

Public Notice of Acceptance of Conditional Early Settlement Offer for Mandatory Minimum Penalties

Conditional Early Settlement Offer No. SWB-2008-2-0004 with Mandatory Minimum Penalties against Browning-Ferris Industries

On July 24, 2008, the State Water Resources Control Board (State Board) issued Offer to Participate in Expedited Payment Program No. SWB-2008-2-0004 to Browning-Ferris Industries for alleged violations of Regional Board Order No. R2-1993-0146, NPDES Permit No. CA0029947 for Corinda Los Trancos Landfill. On February 26, 2009, Browning-Ferris Industries accepted the State Board's offer to participate in the Expedited Payment Program and Waived their right to a hearing. The following table lists this facility's alleged violations of subdivisions (h) and (i) of California Water Code section 13385, from January 1, 2000 through March 31, 2008, which have not received mandatory minimum penalty assessments by the Water Boards. Final calculation of MMP amounts owed is also listed below.

Occurred Date	Type	MMP Type	Violation Description
5/15/2001	CAT2	SIG	EFFL-1 Vinyl Chloride Instant Max ug/L; Max = 0.5; Reported Value = 0.83
10/16/2001	CAT2	SIG	EFFL-1 Vinyl Chloride Instant Max ug/L; Max = 1.2; Reported Value = 1.2
5/2/2002	CAT2	SIG	EFFL-1 Vinyl Chloride Instant Max ug/L; Max = 0.5; Reported Value = 1.6
6/5/2003	CAT2	SIG	EFFL-1 Vinyl Chloride Instant Max ug/L; Max = 0.5; Reported Value = 1.9
9/16/2003	CAT2	SIG	EFFL-1 Vinyl Chloride Instant Max ug/L; Max = 0.5; Reported Value = 0.67
5/19/2004	CAT2	SIG	EFFL-1 Vinyl Chloride Instant Max ug/L; Max = 0.5; Reported Value = 0.75
5/9/2005	CAT2	SIG	EFFL-1 Vinyl Chloride Instant Max ug/L; Max = 0.5; Reported Value = 0.66
8/3/2005	CAT2	SIG	EFFL-1 Vinyl Chloride Instant Max ug/L; Max = 0.5; Reported Value = 2.4

Mandatory Minimum Penalty Amount Owed for Effluent Violations
 (8 Serious Violations + 0 Chronic Violations) × \$3,000 = \$24,000 to the Cleanup & Abatement Account

Written comments regarding the Expedited Payment Program and Waiver will be accepted through May 6, 2009. For more information, please contact Taryn Stokell at (916) 327-8039.

Conditional Early Settlement Offer No. SWB-2008-2-0014 with Mandatory Minimum Penalties against Morton International, Inc.

On July 24, 2008, the State Water Resources Control Board (State Board) issued Offer to Participate in Expedited Payment Program No. SWB-2008-2-0014 to Morton International, Inc. for alleged violations of Regional Board Order No. R2-2005-0010 for Morton Salt Division - Newark. On December 5, 2008, Morton International, Inc. accepted the State Board's offer to participate in the Expedited Payment Program and Waived their right to a hearing. The following table lists this facility's alleged violations of subdivisions (h) and (i) of California Water Code section 13385, from January 1, 2000 through March 31, 2008, which have not received mandatory minimum penalty assessments by the Water Boards. Final calculation of MMP amounts owed is also listed below.

Occurred Date	Type	MMP Type	Violation Description
03/21/06	CAT1	CHRON	E-001 pH Eff Cont Sample Max; Max = 9; Reported Value = 9.2
09/30/07	CAT1	CHRON	E-001 Oil and Grease Eff Monthly Average mg/L; Max = 5; Reported Value = 5.67
10/20/07	CAT1	CHRON	E-001 pH Eff Cont Sample Max; Max = 9; Reported Value = 9.9

02/19/08	CAT2	CHRON	E-001 Cyanide Eff Daily Maximum ug/L; Max = 5; Reported Value = 10
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Mandatory Minimum Penalty Amount Owed for Effluent Violations
(0 Serious Violations + 4 Chronic Violations) × \$3,000 = \$12,000 to the Cleanup & Abatement Account

Written comments regarding the Expedited Payment Program and Waiver will be accepted through May 6, 2009. For more information, please contact Taryn Stokell at (916) 327-8039.