Settlement Offer No. R4-2026-0280
CI No. 6113, NPDES Permit No. CA0001139

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

AES Alamitos LLC
Settlement Offer No. R4-2026-0280
NPDES Permit No. CA0001139

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), AES Alamitos 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 $30,000 (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:

Lala Kabadaian, 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.

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 $30,000 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.

AES Alamitos LLC

By: Jose A. Perez — 10-26-2026
(Signed Name) — (Date)

J. A. P. — Director
(Printed or Typed Name) — (Title)

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

By: _____ _____
Susana Arredondo — (Date)
Executive Officer

EXHIBIT "1" – NOTICE OF VIOLATION

Effluent Limit Violations

Violation Date	Monitoring Period	Violation Type	Parameter	Discharge Point	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
05/02/25	2nd Quarter 2025	Daily Maximum	Copper	003	17.6	9.3	µg/L	2	89%	Serious	(h)1	$3,000
05/02/25	2nd Quarter 2025	Daily Maximum	Nickel	003	164	14	µg/L	2	1071%	Serious	(h)1	$3,000
05/02/25	2nd Quarter 2025	Daily Maximum	Nickel	003	193.48	39	lbs/day	2	396%	Serious	(h)1	$3,000
05/31/25	2nd Quarter 2025	Monthly Average	Copper	003	17.6	8.0	µg/L	2	120%	Serious	(h)1	$3,000
05/31/25	2nd Quarter 2025	Monthly Average	Nickel	003	164	4.5	µg/L	2	3544%	Serious	(h)1	$3,000
05/31/25	2nd Quarter 2025	Monthly Average	Nickel	003	193.48	13	lbs/day	2	1388%	Serious	(h)1	$3,000
08/31/25	3rd Quarter 2025	Monthly Average	Nickel	003	7.51	4.5	µg/L	2	67%	Serious	(h)1	$3,000
08/31/25	3rd Quarter 2025	Monthly Average	Nickel	003	16.94	13	lbs/day	2	30%	Serious	(h)1	$3,000
02/16/26	1st Quarter 2026	Daily Maximum	TSS	O-48	115	75	mg/L	1	53%	Serious	(h)1	$3,000
06/30/26	2nd Quarter 2026	Statistical Threshold Value (STV)	Enterococci	002	100	110 MPN/ 100 mL*	%	OEV	NA	Chronic	(i)1	$0

Violation Date	Monitoring Period	Violation Type	Parameter	Discharge Point	Reported Value	Permit Limit	Units	Pollutant Category	% Exceeded	Serious/ Chronic	Water Code Section 13385	Penalty
06/30/26	2nd Quarter 2026	Monthly Average	Copper	002	6.88	6.5	lbs/day	2	6%	Chronic	(i)1	$0
06/30/26	2nd Quarter 2026	Monthly Average	Copper	002	3.0	2.0	µg/L	2	50%	Serious	(h)1	$3,000

Total: $30,000

***** Not to exceed 110 MPN/ 100 mL by more than 10 percent of the sample in a month