, 23, 25, 27, 28, 32, 35) and TCDD Equivalents (Violations 2, 4, 6, 11, 14, 18, 20, 24, 30, 31, 34):

Potential for Harm = 3 (Degree of Toxicity) + 3 (Actual Harm or Potential Harm) + 1 (Susceptibility to Cleanup or Abatement) = 7

Effluent Limitation Violations for Mercury (Violations 13, 16, 17, 33):

Potential for Harm = 3 (Degree of Toxicity) + 2 (Actual Harm or Potential Harm) + 1 (Susceptibility to Cleanup or Abatement) = 6

Effluent Limitation Violations for pH (Violation 8), Sulfate (Violations 22, 26), and Manganese (Violations 1, 3, 10, 29)

Potential for Harm = 1 (Degree of Toxicity) + 1 (Actual Harm or Potential Harm) + 1 (Susceptibility to Cleanup or Abatement) = 3

STEP 2 – Assessments for Discharge Violations

For violations alleged under Water Code section 13350, subdivision (e), liability may be assessed on a per day basis or on a per gallon basis, but not on both. For instances where multiple alleged violations occurred on the same day at the same discharge point, the Los Angeles Water Board Prosecution Team used its enforcement discretion to allege liability on a per gallon basis for the alleged violation with the highest Potential for Harm score for that day from that discharge point. The remaining alleged violations that occurred on that day from that discharge point were assigned liability on a per day basis. For all other alleged violations that were the only alleged violation that occurred on that

day and/or at that discharge point, liability is assessed on a per gallon basis. Thus, liabilities are assessed on a per gallon basis for Violations 1, 2, 4-6, 8-11, 14, 16-18, 20, 22, 24, 26, 27, 30, 31, 34, and 35, and a per day basis for Violations 3, 7, 12, 13, 15, 19, 21, 23, 25, 28, 29, 32, and 33.

Deviation from Requirement

The Deviation from Requirement is based on a determination of whether the intended effectiveness of the requirement “remains generally intact” (Minor), “was partially compromised” (Moderate), or was “rendered ineffective” (Major). The 2024 Enforcement Policy defines a “Major” “Deviation from Requirement” as “[t]he requirement was rendered ineffective (e.g., the requirement was rendered ineffective in its essential functions).”

The 2015 Permit and 2023 Permit included effluent limitations for stormwater discharges from the Facility and require the Respondent to comply with all applicable effluent limitations. The Permits state that the Respondent must comply with all of the terms, requirements, and conditions of the Order and that the Respondent shall comply with effluent standards or prohibitions established. The effluent limitations were specifically designed to protect water quality and beneficial uses of surface waters and prevent pollution of surface waters.

The Respondent’s failure to comply with the effluent limitations in the 2015 Permit and 2023 Permit results in a “Major” Deviation from Requirement because the failure to comply with the effluent limitations by discharging pollutants in excess of these limits rendered the requirements ineffective in their essential function of protecting water quality, human health, and beneficial uses of the receiving waters. Thus, a “Major” Deviation from Requirement is assigned for Violations 1-35.

Per Gallon Assessments for Discharge Violations

Where there is a discharge, the Water Boards shall determine an initial liability amount on a per gallon basis using the Potential for Harm score and the extent of Deviation from Requirement of the violation. These factors are used in Table 1 of the 2024 Enforcement Policy to determine a Per Gallon Factor for each discharge. The Per Gallon Factor is then multiplied by the volume of the discharge and the maximum per gallon amount to determine the Per Gallon Assessment.

Using the Potential for Harm score assigned to each violation, a “Major” Deviation from Requirement, and Table 1 of the 2024 Enforcement Policy, the Per Gallon Factor for each violation is as follows:

Effluent Limitation Violations for Lead (Violations 5, 9, 27, 35) and TCDD Equivalents (Violations 2, 4, 6, 11, 14, 18, 20, 24, 30, 31, 34): 0.41

Effluent Limitation Violations for Mercury (Violations 16, 17): 0.28

Effluent Limitation Violations for pH (Violation 8), Sulfate (Violations 22, 26), and Manganese (Violations 1, 10): 0.04

Water Code section 13350, subdivision (e)(2) allows for imposition of an administrative civil liability on a per gallon basis not to exceed \$10 for each gallon discharged. Based on the 2024 Enforcement Policy, the Water Boards shall apply the Per Gallon Factor to the maximum per gallon amounts allowed under the Water Code for the violations involved. However, recognizing that the volume of certain discharges can be very high, the 2024 Enforcement Policy allows the use of a value between \$2 per gallon and \$10 per gallon to determine the per gallon amount for each discharge event that is between 100,000 gallons and 2,000,000 gallons. For discharges in excess of 2,000,000 gallons, the 2024 Enforcement Policy allows for use of \$1 per gallon. Due to the nature and volume of the discharge associated with some of alleged violations, the Prosecution Team used its enforcement discretion to use \$2 per gallon for the alleged violations associated with discharge volumes in excess of 100,000 gallons but less than 2,000,000 gallons, and \$1 per gallon for alleged violations associated with discharge volumes in excess of 2,000,000 gallons. The reductions do not result in an inappropriately small civil liability. The Per Gallon Assessments for Violations 1, 2, 4-6, 8-11, 14, 16-18, 20, 22, 24, 26, 27, 30, 31, 34, and 35 are found in Table 2 below.

Per Day Assessment for Discharge Violations

The 2024 Enforcement Policy specifies where there is a discharge, the Los Angeles Water Board shall determine an initial liability amount on a per day basis using the Potential for Harm score from Step 1 and Deviation from Requirement. These factors are used to determine a Per Day Factor for each violation using Table 2 of the 2024 Enforcement Policy. The Per Day Assessment is then determined by multiplying the Per Day Factor by the per day statutory maximum liability amount allowed under the Water Code.

Using a Potential for Harm factor score assigned to each alleged violation, a “Major” Deviation from Requirement, and Table 2 of the 2024 Enforcement Policy, the Per Day Factor for each violation is calculated as follows:

Effluent Limitation Violations for Lead (Violations 7, 12, 15, 19, 21, 23, 25, 28, 32): 0.41

Effluent Limitation Violations for Mercury (Violations 13, 33): 0.28

Effluent Limitation Violations for Manganese (Violations 3, 29): 0.04

Under Water Code section 13350, subdivision (e), liability may be imposed on a daily basis of up to five thousand (\$5,000) for each day the violation occurs. The Per Day Assessments for Violations 3, 7, 12, 13, 15, 19, 21, 23, 25, 28, 29, 32, and 33 are found in Table 2 below.

Initial Liability Amount

The Initial Liability Amount for each violation is either the Per Gallon Assessment or the Per Day Assessment, as applicable and as listed in Table 2 below. The sum of the Initial Liability Amounts for Violations 1-35 is **\$15,120,514**.

Table 2: Initial Liability Amount for Violations 1-35

Violation Number	Violation Date	Discharge Point	Parameter	Factors/ Potential for Harm Score	Per Gallon /Per Day Factor	Gallons Discharged ⁸	Days of Discharge	Per Gallon Amount (\$)	Per Gallon Liability	Per Day Liability	Initial Liability Amount	Statutory Maximum
1	01/10/23	011	Manganese	Toxicity: 1 Harm: 1 Cleanup: <50% Deviation: Major Score: 3	0.04	16,653,000	NA	1.00	\$666,120	NA	\$666,120	\$166,530,000
2	01/11/23	010	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	380,000	NA	2.00	\$311,600	NA	\$311,600	\$3,800,000
3	02/25/23	011	Manganese	Toxicity: 1 Harm: 1 Cleanup: <50% Deviation: Major Score: 3	0.04	NA	1	NA	NA	\$200	\$200	\$5,000
4	02/25/23	011	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	17,198,000	NA	1.00	\$7,051,180	NA	\$7,051,180	\$171,980,000

⁸ Based on the reported flow included in the Respondent's certified self-monitoring reports (SMRs) submitted as a requirement under the 2015 Permit or 2023 Permit. The Respondent reported flow for each discharge point, calculated over the 24-hour period when the discharge point autosampler was operating to collect the composite sample.

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Violation Number	Violation Date	Discharge Point	Parameter	Factors/ Potential for Harm Score	Per Gallon /Per Day Factor	Gallons Discharged ₈	Days of Discharge	Per Gallon Amount (\$)	Per Gallon Liability	Per Day Liability	Initial Liability Amount	Statutory Maximum
5	08/22/23	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	2,048,300	NA	1.00	\$839,803	NA	\$839,803	\$20,483,000
6	12/22/23	009	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	261,300	NA	2.00	\$214,266	NA	\$214,266	\$2,613,000
7	12/22/23	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	NA	1	NA	NA	\$2,050	\$2,050	\$5,000
8	01/03/24	002	pH	Toxicity: 1 Harm: 1 Cleanup: <50% Deviation: Major Score: 3	0.04	1,244,800	NA	2.00	\$99,584	NA	\$99,584	\$12,448,000
9	01/23/24	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	679,900	NA	2.00	\$557,518	NA	\$557,518	\$6,799,000

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Violation Number	Violation Date	Discharge Point	Parameter	Factors/ Potential for Harm Score	Per Gallon /Per Day Factor	Gallons Discharged ₈	Days of Discharge	Per Gallon Amount (\$)	Per Gallon Liability	Per Day Liability	Initial Liability Amount	Statutory Maximum
10	02/02/24	001	Manganese	Toxicity: 1 Harm: 1 Cleanup: <50% Deviation: Major Score: 3	0.04	26,320	NA	10.00	\$10,528	NA	\$10,528	\$263,200
11	02/02/24	002	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	373,000	NA	2.00	\$305,860	NA	\$305,860	\$3,730,000
12	02/02/24	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	NA	1	NA	NA	\$2,050	\$2,050	\$5,000
13	02/02/24	009	Mercury	Toxicity: 3 Harm: 2 Cleanup: <50% Deviation: Major Score: 6	0.28	NA	1	NA	NA	\$1,400	\$1,400	\$5,000
14	02/02/24	009	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	2,224,000	NA	1.00	\$911,840	NA	\$911,840	\$22,240,000

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Violation Number	Violation Date	Discharge Point	Parameter	Factors/ Potential for Harm Score	Per Gallon /Per Day Factor	Gallons Discharged ⁸	Days of Discharge	Per Gallon Amount (\$)	Per Gallon Liability	Per Day Liability	Initial Liability Amount	Statutory Maximum
15	02/02/24	009	Lead ⁹	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	NA	1	NA	NA	\$2,050	\$2,050	\$5,000
16	02/06/24	004	Mercury	Toxicity: 3 Harm: 2 Cleanup: <50% Deviation: Major Score: 6	0.28	295,900	NA	2.00	\$165,704	NA	\$165,704	\$2,959,000
17	02/06/24	006	Mercury	Toxicity: 3 Harm: 2 Cleanup: <50% Deviation: Major Score: 6	0.28	297,300	NA	2.00	\$166,488	NA	\$166,488	\$2,973,000
18	02/20/24	009	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	700,100	NA	2.00	\$574,082	NA	\$574,082	\$7,001,000
19	02/20/24	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	NA	1	NA	NA	\$2,050	\$2,050	\$5,000

⁹ Exceedance of mass-based effluent limitation.

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Violation Number	Violation Date	Discharge Point	Parameter	Factors/ Potential for Harm Score	Per Gallon /Per Day Factor	Gallons Discharged 8	Days of Discharge	Per Gallon Amount (\$)	Per Gallon Liability	Per Day Liability	Initial Liability Amount	Statutory Maximum
20	03/08/24	009	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	744,900	NA	2.00	\$610,818	NA	\$610,818	\$7,449,000
21	03/08/24	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	NA	1	NA	NA	\$2,050	\$2,050	\$5,000
22	03/24/24	002	Sulfate	Toxicity: 1 Harm: 1 Cleanup: <50% Deviation: Major Score: 3	0.04	300,410	NA	2.00	\$24,033	NA	\$24,033	\$3,004,100
23	03/31/24	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	NA	1	NA	NA	\$2,050	\$2,050	\$5,000
24	03/31/24	009	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	2,715,000	NA	1.00	\$1,113,150	NA	\$1,113,150	\$27,150,000

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Violation Number	Violation Date	Discharge Point	Parameter	Factors/ Potential for Harm Score	Per Gallon /Per Day Factor	Gallons Discharged ⁸	Days of Discharge	Per Gallon Amount (\$)	Per Gallon Liability	Per Day Liability	Initial Liability Amount	Statutory Maximum
25	03/31/24	009	Lead ¹⁰	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	NA	1	NA	NA	\$2,050	\$2,050	\$5,000
26	04/15/24	002	Sulfate	Toxicity: 1 Harm: 1 Cleanup: <50% Deviation: Major Score: 3	0.04	455,960	NA	2.00	\$36,477	NA	\$36,477	\$4,559,600
27	04/15/24	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	233,000	NA	2.00	\$191,060	NA	\$191,060	\$2,330,000
28	02/14/25	001	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	NA	1	NA	NA	\$2,050	\$2,050	\$5,000
29	02/14/25	001	Manganese	Toxicity: 1 Harm: 1 Cleanup: <50% Deviation: Major Score: 3	0.04	NA	1	NA	NA	\$200	\$200	\$5,000

¹⁰ Exceedance of mass-based effluent limitation.

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Violation Number	Violation Date	Discharge Point	Parameter	Factors/ Potential for Harm Score	Per Gallon /Per Day Factor	Gallons Discharged 8	Days of Discharge	Per Gallon Amount (\$)	Per Gallon Liability	Per Day Liability	Initial Liability Amount	Statutory Maximum
30	02/14/25	001	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	38,520	NA	10.00	\$157,932	NA	\$157,932	\$385,200
31	02/14/25	002	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	316,170	NA	2.00	\$259,259	NA	\$259,259	\$3,161,700
32	02/15/25	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	NA	1	NA	NA	\$2,050	\$2,050	\$5,000
33	02/15/25	009	Mercury	Toxicity: 3 Harm: 2 Cleanup: <50% Deviation: Major Score: 6	0.28	NA	1	NA	NA	\$1,400	\$1,400	\$5,000
34	02/15/25	009	TCDD Equivalents	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	793,200	NA	2.00	\$650,424	NA	\$650,424	\$7,932,000

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Violation Number	Violation Date	Discharge Point	Parameter	Factors/ Potential for Harm Score	Per Gallon /Per Day Factor	Gallons Discharged 8	Days of Discharge	Per Gallon Amount (\$)	Per Gallon Liability	Per Day Liability	Initial Liability Amount	Statutory Maximum
35	03/14/25	009	Lead	Toxicity: 3 Harm: 3 Cleanup: <50% Deviation: Major Score: 7	0.41	220,900	NA	2.00	\$181,138	NA	\$181,138	\$2,209,000

Total Initial Liability Amount: \$15,120,514

Total Statutory Maximum: \$482,064,800

STEP 3 – Per Day Assessment for Non-Discharge Violations

Step 3 does not apply as Violations 1-35 are discharge violations.

STEP 4 – Adjustment Factors

In accordance with the 2024 Enforcement Policy, the Water Boards must consider three additional factors for potential modification of the Initial Liability Amount: the violator's degree of culpability; history of violations; and voluntary efforts to cleanup, or its cooperation with regulatory authorities after the violation. The following adjustment factors apply to Violations 1-35:

Culpability

The Culpability factor considers the violator's degree of culpability prior to the violation. Higher liabilities should result from intentional or negligent violations as opposed to accidental, non-negligent violations. The Culpability multiplier ranges from 0.75 and 1.5, with a higher multiplier for intentional or negligent behavior. A Culpability multiplier of 1.1 is assigned for Violations 1-35.

The Facility experienced multiple storm events that exceeded the design capacities of some of its stormwater conveyance and treatment systems, which resulted in untreated or partially treated stormwater being discharged that exceeded effluent limitations. According to the 2022/2023 and 2023/2024 SSFL Site-Wide Stormwater Annual Reports (Expert Panel Reports), the systems have overflowed in exceptionally wet years, during storm events larger than the design storm of 2.5 inches in 24 hours, or back-to-back storm events. During the 2022/2023 and 2023/2024 rainy seasons, overflows were reported at the Discharge Point 011 media filter, Discharge Point 018 R-2A pond, Perimeter Pond, and Silvernale Pond. Multiple alleged violations occurred when there were overflows from the onsite surface water ponds or exceedances of the capacity of the stormwater conveyance systems. The exceedances at Discharge Point 011 in the first quarter of 2023 (Violations 1, 3, and 4) occurred during overflows at the Perimeter Pond; the discharge during these events were a mix of stormwater treated by the stormwater treatment system and the Discharge Point 011 media filter commingled with untreated overflow from the Pond. The exceedance at Discharge Point 010 in the first quarter of 2023 (Violation 2) occurred during a storm event which exceeded the design capacity of the capture and diversion system that would normally route stormwater from the Discharge Point 010 drainage area to Silvernale Pond for treatment, and resulted in the discharge of partially treated stormwater with only media filter at Discharge Point 010. Two alleged violations at Discharge Point 002 (Violations 8 and 11) occurred during periods of pond overflows and the discharges during those events were a mix of treated stormwater from the stormwater treatment system, partially treated stormwater from Discharge Point 018, and untreated runoff from the Discharge Point 002 watershed. Additionally, alleged violations at Discharge Points 004, 006, and 010 (Violations 2, 16, and 17) occurred during storms

that were larger than the pumping capacity to convey stormwater to the Discharge Point 018 treatment system from these drainage areas.

With climate change resulting in an increase of the intensity of precipitations during storms events, the previously contemplated design storms used for the stormwater conveyance and treatment systems may not be adequate, and overflow events may become more frequent during wet weather, as shown by the repeated overflow events at Discharge Points 011 and 018 stormwater conveyance and treatment systems. The conveyance and treatment system for Discharge Point 011, including the Perimeter Pond, experienced overflow events in January and February 2017; February and March 2019; December 2021; January, February, and March 2023; and February 2024. The conveyance and treatment system for Discharge Point 018, including the R-2A pond and/or Silvernale Pond, had overflow events in January and February 2017; January and February 2019; December 2021; December 2022; January, February, and March 2023; and February 2024. There were prior overflow events that occurred before the overflow events that contributed to the effluent limitation violations alleged in this Complaint. A reasonable and prudent discharger experiencing repeat violations due to the limitations of the conveyance and treatment system would have taken steps to reevaluate the design capacity of its stormwater conveyance and treatment systems, especially in light of climate change and increasing rainfall intensity during storm events to prevent these occurrences. Thus, it is appropriate to include a higher than neutral Culpability score considering the repetitiveness of these events and the Respondent's failure to adequately mitigate or prevent their recurrences, resulting in additional effluent limitation violations.

The Respondent implemented multiple best management practices (BMPs) in an effort to control contamination from increased mobilization of lead-impacted soils in the Former Shooting Range; however, the BMPs did not effectively prevent or eliminate the contamination of stormwater as was evident by the lead effluent limitation violations during that period, supporting a higher than neutral Culpability score. According to the 2023/2024 Expert Panel Report, the exceedances of lead at Discharge Point 009 were partly due to increased mobilization of lead-impacted soils from the Former Shooting Range exposed during soil excavation under the Imminent and Substantial Endangerment - Determination and Consent Order (ISE Order) issued by Department of Toxic Substances Control (DTSC). In an effort to reduce the pollutant contribution to the impacted area, multiple BMPs were put in place within and downstream of the impacted area. Despite these BMPs, the highest reported concentrations for lead occurred during the 2023/2024 reporting year, at concentrations as high as 7000% over the effluent limitation. It was noted in the report that the excavations were completed in late October 2024, except for one area waiting on lab confirmation of soil results. In comparison, there was a reduction of reported lead concentrations during the 2024/2025 rainy season with the highest exceedance at 323% over the effluent limitation.

Based on the quarterly self-monitoring reports, annual reports, and the storm water pollution prevention plans (SWPPPs) submitted by the Respondent, the Facility has implemented extensive BMPs and maintenance activities at the site since 2009 based on recommendations from the Surface Water Expert Panel in an effort to improve stormwater quality. Activities implemented during the violation period included: stormwater diversion BMPs; BMP repairs and replacements; installation of erosion blankets, sandbags, fiber rolls, jute netting, gravel, and rip rap in excavated areas; removal of sediment and debris from discharge points following large storm events; inspections of existing erosion and sediment controls and vegetation across the site and repairing or supplementing where needed. However, despite these efforts, the Respondent has not been able to effectively eliminate effluent limitation violations and bring the Facility into full compliance with its NPDES permit.

The Respondent was aware of past and ongoing effluent limitation violations, as the exceedances were reported by the Respondent in self-monitoring reports and/or were the subject of the enforcement actions discuss in the History of Violations section below. The 2024 Enforcement Policy states that dischargers should receive a higher culpability assessment if the violation continues or if a subsequent related violation occurs. With the above considerations, a Culpability of 1.1 is assigned to Violations 1-35 as a reasonable and prudent discharger would have done more to prevent the alleged violations.

History of Violations

Where a discharger has no prior history of violations, this factor should be a neutral, or 1.0. Where the discharger has had prior violations within the last five years, a multiplier of 1.1 should be used. Where the discharger has a history of similar or numerous dissimilar violations, a multiplier above 1.1 may be considered.

A multiplier of 1.2 is assigned for Violations 1-35 because the Respondent has a long history of numerous, consistent, and similar effluent limitation violations at the Facility dating back to at least 2002.

On April 29, 2002, the Los Angeles Water Board issued Complaint No. R4-2002-0084 to the Discharger assessing Mandatory Minimum Penalties (MMPs) in the amount of \$39,000 for effluent limitation violations of Hg, TI, O&G, total coliform, settleable solids, NO₂ + NO₃ as N, and fluoride from January 2000 through April 2001. On May 13, 2002, the Discharger completed payment of thirty-three thousand dollars (\$33,000) to the State Water Board Cleanup and Abatement Account, and paid the remaining six thousand dollars (\$6,000) to fund a Supplemental Environmental Project (SEP).

On July 25, 2007, the Los Angeles Water Board's Interim Executive Officer issued Administrative Civil Liability Complaint No. R4-2007-0035 to the Respondent, alleging effluent limitation violations of its NPDES permit at the Facility and seeking four hundred seventy-one thousand one hundred ninety dollars (\$471,190) in administrative civil liabilities. The complaint addressed effluent limitation violations from October 17, 2004

through January 14, 2006. The Respondent waived its right to a hearing before the Los Angeles Water Board and paid the full administrative civil liability.

In 2010, the Los Angeles Water Board sought judicial civil penalties from Respondent related to alleged effluent limitations violations at the Facility from December 2006 to December 2009. The Los Angeles Water Board and Respondent agreed to settle the matter pursuant to the terms of a Stipulated Consent Judgment and Final Order. Respondent agreed to pay five hundred thousand dollars (\$500,000) in civil penalties and agreed to the imposition of stipulated penalties for any future permit violations from the period of January 1, 2010, through December 31, 2014. The Los Angeles Water Board and Respondent subsequently agreed to extend the period for imposition of stipulated penalties through December 31, 2021, and to extend the expiration date of the Consent Judgment to June 30, 2022. The amounts of stipulated penalties under the Consent Judgment varied depending on the type and the number of effluent limitation violations. Since the stipulation of the Consent Judgment through the end of 4th Quarter 2021, Respondent paid two hundred ninety-six thousand five hundred dollars (\$296,500) in stipulated penalties for effluent limitation violations under this penalty structure.

Cleanup and Cooperation

This factor reflects the extent to which a discharger voluntarily cleaned up and/or cooperated in returning to compliance after the violation. A multiplier between 0.75 and 1.5 is to be used, with a lower multiplier where there is exceptional cleanup and cooperation compared to what is reasonably expected and a higher multiplier where there is not. A reasonable and prudent response to a discharge violation or timely response to a discharge violation should receive a neutral adjustment as it is assumed a reasonable amount of cooperation is the warranted baseline.

The Respondent timely reported effluent limitation exceedances as required by the 2015 Permit and 2023 Permit and listed corrective actions implemented in response to the exceedances. A review of the quarterly self-monitoring reports, the Expert Panel Reports, and SWPPP show the Respondent had consistently evaluated and implemented extensive BMPs in an effort to reduce stormwater contamination. BMP recommendations provided by the Surface Water Expert Panel in the Expert Panel Reports for the years 2022/2023, 2023/2024, and 2024/2025 have been implemented and are either in progress or completed. Some of these BMPs include: additional sampling, monitoring, removal of utility poles, infiltration studies, BMP performance inspections, and repairing and supplementing BMPs onsite as needed. With the above considerations, a neutral factor of 1 is assigned for Violations 1-35.

STEP 5 – Determination of Total Base Liability Amount

The Total Base Liability Amount for each alleged violation is calculated by multiplying the Initial Liability Amount from Step 2 by the adjustment factors from Step 4 for each violation. The Total Base Liability Amount for each alleged violation is added together to

determine the Combined Total Base Liability Amount. The Combined Total Base Liability Amount for Violations 1-35 is \$19,969,500, as shown in Table 3. For alleged violations with a calculated Total Base Liability Amount lower than the mandatory minimum penalty amount of three thousand dollars (\$3,000) required by Water Code section 13385, subdivision (h) and/or (i), the Total Base Liability Amount is raised to the mandatory minimum penalty amount of three thousand dollars (\$3,000).

Table 3: Total Base Liability Amount for Violations 1-35

Violation Number	Violation Date	Discharge Point	Parameter	Initial Liability Amount	Culpability	History of Violations	C&C	Total Base Liability Amount	Total Base Liability Amount Accounting for Mandatory Minimum Penalties¹¹
1	01/10/23	011	Manganese	\$666,120	1.1	1.2	1	\$879,278	\$879,278
2	01/11/23	010	TCDD Equivalents	\$311,600	1.1	1.2	1	\$411,312	\$411,312
3	02/25/23	011	Manganese	\$200	1.1	1.2	1	\$264	\$3,000
4	02/25/23	011	TCDD Equivalents	\$7,051,180	1.1	1.2	1	\$9,307,558	\$9,307,558
5	08/22/23	009	Lead	\$839,803	1.1	1.2	1	\$1,108,540	\$1,108,540
6	12/22/23	009	TCDD Equivalents	\$214,266	1.1	1.2	1	\$282,831	\$282,831
7	12/22/23	009	Lead	\$2,050	1.1	1.2	1	\$2,706	\$3,000
8	01/03/24	002	pH	\$99,584	1.1	1.2	1	\$131,451	\$131,451
9	01/23/24	009	Lead	\$557,518	1.1	1.2	1	\$735,924	\$735,924
10	02/02/24	001	Manganese	\$10,528	1.1	1.2	1	\$13,897	\$13,897
11	02/02/24	002	TCDD Equivalents	\$305,860	1.1	1.2	1	\$403,735	\$403,735
12	02/02/24	009	Lead	\$2,050	1.1	1.2	1	\$2,706	\$3,000
13	02/02/24	009	Mercury	\$1,400	1.1	1.2	1	\$1,848	\$3,000
14	02/02/24	009	TCDD Equivalents	\$911,840	1.1	1.2	1	\$1,203,629	\$1,203,629

¹¹ The Total Base Liability Amount for Violations 3, 7, 12, 13, 15, 19, 21, 23, 25, 28, 29, 32, and 33 are adjusted to the \$3,000 mandatory minimum penalty based on Step 9 below.

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The Boeing Company

Violation Number	Violation Date	Discharge Point	Parameter	Initial Liability Amount	Culpability	History of Violations	C&C	Total Base Liability Amount	Total Base Liability Amount Accounting for Mandatory Minimum Penalties ¹¹
15	02/02/24	009	Lead	\$2,050	1.1	1.2	1	\$2,706	\$3,000
16	02/06/24	004	Mercury	\$165,704	1.1	1.2	1	\$218,729	\$218,729
17	02/06/24	006	Mercury	\$166,488	1.1	1.2	1	\$219,764	\$219,764
18	02/20/24	009	TCDD Equivalents	\$574,082	1.1	1.2	1	\$757,788	\$757,788
19	02/20/24	009	Lead	\$2,050	1.1	1.2	1	\$2,706	\$3,000
20	03/08/24	009	TCDD Equivalents	\$610,818	1.1	1.2	1	\$806,280	\$806,280
21	03/08/24	009	Lead	\$2,050	1.1	1.2	1	\$2,706	\$3,000
22	03/24/24	002	Sulfate	\$24,033	1.1	1.2	1	\$31,723	\$31,723
23	03/31/24	009	Lead	\$2,050	1.1	1.2	1	\$2,706	\$3,000
24	03/31/24	009	TCDD Equivalents	\$1,113,150	1.1	1.2	1	\$1,469,358	\$1,469,358
25	03/31/24	009	Lead	\$2,050	1.1	1.2	1	\$2,706	\$3,000
26	04/15/24	002	Sulfate	\$36,477	1.1	1.2	1	\$48,149	\$48,149
27	04/15/24	009	Lead	\$191,060	1.1	1.2	1	\$252,199	\$252,199
28	02/14/25	001	Lead	\$2,050	1.1	1.2	1	\$2,706	\$3,000
29	02/14/25	001	Manganese	\$200	1.1	1.2	1	\$264	\$3,000
30	02/14/25	001	TCDD Equivalents	\$157,932	1.1	1.2	1	\$208,470	\$208,470
31	02/14/25	002	TCDD Equivalents	\$259,259	1.1	1.2	1	\$342,222	\$342,222
32	02/15/25	009	Lead	\$2,050	1.1	1.2	1	\$2,706	\$3,000

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Violation Number	Violation Date	Discharge Point	Parameter	Initial Liability Amount	Culpability	History of Violations	C&C	Total Base Liability Amount	Total Base Liability Amount Accounting for Mandatory Minimum Penalties ¹¹
33	02/15/25	009	Mercury	\$1,400	1.1	1.2	1	\$1,848	\$3,000
34	02/15/25	009	TCDD Equivalents	\$650,424	1.1	1.2	1	\$858,560	\$858,560
35	03/14/25	009	Lead	\$181,138	1.1	1.2	1	\$239,102	\$239,102
Combined Total Base Liability Amount:								\$19,959,078	\$19,969,500

STEP 6 – Economic Benefit

The 2024 Enforcement Policy provides that the economic benefit of noncompliance should be calculated using U.S. EPA’s computer program, BEN, to calculate economic benefit unless it is demonstrated that an alternative method of calculating the economic benefit is more appropriate. For this case, economic benefit was calculated using BEN Model Version 2025.0.0. Using standard economic principles such as the time-value of money and tax deductibility of compliance costs, the BEN Model calculates a discharger’s economic benefit derived from delaying or avoiding compliance with environmental statutes.

The delayed or avoided costs of non-compliance with Violations 5-7, 9, 12-21, 23-25, 27, and 32-35 resulted in an economic benefit of \$54,753, collectively. This number constitutes the adjusted costs of corrective actions that could have helped prevent or mitigate the violations, such as properly stabilizing disturbed areas with hydraulic mulch and jute netting and replacing the existing B-1 Media Filter with a media mix of 20% sulfur-impregnated granular activate carbon, 40% filter sand, and 40% zeolite.

The delayed or avoided costs of non-compliance with Violations 1-4, 8, 10, 11, 22, 26, and 28-31 are assumed to be minimal and thus, are excluded from the analysis.

STEP 7 – Other Factors as Justice May Require

Reduction to the Combined Total Base Liability Amount is Appropriate:

Under this step, an adjustment may be made to the amount determined using the above factors if the Water Boards determine such an adjustment is inappropriate. Here, the Los Angeles Water Board Prosecution Team used the penalty calculation methodology to calculate a proposed administrative civil liability on a per gallon or a per day basis, consistent with the 2024 Enforcement Policy. However, given the high daily discharge volume and the multiple days of violations, such an approach results in an inappropriately high administrative civil liability for the type of violations alleged in the Complaint. Therefore, the Los Angeles Water Board Prosecution Team proposes an adjustment to the Combined Total Base Liability to five hundred sixty-two thousand five hundred dollars (\$562,500) which represents double the stipulated penalty that would have applied if the Consent Judgment referenced in Step 4 above was still in effect.

Accounting for the Group I violations previously resolved under the Consent Judgment, Violation 3 would have been subject to a seven thousand dollar (\$7,000) stipulated penalty, Violations 8, 10, 22, 26, and 29 would each have been subject to a ten thousand dollar (\$10,000) stipulated penalty.¹² Similarly, accounting for the Group II violations previously resolved under the Consent Judgment, Violations 5, 7, and 9 would have each been subject to a six thousand two hundred fifty dollar (\$6,250) penalty,

¹² The analysis also accounts for the iron effluent limitation violations alleged in Violations 36-39.

Violations 2, 4, 6, 11, 14, 18, 20, 24, 30, 31, and 34 would have been subject to a seven thousand dollar (\$7,000) penalty, Violations 12, 13, and 15-17 would have each been subject to a seven thousand five hundred dollar (\$7,500) penalty, Violations 19, 21, 23, 25, and 27 would have each been subject to a nine thousand dollar (\$9,000) penalty, and Violations 28, 32, 33, and 35 would have each been subject to an eleven thousand five hundred dollar (\$11,500) penalty. Thus, if the Consent Judgment applied, the penalty would have been two hundred eighty-one thousand two hundred fifty dollars (\$281,250). Such an amount would be inappropriately low as effluent limitation violations have persisted at the Facility for several years and it would not provide a meaningful deterrent. Thus, doubling the amount of penalties that would have applied under the Consent Judgment is appropriate in this case and an adjustment to the Combined Total Base Liability Amount to five hundred sixty-two thousand five hundred dollars (\$562,500) is appropriate given the totality of the circumstances.

Costs of Investigation and Enforcement Adjustment: \$20,526

The 2024 Enforcement Policy allows for the costs of investigation and enforcement to be considered under this factor. To date, the Los Angeles Water Board Prosecution Team have incurred \$20,526 in staff costs associated with the investigation, preparation, and enforcement of the violations. This represents 148 hours of staff time devoted to meetings and communications and drafting the enforcement documents. No attorneys' fees are included in this calculation. The Los Angeles Water Board Prosecution Team finds it is appropriate to increase the Total Base Liability Amount by \$20,526 to recover investigation and enforcement costs incurred in prosecuting this matter. Increasing the Total Base Liability Amount in this manner serves to create a more appropriate deterrent against future violations.

STEP 8 – Ability to Pay and Ability to Continue in Business

The 2024 Enforcement Policy provides that if there is sufficient financial information to assess the violator's ability to pay the Total Base Liability Amount or to assess the effect of the Total Base Liability Amount on the violator's ability to continue in business, then the liability may be adjusted if warranted.

No adjustment is warranted under this factor because Respondent has the ability to pay and continue in business. The Respondent is a leading global aerospace company which develops, manufactures and services commercial airplanes, defense products and space systems for customers in more than 150 countries. The Respondent recorded 3rd Quarter 2025 revenue of \$23.3 billion, operating cash flow of \$1.1 billion and free cash flow of \$200 million. They also maintain access to credit facilities of \$10 billion. In 2024, the Respondent reported an annual revenue of \$66.52 billion.

STEP 9 – Maximum and Minimum Liability Amounts

The 2024 Enforcement Policy directs the Water Boards to consider maximum and minimum liability amounts set forth in applicable statutes.

Maximum Liability Amount

Pursuant to Water Code section 13350, subdivision (e), the per gallon statutory maximum administrative civil liability for a violation is \$10 for each gallon of waste discharged or \$5,000 for each day the violation occurs. The total Maximum Liability Amount for Violations 1-35 is \$482,064,800 as shown in Table 2. Table 2 also identifies the Maximum Liability Amount per violation.

Minimum Liability Amount

The 2024 Enforcement Policy states the Los Angeles Water Board should recover, at minimum, at least ten percent (10%) more than the economic benefit. The minimum liability under the 2024 Enforcement Policy based on the economic benefit derived in Step 6 for Violations 5-7, 9, 12-21, 23-25, 27, and 32-35 is, collectively, **\$60,228 (\$54,753 + 10%)**. Because the Combined Total Base Liability Amount exceeds the minimum liability, no adjustment is warranted.

Moreover, Violations 2-35 are each subject to mandatory minimum penalties under Water Code section 13385, subdivision (h) and/or (i). Pursuant to Water Code section 13350, subdivision (j) and Water Code section 13385, subdivision (g), liability is not recoverable under both Water Code sections 13350 and 13385 for the same underlying violation. Therefore, if Violations 2-35 are resolved under Water Code section 13350, as proposed, then the Minimum Liability Amount should at least be equivalent to what would have been the mandatory minimum penalty amount under Water Code section 13385, subdivision (h) and/or (i) of three thousand dollars (\$3,000) per violation for a total of one hundred two thousand dollars (\$102,000).

STEP 10 – Final Liability Amount

The Final Liability Amount for Violations 1-35 including the costs of investigation and enforcement is five hundred eighty-three thousand twenty-six dollars (\$583,026) as explained in Step 7. The Final Liability Amount is within the minimum and maximum liability amounts.

Attachment B – Violations 1-35: Effluent Limitation Exceedances and Mandatory Minimum Penalty Information

Violation Number	Violation Date	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Mandatory Minimum Penalty under Water Code section 13385
1	01/10/2023	011	Daily Maximum	Manganese	61	50	µg/L	1	22%	Chronic	(i)1	\$0
2	01/11/2023	010	Daily Maximum	TCDD Equivalents	0.0000000460	0.000000028	µg/L	2	64%	Serious	(h)1	\$3,000
3	02/25/2023	011	Daily Maximum	Manganese	79	50	µg/L	1	58%	Serious	(h)1	\$3,000
4	02/25/2023	011	Daily Maximum	TCDD Equivalents	0.0000000580	0.000000028	µg/L	2	107%	Serious	(h)1	\$3,000
5	08/22/2023	009	Daily Maximum	Lead	12	5.2	µg/L	2	131%	Serious	(h)1	\$3,000
6	12/22/2023	009	Daily Maximum	TCDD Equivalents	0.0000000670	0.000000028	µg/L	2	139%	Serious	(h)1	\$3,000
7	12/22/2023	009	Daily Maximum	Lead	380	5.2	µg/L	2	7208%	Serious	(h)1	\$3,000
8	01/03/2024	002	Instantaneous Maximum	pH	8.61	8.5	SU	OEVI	NA	Chronic	(i)1	\$3,000
9	01/23/2024	009	Daily Maximum	Lead	270	5.2	µg/L	2	5092%	Serious	(h)1	\$3,000
10	02/02/2024	001	Daily Maximum	Manganese	100	50	µg/L	1	100%	Serious	(h)1	\$3,000

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Violation Number	Violation Date	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Mandatory Minimum Penalty under Water Code section 13385
11	02/02/2024	002	Daily Maximum	TCDD Equivalents	0.000000087	0.000000028	µg/L	2	211%	Serious	(h)1	\$3,000
12	02/02/2024	009	Daily Maximum	Lead	160	5.2	µg/L	2	2977%	Serious	(h)1	\$3,000
13	02/02/2024	009	Daily Maximum	Mercury	0.031	0.024	µg/L	2	29%	Serious	(h)1	\$3,000
14	02/02/2024	009	Daily Maximum	TCDD Equivalents	0.000000041	0.000000028	µg/L	2	46%	Serious	(h)1	\$3,000
15	02/02/2024	009	Daily Maximum	Lead	3	2.8	lbs/day	2	7%	Chronic	(i)1	\$3,000
16	02/06/2024	004	Daily Maximum	Mercury	0.029	0.024	µg/L	2	21%	Serious	(h)1	\$3,000
17	02/06/2024	006	Daily Maximum	Mercury	0.025	0.024	µg/L	2	4%	Chronic	(i)1	\$3,000
18	02/20/2024	009	Daily Maximum	TCDD Equivalents	0.000000031	0.000000028	µg/L	2	11%	Chronic	(i)1	\$3,000
19	02/20/2024	009	Daily Maximum	Lead	160	5.2	µg/L	2	2977%	Serious	(h)1	\$3,000
20	03/08/2024	009	Daily Maximum	TCDD Equivalents	0.00000004	0.000000028	µg/L	2	43%	Serious	(h)1	\$3,000

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Violation Number	Violation Date	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Mandatory Minimum Penalty under Water Code section 13385
21	03/08/2024	009	Daily Maximum	Lead	190	5.2	µg/L	2	3554%	Serious	(h)1	\$3,000
22	03/24/2024	002	Daily Maximum	Sulfate	390	300	mg/L	1	30%	Chronic	(i)1	\$3,000
23	03/31/2024	009	Daily Maximum	Lead	230	5.2	µg/L	2	4323%	Serious	(h)1	\$3,000
24	03/31/2024	009	Daily Maximum	TCDD Equivalents	0.0000000360	0.000000028	µg/L	2	29%	Serious	(h)1	\$3,000
25	03/31/2024	009	Daily Maximum	Lead	5.2	2.8	lbs/day	2	86%	Serious	(h)1	\$3,000
26	04/15/2024	002	Daily Maximum	Sulfate	310	300	mg/L	1	3%	Chronic	(i)1	\$3,000
27	04/15/2024	009	Daily Maximum	Lead	14	5.2	µg/L	2	169%	Serious	(h)1	\$3,000
28	02/14/2025	001	Daily Maximum	Lead	13	5.2	µg/L	2	150%	Serious	(h)1	\$3,000
29	02/14/2025	001	Daily Maximum	Manganese	400	50	µg/L	1	700%	Serious	(h)1	\$3,000
30	02/14/2025	001	Daily Maximum	TCDD Equivalents	0.0000002	0.000000028	µg/L	2	614%	Serious	(h)1	\$3,000

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Violation Number	Violation Date	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Mandatory Minimum Penalty under Water Code section 13385
31	02/14/2025	002	Daily Maximum	TCDD Equivalents	0.000000044	0.000000028	µg/L	2	57%	Serious	(h)1	\$3,000
32	02/15/2025	009	Daily Maximum	Lead	22	5.2	µg/L	2	323%	Serious	(h)1	\$3,000
33	02/15/2025	009	Daily Maximum	Mercury	0.032	0.024	µg/L	2	33%	Serious	(h)1	\$3,000
34	02/15/2025	009	Daily Maximum	TCDD Equivalents	0.000000056	0.000000028	µg/L	2	100%	Serious	(h)1	\$3,000
35	03/14/2025	009	Daily Maximum	Lead	5.9	5.2	µg/L	2	13%	Chronic	(i)1	\$3,000

Attachment C – Violations 36-39: Mandatory Minimum Penalty Information for Iron Violations

Violation Number	Violation Date	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
36	01/17/2023	011	Daily Maximum	Iron	0.78	0.3	mg/L	1	160%	Serious	(h)1	\$3,000
37	02/25/2023	011	Daily Maximum	Iron	570	295	lbs/day	1	93%	Serious	(h)1	\$3,000
38	02/25/2023	011	Daily Maximum	Iron	4	0.3	mg/L	1	1233%	Serious	(h)1	\$3,000
39	03/16/2023	011	Daily Maximum	Iron	3.2	0.3	mg/L	1	967%	Serious	(h)1	\$3,000

Total \$12,000