



Los Angeles Regional Water Quality Control Board

October 9, 2024

Amanda Goedike
Magic Mountain, LLC
26101 Magic Mountain Parkway
Valencia, CA 91355

Via Certified Mail
Return Receipt Requested
Claim No. 9589 0710 5270 0590 4678 77

Becky Degeorge
Agent for Service of Process for
Magic Mountain, LLC
2710 Gateway Oaks Drive
Sacramento, CA 95833

Via Certified Mail
Return Receipt Requested
Claim No. 9589 0710 5270 0590 4678 84

SETTLEMENT OFFER NO. R4-2024-0329; OFFER TO PARTICIPATE IN THE EXPEDITED PAYMENT PROGRAM RELATING TO VIOLATIONS OF THE NPDES PERMIT FOR MAGIC MOUNTAIN, LLC, SIX FLAGS MAGIC MOUNTAIN, 26101 MAGIC MOUNTAIN PARKWAY, VALENCIA, CA (ORDER NO. R4-2011-0029, NPDES PERMIT NO. CA0003352, CI NO. 6045)

Dear Amanda Goedike and Becky Degeorge:

This letter is to notify Magic Mountain, LLC (hereinafter "Permittee" or "you") of alleged violations of the California Water Code identified in the State Water Resources Control Board's water quality data system and to allow the Permittee to participate in the Los Angeles Regional Water Quality Control Board's (Regional Water Board) Expedited Payment Program for Effluent and/or Reporting Violations (Expedited Payment Program) to address mandatory minimum penalties that must be assessed pursuant to California Water Code sections 13385 and 13385.1.

NOTICE OF VIOLATION:

Based on information in the California Integrated Water Quality System (CIWQS), the Regional Water Board alleges that the Permittee has violated the effluent limitations, reporting violations, or California Water Code provisions identified in the Notice of Violation (NOV) attached as Exhibit "1". The Permittee will have the opportunity to address the alleged violations as discussed below.

NORMA CAMACHO, CHAIR | SUSANA ARREDONDO, EXECUTIVE OFFICER

STATUTORY LIABILITY:

Subdivisions (h) and (i) of California Water Code section 13385 require the assessment of a mandatory minimum penalty of three thousand dollars (\$3,000) for specified serious and chronic effluent limit and reporting violations. For the purposes of subdivision (h) of section 13385, failure to file a discharge monitoring report required pursuant to sections 13383 for each complete period of 30 days following the deadline for submitting the report constitutes a serious violation. The Permittee is also subject to discretionary administrative civil liabilities of up to ten thousand dollars (\$10,000) for each day in which the violation occurs, plus ten dollars (\$10) for each gallon discharged but not cleaned up in excess of 1,000 gallons. These mandatory minimum penalties and discretionary administrative civil liabilities may be assessed by the Regional Water Board beginning with the date that the violations first occurred.^{1,2} The formal enforcement action that the Regional Water Board uses to assess such liability is an administrative civil liability complaint, although the Regional Water Board may instead refer such matters to the Attorney General's Office for prosecution. If referred to the Attorney General for prosecution, the Superior Court may assess up to twenty-five thousand dollars (\$25,000) per violation. In addition, the Superior Court may assess up to twenty-five dollars (\$25) per gallon discharged but not cleaned up in excess of 1,000 gallons.

OFFER TO PARTICIPATE IN EXPEDITED PAYMENT PROGRAM:

The Permittee can avoid the issuance of a formal enforcement action and settle the alleged violations identified in the attached NOV by participating in the Regional Water Board's Expedited Payment Program. Details of the proposed settlement are described below and addressed in the enclosed documents.

To promote the resolution of these violations, the Regional Water Board makes this Conditional Offer. The Permittee may accept this offer, waive the Permittee's right to a hearing, and pay the mandatory minimum penalty of \$585,000 for the violations described in the NOV. If the Permittee elects to do so, subject to the conditions below, the Regional

¹ Please note that there are no statutes of limitation that apply to administrative proceedings to assess mandatory minimum penalties. See *City of Oakland v. Public Employees' Retirement System*, (2002) 95 Cal.App.4th 29, 48; 3 Witkin, Cal. Procedure (4th ed. 1996) Actions, §405(2), p. 510.)

² This document is public, as is the October 12, 2023, correspondence that commenced settlement discussions between the Permittee and the Regional Water Board regarding appropriate efforts to reduce habitual mandatory minimum penalties (MMPs) based on effluent exceedances. Given the number of violations left unresolved, between July 26, 2023, through present, notwithstanding this offer to participate in the Expedited Payment Program, the Regional Water Board is also pursuing discretionary enforcement, either through settlement efforts or more formal enforcement. That communication is sent confidentially to the same Permittee representatives receiving this letter.

Water Board will accept that payment in settlement of any enforcement action that would otherwise arise out of the violations identified in the NOV. Accordingly, the Regional Water Board will forego issuance of a formal administrative complaint, will not refer the violations to the Attorney General, and will waive its right to seek additional discretionary civil liabilities for the violations identified in the NOV.

The Expedited Payment Program does not address or resolve liability for any violation that is not specifically identified in the NOV regardless of the date that the violation occurred.

PERMITTEE'S OPTIONS FOR RESPONSE TO OFFER:

If you accept this offer, please complete and return the enclosed "Acceptance of Conditional Resolution and Waiver of Right to Hearing; (proposed) Order" (Acceptance and Waiver) on or before **November 8, 2024**.

If the Permittee chooses to contest any of the violations alleged in the NOV, please identify the specific violation and the basis for the challenge (factual error, affirmative defense, etc.) on or before the due date specified above.

Responses contesting any of the violations alleged in the NOV shall be submitted as a pdf via email or CD to Isabella Suarez, Isabella.suarez@waterboards.ca.gov, (213) 576-6806, and Lala.Kabadaian@waterboards.ca.gov, (213) 620-6370, and submitted by you under penalty of perjury.

The Regional Water Board staff will evaluate the contested violation and take one of two actions:

- 1) The Regional Water Board staff will determine that the violation is not supported, expunge the alleged violation from the CIWQS database, take no further action against the Permittee for the alleged violation, and notify the Permittee of that determination. The Permittee will be given thirty (30) days from the date of receipt of the Regional Water Board staff determination to complete and return the Acceptance and Waiver for the remainder of the violations; or
- 2) The Regional Water Board staff will determine that the alleged violation is meritorious and will notify the Permittee of that determination. The Permittee will be given thirty (30) days from the date of the receipt of the Regional Water Board staff determination to complete and return the Acceptance and Waiver.

If the Permittee chooses not to make a payment in response to the Regional Water Board staff's determination, the Permittee should expect to be contacted regarding formal enforcement action that will be initiated with regard to the contested violations. In a formal enforcement action, the liability amount sought and/or imposed may exceed the liability amount set forth in this Conditional Offer. Moreover, the cost of enforcement is a factor that can be considered in assessing the liability amount.

CONDITIONS FOR REGIONAL WATER BOARD ACCEPTANCE OF RESOLUTION:

Federal regulations require the Regional Water Board to publish and allow the public thirty (30) days to comment on any settlement of an enforcement action addressing NPDES permit violations (40 C.F.R. section 123.27(d)(2)(iii)). Upon receipt of the Permittee's Acceptance and Waiver, the Regional Water Board staff will publish a notice of the proposed resolution of the violations.

If no comments are received within the 30-day comment period, and unless there are new material facts that become available to the Regional Water Board, the Acceptance and Waiver will be presented to the Executive Officer for consideration and adoption of a stipulated order assessing the uncontested mandatory minimum penalty amount pursuant to Water Code sections 13385 and 13385.1.

If, however, significant comments are received in opposition to the settlement, this offer may be withdrawn. In that case, the Permittee's waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn. In that case, the violations will be addressed in a liability assessment proceeding. At the liability assessment hearing the Permittee will be free to make arguments as to any of the alleged violations, and the Permittee's agreement to accept this conditional offer will not in any way be binding or used as evidence against the Permittee. The Permittee will be provided with further information on the liability assessment proceeding.

In the event the Acceptance and Waiver is executed by the Regional Water Board Executive Officer, full payment of the assessed amount shall be due within thirty (30) calendar days after the date the Acceptance and Waiver is executed. In accordance with California Water Code section 13385(n)(1) and California Water Code section 13385.1(c)(1), funds collected for violations of effluent limitations and reporting requirements pursuant to sections 13385 and 13385.1 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the \$585,000 liability shall be paid by cashiers or certified check made out to the "State Water Pollution Cleanup and Abatement Account". Failure to pay the full penalty within the required time period may subject the Permittee to further liability.

Amanda Goedike
Becky DeGeorge
Magic Mountain, LLC

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October 9, 2024

Should you have questions about this Conditional Offer of Notice of Violation, please contact Enforcement Unit staff Isabella Suarez at (213) 576-6806 / isabella.suarez@waterboards.ca.gov, Lala Kabadaian at (213) 620-6370 / lala.kabadaian@waterboards.ca.gov or Ching Yin To at (213) 620-6373 / ching-yin.to@waterboards.ca.gov regarding this matter.

Sincerely,

 Digitally signed by
Russ Colby
Date: 2024.10.09
12:30:49 -07'00'

Russ Colby
Acting Assistant Executive Officer

Enclosures:

Exhibit "1" – Notice of Violation
Acceptance of Conditional Resolution and Waiver to Right of Hearing; (proposed) Order

cc: Steven L. Hoch, Clark Hill
Julie Macedo, State Water Resources Control Board, Office of Enforcement

EXHIBIT “1” – NOTICE OF VIOLATION
Effluent Limit Violations

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
05/27/20	2nd Quarter 2020	EFF-003	Single Sample Maximum	E. Coli	920	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$0*
05/27/20	2nd Quarter 2020	EFF-003	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$0*
11/07/20	4th Quarter 2020	EFF-001	Daily Maximum	Copper	40	39	ug/L	2	3%	Chronic	(i)1	\$0
11/07/20	4th Quarter 2020	EFF-001	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
11/07/20	4th Quarter 2020	EFF-001	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
11/07/20	4th Quarter 2020	EFF-002	Daily Maximum	TDS	1,080	1000	mg/L	1	8%	Chronic	(i)1	\$3,000
11/07/20	4th Quarter 2020	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
11/07/20	4th Quarter 2020	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
11/07/20	4th Quarter 2020	EFF-003	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
11/07/20	4th Quarter 2020	EFF-003	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
11/07/20	4th Quarter 2020	EFF-001	Daily Maximum	BOD	109	30	mg/L	1	263%	Serious	(h)1	\$3,000
11/07/20	4th Quarter 2020	EFF-001	Daily Maximum	TSS	329	75	mg/L	1	339%	Serious	(h)1	\$3,000
11/07/20	4th Quarter 2020	EFF-002	Daily Maximum	BOD	146	30	mg/L	1	387%	Serious	(h)1	\$3,000
11/07/20	4th Quarter 2020	EFF-002	Daily Maximum	Copper	64	39	ug/L	2	64%	Serious	(h)1	\$3,000
11/07/20	4th Quarter 2020	EFF-003	Daily Maximum	BOD	105	30	mg/L	1	250%	Serious	(h)1	\$3,000
11/07/20	4th Quarter 2020	EFF-003	Daily Maximum	Copper	96	39	ug/L	2	146%	Serious	(h)1	\$3,000
11/30/20	4th Quarter 2020	EFF-001	Monthly Average	Turbidity	52.8	50	NTU	OEV	NA	Chronic	(i)1	\$3,000
11/30/20	4th Quarter 2020	EFF-003	Monthly Average	TSS	66	50	mg/L	1	32%	Chronic	(i)1	\$3,000
11/30/20	4th Quarter 2020	EFF-003	Monthly Average	Turbidity	51	50	NTU	OEV	NA	Chronic	(i)1	\$3,000
11/30/20	4th Quarter 2020	EFF-001	Monthly Average	TSS	329	50	mg/L	1	558%	Serious	(h)1	\$3,000
11/30/20	4th Quarter 2020	EFF-001	Monthly Average	BOD	109	20	mg/L	1	445%	Serious	(h)1	\$3,000
11/30/20	4th Quarter 2020	EFF-001	Monthly Average	Settleable Solids	0.2	0.1	mL/L	1	100%	Serious	(h)1	\$3,000
11/30/20	4th Quarter 2020	EFF-001	Monthly Average	Copper	40	18	ug/L	2	122%	Serious	(h)1	\$3,000
11/30/20	4th Quarter 2020	EFF-002	Monthly Average	BOD	146	20	mg/L	1	630%	Serious	(h)1	\$3,000
11/30/20	4th Quarter 2020	EFF-002	Monthly Average	Copper	64	20	ug/L	2	220%	Serious	(h)1	\$3,000
11/30/20	4th Quarter 2020	EFF-002	Monthly Average	Ammonia	3	1.75	mg/L	1	71%	Serious	(h)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
11/30/20	4th Quarter 2020	EFF-003	Monthly Average	Copper	49	18	ug/L	2	172%	Serious	(h)1	\$3,000
11/30/20	4th Quarter 2020	EFF-003	Monthly Average	BOD	105	20	mg/L	1	425%	Serious	(h)1	\$3,000
12/28/20	4th Quarter 2020	EFF-001	Single Sample Maximum	E. Coli	540	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/28/20	4th Quarter 2020	EFF-001	Single Sample Maximum	Fecal Coliform	540	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/28/20	4th Quarter 2020	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/28/20	4th Quarter 2020	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/28/20	4th Quarter 2020	EFF-003	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/28/20	4th Quarter 2020	EFF-003	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/28/20	4th Quarter 2020	EFF-001	Daily Maximum	TSS	916	75	mg/L	1	1121%	Serious	(h)1	\$3,000
12/31/20	4th Quarter 2020	EFF-001	Monthly Average	Turbidity	54	50	NTU	OEV	NA	Chronic	(i)1	\$3,000
12/31/20	4th Quarter 2020	EFF-001	Monthly Average	TSS	916	50	mg/L	1	1732%	Serious	(h)1	\$3,000
12/31/20	4th Quarter 2020	EFF-002	Monthly Average	Settleable Solids	0.2	0.1	mL/L	1	100%	Serious	(h)1	\$3,000
01/07/21	1st Quarter 2021	EFF-003	Daily Maximum	Settleable Solids	0.5	0.3	mL/L	1	67%	Serious	(h)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
01/28/21	1st Quarter 2021	EFF-001	Daily Maximum	TSS	81	75	mg/L	1	8%	Chronic	(i)1	\$3,000
01/28/21	1st Quarter 2021	EFF-001	Daily Maximum	Settleable Solids	0.4	0.3	mL/L	1	33%	Chronic	(i)1	\$3,000
01/28/21	1st Quarter 2021	EFF-001	Daily Maximum	Copper	41	39	ug/L	2	5%	Chronic	(i)1	\$3,000
01/28/21	1st Quarter 2021	EFF-002	Daily Maximum	TSS	86	75	mg/L	1	15%	Chronic	(i)1	\$3,000
01/28/20 21	1st Quarter 2021	EFF-002	Daily Maximum	Settleable Solids	0.4	0.3	mL/L	1	33%	Chronic	(i)1	\$3,000
01/28/21	1st Quarter 2021	EFF-003	Daily Maximum	TSS	103	75	mg/L	1	37%	Chronic	(i)1	\$3,000
01/28/21	1st Quarter 2021	EFF-003	Single Sample Maximum	Fecal Coliform	920	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/28/21	1st Quarter 2021	EFF-003	Single Sample Maximum	E. Coli	920	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/31/21	1st Quarter 2021	EFF-002	Monthly Average	Turbidity	54.6	50	NTU	OEV	NA	Chronic	(i)1	\$3,000
01/31/21	1st Quarter 2021	EFF-003	Monthly Average	TSS	68	50	mg/L	1	36%	Chronic	(i)1	\$3,000
01/31/21	1st Quarter 2021	EFF-001	Monthly Average	TSS	81	50	mg/L	1	62%	Serious	(h)1	\$3,000
01/31/21	1st Quarter 2021	EFF-001	Monthly Average	Settleable Solids	0.4	0.1	mL/L	1	300%	Serious	(h)1	\$3,000
01/31/21	1st Quarter 2021	EFF-001	Monthly Average	Copper	41	18	ug/L	2	128%	Serious	(h)1	\$3,000
01/31/21	1st Quarter 2021	EFF-002	Monthly Average	Settleable Solids	0.4	0.1	mL/L	1	300%	Serious	(h)1	\$3,000
01/31/21	1st Quarter 2021	EFF-002	Monthly Average	TSS	86	50	mg/L	1	72%	Serious	(h)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
01/31/21	1st Quarter 2021	EFF-003	Monthly Average	Settleable Solids	0.4	0.1	mL/L	1	300%	Serious	(h)1	\$3,000
03/10/21	1st Quarter 2021	EFF-002	Daily Maximum	BOD	32	30	mg/L	1	7%	Chronic	(i)1	\$3,000
03/10/21	1st Quarter 2021	EFF-002	Single Sample Maximum	Fecal Coliform	920	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/10/21	1st Quarter 2021	EFF-002	Single Sample Maximum	E. Coli	920	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/10/21	1st Quarter 2021	EFF-001	Daily Maximum	Total Residual Chlorine	0.51	0.1	mg/L	2	410%	Serious	(h)1	\$3,000
03/31/21	1st Quarter 2021	EFF-002	Monthly Average	TSS	65	50	mg/L	1	30%	Chronic	(i)1	\$3,000
03/31/21	1st Quarter 2021	EFF-002	Monthly Average	Turbidity	61.8	50	NTU	OEV	NA	Chronic	(i)1	\$3,000
03/31/21	1st Quarter 2021	EFF-002	Monthly Average	Settleable Solids	0.3	0.1	mL/L	1	200%	Serious	(h)1	\$3,000
03/31/21	1st Quarter 2021	EFF-002	Monthly Average	BOD	32	20	mg/L	1	60%	Serious	(h)1	\$3,000
03/31/21	1st Quarter 2021	EFF-002	Monthly Average	Copper	33	20	ug/L	2	65%	Serious	(h)1	\$3,000
06/23/21	2nd Quarter 2021	EFF-003	Single Sample Maximum	Fecal Coliform	540	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
06/23/21	2nd Quarter 2021	EFF-003	Single Sample Maximum	E. Coli	540	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
07/08/21	3rd Quarter 2021	EFF-003	Single Sample Maximum	E. Coli	920	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
07/08/21	3rd Quarter 2021	EFF-003	Single Sample Maximum	Fecal Coliform	920	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
07/14/21	3rd Quarter 2021	EFF-003	Single Sample Maximum	Fecal Coliform	540	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
07/14/21	3rd Quarter 2021	EFF-003	Single Sample Maximum	E. Coli	540	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
07/21/21	3rd Quarter 2021	EFF-003	Single Sample Maximum	E. Coli	920	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
07/21/21	3rd Quarter 2021	EFF-003	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
09/01/21	3rd Quarter 2021	EFF-003	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
09/01/20 21	3rd Quarter 2021	EFF-003	Single Sample Maximum	E. Coli	920	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
10/25/21	4th Quarter 2021	EFF-001	Single Sample Maximum	E. Coli	1,600	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
10/25/21	4th Quarter 2021	EFF-001	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
10/25/21	4th Quarter 2021	EFF-001	Daily Maximum	Turbidity	157	75	NTU	OEV	NA	Chronic	(i)1	\$3,000
10/25/21	4th Quarter 2021	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
10/25/21	4th Quarter 2021	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
10/25/21	4th Quarter 2021	EFF-003	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
10/25/21	4th Quarter 2021	EFF-003	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
10/25/21	4th Quarter 2021	EFF-001	Daily Maximum	Settleable Solids	0.8	0.3	mL/L	1	167%	Serious	(h)1	\$3,000
10/25/21	4th Quarter 2021	EFF-001	Daily Maximum	TSS	348	75	mg/L	1	364%	Serious	(h)1	\$3,000
10/25/21	4th Quarter 2021	EFF-002	Daily Maximum	BOD	91	30	mg/L	1	203%	Serious	(h)1	\$3,000
10/31/21	4th Quarter 2021	EFF-001	Monthly Average	Turbidity	157	50	NTU	OEV	NA	Chronic	(i)1	\$3,000
10/31/21	4th Quarter 2021	EFF-001	Monthly Average	BOD	27	20	mg/L	1	35%	Chronic	(i)1	\$3,000
10/31/21	4th Quarter 2021	EFF-003	Monthly Average	Copper	19	18	ug/L	2	6%	Chronic	(i)1	\$3,000
10/31/21	4th Quarter 2021	EFF-001	Monthly Average	Settleable Solids	0.8	0.1	mL/L	1	700%	Serious	(h)1	\$3,000
10/31/21	4th Quarter 2021	EFF-001	Monthly Average	TSS	348	50	mg/L	1	596%	Serious	(h)1	\$3,000
10/31/21	4th Quarter 2021	EFF-001	Monthly Average	Copper	35	18	ug/L	2	94%	Serious	(h)1	\$3,000
10/31/21	4th Quarter 2021	EFF-002	Monthly Average	BOD	91	20	mg/L	1	355%	Serious	(h)1	\$3,000
10/31/21	4th Quarter 2021	EFF-003	Monthly Average	BOD	27	20	mg/L	1	35%	Serious	(h)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
10/31/21	4th Quarter 2021	EFF-002	Monthly Average	Copper	30	20	ug/L	2	50%	Chronic	(h)1	\$3,000
12/08/21	4th Quarter 2021	EFF-003	Daily Maximum	Chloride	137	100	mg/L	1	37%	Chronic	(i)1	\$3,000
12/14/21	4th Quarter 2021	EFF-001	Single Sample Maximum	E. Coli	920	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/14/21	4th Quarter 2021	EFF-001	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/14/21	4th Quarter 2021	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/14/21	4th Quarter 2021	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/14/22 1	4th Quarter 2021	EFF-003	Daily Maximum	Chloride	115	100	mg/L	1	15%	Chronic	(i)1	\$3,000
12/14/21	4th Quarter 2021	EFF-003	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/14/21	4th Quarter 2021	EFF-003	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/14/21	4th Quarter 2021	EFF-001	Daily Maximum	Settleable Solids	0.5	0.3	mL/L	1	67%	Serious	(h)1	\$3,000
12/14/21	4th Quarter 2021	EFF-001	Daily Maximum	TSS	114	75	mg/L	1	52%	Serious	(h)1	\$3,000
12/14/21	4th Quarter 2021	EFF-003	Daily Maximum	Settleable Solids	0.5	0.3	mL/L	1	67%	Serious	(h)1	\$3,000
12/23/21	4th Quarter 2021	EFF-003	Daily Maximum	Settleable Solids	0.5	0.3	mL/L	1	67%	Serious	(h)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
12/31/21	4th Quarter 2021	EFF-001	Monthly Average	TSS	61	50	mg/L	1	22%	Chronic	(i)1	\$3,000
12/31/21	4th Quarter 2021	EFF-003	Monthly Average	Settleable Solids	0.5	0.1	mL/L	1	400%	Serious	(h)1	\$3,000
01/17/22	1st Quarter 2022	EFF-001	Single Sample Maximum	E. Coli	240	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/17/22	1st Quarter 2022	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/17/22	1st Quarter 2022	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/17/22	1st Quarter 2022	EFF-002	Daily Maximum	Turbidity	177	75	NTU	OEV	NA	Chronic	(i)1	\$3,000
01/31/22	1st Quarter 2022	EFF-002	Monthly Average	Turbidity	177	50	NTU	OEV	NA	Chronic	(i)1	\$3,000
01/31/22	1st Quarter 2022	EFF-002	Monthly Average	BOD	27	20	mg/L	1	35%	Chronic	(i)1	\$3,000
01/31/22	1st Quarter 2022	EFF-002	Monthly Average	Copper	39	20	ug/L	2	95%	Serious	(h)1	\$3,000
03/28/22	1st Quarter 2022	EFF-001	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/28/22	1st Quarter 2022	EFF-001	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/28/22	1st Quarter 2022	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
03/28/22	1st Quarter 2022	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/28/22	1st Quarter 2022	EFF-002	Daily Maximum	TSS	81	75	mg/L	1	8%	Chronic	(i)1	\$3,000
03/28/22	1st Quarter 2022	EFF-003	Daily Maximum	Copper	43	39	ug/L	2	10%	Chronic	(i)1	\$3,000
03/28/22	1st Quarter 2022	EFF-003	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/28/22	1st Quarter 2022	EFF-003	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/28/22	1st Quarter 2022	EFF-001	Daily Maximum	Settleable Solids	0.5	0.3	mL/L	1	67%	Serious	(h)1	\$3,000
03/28/22	1st Quarter 2022	EFF-003	Daily Maximum	TSS	144	75	mg/L	1	92%	Serious	(h)1	\$3,000
03/31/22	1st Quarter 2022	EFF-001	Monthly Average	TSS	68	50	mg/L	1	36%	Chronic	(i)1	\$3,000
03/31/22	1st Quarter 2022	EFF-003	Monthly Average	Turbidity	61.5	50	NTU	OEV	NA	Chronic	(i)1	\$3,000
03/31/22	1st Quarter 2022	EFF-001	Monthly Average	Settleable Solids	0.5	0.1	mL/L	1	400%	Serious	(h)1	\$3,000
03/31/22	1st Quarter 2022	EFF-002	Monthly Average	Settleable Solids	0.3	0.1	mL/L	1	200%	Serious	(h)1	\$3,000
03/31/22	1st Quarter 2022	EFF-002	Monthly Average	Copper	39	20	ug/L	2	95%	Serious	(h)1	\$3,000
03/31/22	1st Quarter 2022	EFF-002	Monthly Average	TSS	81	50	mg/L	1	62%	Serious	(h)1	\$3,000
03/31/22	1st Quarter 2022	EFF-003	Monthly Average	Settleable Solids	0.3	0.1	mL/L	1	200%	Serious	(h)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
03/31/22	1st Quarter 2022	EFF-003	Monthly Average	TSS	144	50	mg/L	1	188%	Serious	(h)1	\$3,000
03/31/22	1st Quarter 2022	EFF-003	Monthly Average	Copper	23	18	ug/L	2	28%	Serious	(h)1	\$3,000
05/12/22	2nd Quarter 2022	EFF-003	Daily Maximum	Copper	200	39	ug/L	2	413%	Serious	(h)1	\$3,000
05/31/22	2nd Quarter 2022	EFF-003	Monthly Average	Copper	200	18	ug/L	2	1011%	Serious	(h)1	\$3,000
07/27/22	3rd Quarter 2022	EFF-003	Single Sample Maximum	E. Coli	920	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
07/27/22	3rd Quarter 2022	EFF-003	Single Sample Maximum	Fecal Coliform	920	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
08/3/22	3rd Quarter 2022	EFF-003	Single Sample Maximum	E. Coli	1,600	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
08/03/22	3rd Quarter 2022	EFF-003	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
09/07/22	3rd Quarter 2022	EFF-003	Single Sample Maximum	E. Coli	240	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
11/07/22	4th Quarter 2022	EFF-001	Single Sample Maximum	Fecal Coliform	540	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
11/07/22	4th Quarter 2022	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
11/07/22	4th Quarter 2022	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
11/30/22	4th Quarter 2022	EFF-001	Monthly Average	Copper	19	18	ug/L	2	6%	Chronic	(i)1	\$3,000
12/02/22	4th Quarter 2022	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/02/22	4th Quarter 2022	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/02/22	4th Quarter 2022	EFF-003	Single Sample Maximum	E. Coli	240	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/11/22	4th Quarter 2022	EFF-001	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/11/22	4th Quarter 2022	EFF-002	Single Sample Maximum	E. Coli	920	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/11/22	4th Quarter 2022	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/11/22	4th Quarter 2022	EFF-001	Daily Maximum	Bis(2-ethylhexyl) phthalate	53	12	ug/L	2	342%	Serious	(h)1	\$3,000
12/27/22	4th Quarter 2022	EFF-001	Daily Maximum	TSS	83	75	mg/L	1	11%	Chronic	(i)1	\$3,000
12/27/22	4th Quarter 2022	EFF-001	Daily Maximum	Turbidity	102	75	NTU	1	36%	Chronic	(i)1	\$3,000
12/27/22	4th Quarter 2022	EFF-001	Single Sample Maximum	E. Coli	1,600	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
12/27/22	4th Quarter 2022	EFF-001	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/27/22	4th Quarter 2022	EFF-002	Single Sample Maximum	E. Coli	240	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
12/27/22	4th Quarter 2022	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/09/23	1st Quarter 2023	EFF-001	Single Sample Maximum	E. Coli	240	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/09/23	1st Quarter 2023	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/09/23	1st Quarter 2023	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/14/23	1st Quarter 2023	EFF-001	Single Sample Maximum	E. Coli	450	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/14/23	1st Quarter 2023	EFF-001	Single Sample Maximum	Fecal Coliform	450	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/14/23	1st Quarter 2023	EFF-002	Single Sample Maximum	E. Coli	2,300	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/14/23	1st Quarter 2023	EFF-002	Single Sample Maximum	Fecal Coliform	3,300	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/14/23	1st Quarter 2023	EFF-002	Daily Maximum	Settleable Solids	0.4	0.3	mL/L	1	33%	Chronic	(i)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
01/14/23	1st Quarter 2023	EFF-003	Single Sample Maximum	E. Coli	1,700	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/14/23	1st Quarter 2023	EFF-003	Single Sample Maximum	Fecal Coliform	1,700	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
01/18/23	1st Quarter 2023	EFF-003	Daily Maximum	Chloride	137	100	mg/L	1	37%	Chronic	(i)1	\$3,000
02/24/23	1st Quarter 2023	EFF-003	Single Sample Maximum	E. Coli	2,100	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
02/24/23	1st Quarter 2023	EFF-003	Single Sample Maximum	Fecal Coliform	2,100	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
02/24/23	1st Quarter 2023	EFF-003	Daily Maximum	Copper	45	39	ug/L	2	15%	Chronic	(i)1	\$3,000
02/24/23	1st Quarter 2023	EFF-003	Daily Maximum	TSS	117	75	mg/L	1	56%	Serious	(h)1	\$3,000
02/28/23	1st Quarter 2023	EFF-003	Monthly Average	TSS	117	50	mg/L	1	134%	Serious	(h)1	\$3,000
02/28/23	1st Quarter 2023	EFF-003	Monthly Average	Settleable Solids	0.3	0.1	mL/L	1	200%	Serious	(h)1	\$3,000
02/28/23	1st Quarter 2023	EFF-003	Monthly Average	Copper	26.6	18	ug/L	2	48%	Serious	(h)1	\$3,000
03/10/23	1st Quarter 2023	EFF-002	Single Sample Maximum	E. Coli	350	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/14/23	1st Quarter 2023	EFF-003	Single Sample Maximum	E. Coli	460	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/Chronic	Water Code Section 13385	Penalty
03/14/23	1st Quarter 2023	EFF-003	Single Sample Maximum	Fecal Coliform	460	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/21/23	1st Quarter 2023	EFF-001	Single Sample Maximum	E. Coli	2,400	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/21/23	1st Quarter 2023	EFF-001	Single Sample Maximum	Fecal Coliform	2,400	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/21/23	1st Quarter 2023	EFF-002	Single Sample Maximum	E. Coli	3,500	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/21/23	1st Quarter 2023	EFF-002	Single Sample Maximum	Fecal Coliform	3,500	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/21/23	1st Quarter 2023	EFF-003	Single Sample Maximum	E. Coli	1,300	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/21/23	1st Quarter 2023	EFF-003	Single Sample Maximum	Fecal Coliform	1,300	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/29/23	1st Quarter 2023	EFF-001	Single Sample Maximum	E. Coli	5,400	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/29/23	1st Quarter 2023	EFF-001	Single Sample Maximum	Fecal Coliform	5,400	400	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/29/23	1st Quarter 2023	EFF-002	Single Sample Maximum	E. Coli	790	235	MPN/100 mL	OEV	NA	Chronic	(i)1	\$3,000

Violation Date	Monitoring Period	Monitoring Location	Violation Type	Parameter	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
03/29/23	1st Quarter 2023	EFF-002	Single Sample Maximum	Fecal Coliform	790	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/29/23	1st Quarter 2023	EFF-003	Single Sample Maximum	E. Coli	490	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/29/23	1st Quarter 2023	EFF-003	Single Sample Maximum	Fecal Coliform	490	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
03/29/23	1st Quarter 2023	EFF-003	Daily Maximum	Chloride	299	100	mg/L	1	199%	Serious	(h)1	\$3,000
03/29/23	1st Quarter 2023	EFF-003	Daily Maximum	Sulfate	642	400	mg/L	1	61%	Serious	(h)1	\$3,000
05/04/23	2nd Quarter 2023	EFF-001	Single Sample Maximum	E. Coli	1,600	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
05/04/23	2nd Quarter 2023	EFF-001	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
05/04/23	2nd Quarter 2023	EFF-002	Single Sample Maximum	E. Coli	1,600	235	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
05/04/23	2nd Quarter 2023	EFF-002	Single Sample Maximum	Fecal Coliform	1,600	400	MPN/ 100 mL	OEV	NA	Chronic	(i)1	\$3,000
05/31/23	2nd Quarter 2023	EFF-002	Monthly Average	BOD	30	20	mg/L	1	50%	Serious	(h)1	\$3,000
05/31/23	2nd Quarter 2023	EFF-002	Monthly Average	Copper	31.6	20	ug/L	2	58%	Serious	(h)1	\$3,000

* Violations were addressed in EPL No. R4-2023-0028

Total: \$585,000

Settlement Offer No. R4-2024-0329
CI No. 6045, NPDES Permit No. CA0003352

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

Magic Mountain, LLC
Settlement Offer No. R4-2024-0329
NPDES Permit No. CA0003352

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 (Regional Water Board), Magic Mountain, LLC (Permittee) hereby accepts the "Offer to Participate in Expedited Payment Program" and waives the right to a hearing before the Regional Water Board to dispute the allegations of violations described in the Notice of Violation (NOV), which is attached hereto as Exhibit "1" and incorporated herein by reference.

The Permittee agrees that the NOV shall serve as a complaint pursuant to Article 2.5 of the California Water Code and that no separate complaint is required for the Regional Water Board to assert jurisdiction over the alleged violations through its Chief Prosecutor. The Permittee agrees to pay the penalties required by California Water Code section 13385 in the sum of \$585,000 (Expedited Payment Amount) which shall be deemed payment in full of any civil liability pursuant to California Water Code sections 13385 and 13385.1 that otherwise might be assessed for the violations described in the NOV. The Permittee understands that this Acceptance and Waiver waives its right to contest the allegations in the NOV and the amount of civil liability for such violations.

The Permittee understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the NOV.

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

Isabella Suarez, Enforcement I Unit
Expedited Payment Program
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013

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

If no comments are received within the notice period that causes the Regional Water Board Assistant Executive Officer to question the Expedited Payment Amount, the Acceptance and Waiver will be presented to the Executive Officer for consideration and adoption of a stipulated order.

Settlement Offer No. R4-2024-0329
CI No. 6045, NPDES Permit No. CA0003352

The Permittee understands that if significant comments are received in opposition to the Expedited Payment Amount, the offer on behalf of the Regional Water Board to resolve the violations set forth in the NOV may be withdrawn. In that circumstance, the Permittee will be advised of the withdrawal and an administrative civil liability complaint may be issued and the matter may be set for a hearing before the Regional Water Board. For such a liability hearing, the Permittee understands that this Acceptance and Waiver executed by the Permittee will not in any way be binding or used as evidence in that hearing.

The Permittee further understands that once the Acceptance and Waiver is executed by the Regional Water Board Executive Officer, the full payment required by the deadline set forth below is a condition of this Acceptance and Waiver. In accordance with California Water Code sections 13385(n)(1) and 13385.1(c)(1), funds collected for violations of effluent limitations and reporting requirements pursuant to sections 13385 and 13385.1 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the \$585,000 liability shall be paid by a cashiers or certified check made out to the "State Water Pollution Cleanup and Abatement Account". The payment must be submitted to the State Water Resources Control Board no later than thirty (30) calendar days after the date the Acceptance and Waiver is executed by the Regional Water Board Executive Officer.

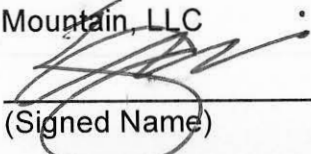
Please mail the check to:

State Water Resources Control Board
ATTN: ACL PAYMENT
Division of Administrative Services, Accounting Branch
P.O. Box 1888
Sacramento, California 95812-1888

I hereby affirm that I am duly authorized to act on behalf of and to bind the Permittee in the making and giving of this Acceptance and Waiver.

Magic Mountain, LLC :

By:



(Signed Name)

11.6.24

(Date)

JEFF HARRIS

(Printed or Typed Name)

PARK PRESIDENT

(Title)

IT IS SO ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTION 13323 AND GOVERNMENT CODE SECTION 11415.60

By:

Susana Arredondo
Executive Officer

(Date)