

Raytheon

Raytheon Company
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18 June 2003

Mr. Farhad Azimzadeh
California Regional Water Quality Control Board, San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, California 94612

Subject: Mandatory Minimum Penalty Complaint No. R2-2003-0037 for facility located at 350 Ellis Street, Mountain View, Santa Clara County

Dear Mr. Azimzadeh:

This letter is to inform you that the Raytheon Company will waive our right to a hearing with regard to your letter of May 23, 2003 and agree to fund a Supplemental Environmental Program (SEP) in the amount of \$6,000.

Upon approval of the RWQCB, Raytheon would be interested in funding the Coyote Creek Outdoor Class room sponsored by the Santa Clara Valley Water District (SCVWD). The site is used as an educational platform for school age children. Water district staff leads an estimated 20 field trips per year to the Coyote Outdoor Classroom to teach students how to safely sample and evaluate water from the creek, as well as from the groundwater aquifer where Santa Clara County receives about half of its drinking water in a normal year. The site also features two planting areas - one site close to the creek planted with native trees and shrubs to improve the stream's wildlife habitat, and a "high terrace," or upland, area landscaped with oaks, grasses and other native plants to demonstrate drought-tolerant gardens.

The Coyote Creek Outdoor Classroom is located at 791 E. William St, in San Jose. We have been in contact with Kathy Macado at the SCVWD and they are excited about the possibility of receiving these funds to help with this worthwhile project.

Sincerely,

Ingrid Y. Chen, P.E.
Manager, Environmental Programs
Raytheon Company

IC/mmm

cc Gordon Atkinson, Gooley Godward, LLP
Elie Haddad, Locus Technologies
Greg Taylor, Raytheon Company

Complaint No. R2-2003-0037
 Raytheon Company, 350 Ellis Street, Mountain, View
 Santa Clara County, File No. 2189.8107 and 1210.48 (FA)

WAIVER OF HEARING FORM

(The signed waiver becomes effective the next day after the public comment period for this Complaint is closed, provided that there are no significant public comments on this Complaint during the public comment period. If there are significant public comments, the Executive Officer may withdraw the Complaint and reissue it as appropriate.)

Waiver of the right to a hearing and agree to make payment in full.

By checking the box I agree to waive my right to a hearing before the Regional Board with regard to the violations alleged in Complaint No. R2-2003-0037 and to remit the full penalty payment to the State Water Pollution Cleanup and Abatement Account, c/o State Water Resources Control Board at 1515 Clay Street, Oakland, CA 94612, by June 23, 2003. I understand that I am giving up my right to be heard, and to argue against the allegations made by the Executive Officer in this Complaint, and against the imposition of, or the amount of, the civil liability proposed.

Waiver of the right to a hearing and agree to undertake a SEP.

By checking the box I agree to waive my right to a hearing before the Regional Board with regard to the violations alleged in Complaint No R2-2003-0037 and to complete a supplemental environmental project (SEP) in lieu of the suspended penalty in an amount of \$6,000. I also agree to submit the SEP proposal by June 23, 2003. I understand that the SEP proposal shall conform to the requirements specified in Section IX of the Water Quality Enforcement Policy, which was adopted by the State Water Resources Control Board on February 19, 2002, and be subject to approval by the Executive Officer. If the SEP proposal, or its revised version, is not acceptable to the Executive Officer, I agree to pay the suspended penalty within thirty days of a letter from the Executive Officer denying the approval of the proposed SEP. I also understand that I am giving up my right to argue against the allegations made by the Executive Officer in the Complaint, and against the imposition of, or the amount of, the mandatory minimum penalty (MMP) proposed. I further agree to complete the approved SEP within a time schedule set by the Executive Officer.

Ingrid Chen

Name (print)

18 June 2003

Date

Signature

Manager, Environmental Programs
Raytheon Company
 Title/Organization