



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
<http://www.waterboards.ca.gov/sanfranciscobay>

Arnold Schwarzenegger
Governor

March 30, 2009
CIWQS place ID 241815

CERTIFIED MAIL
Receipt of Delivery Requested

Mt. View Sanitary District
Attn: Mr. David Contreras, District Manager
3800 Arthur Road
P.O. Box 2757
Martinez, California 94553

Subject: Administrative Civil Liability Complaint under Water Code Section 13385 for unauthorized discharge violation from the sanitary sewer collection system Pump Station No. 4, located in Martinez, Contra Costa County

Dear Mr. Contreras:

Enclosed is Complaint No. R2-2009-0027 issued as an administrative civil liability in the amount of \$498,000. The Complaint alleges that the Mt. View Sanitary District (District) violated Order No. R2-2006-0063 (NPDES Permit No. CA0037770).

A 586,000-gallon sanitary sewer overflow occurred on January 4 and 5, 2009 from the District's pump station no. 4. The Complaint describes the alleged violation in detail. The District may be allowed to spend up to \$240,500 on a supplemental environmental project (SEP).

The Prosecution proposes that the Regional Water Board consider Complaint No. R2-2009-0027 for an administrative civil liability in the amount during a meeting that will commence at the time and place indicated below:

Date/Time: June 10, 2009, 9:00 a.m.
Place: Auditorium, Elihu Harris State Building
1515 Clay Street, Oakland

Enclosed you will find a Hearing Notice that sets forth the procedures the Regional Water Board typically follows in conducting the public hearing. Any objections to the hearing process set forth shall be sent to Sandia Potter of the Regional Water Board's Advisory Team with a copy to Claudia Villacorta of the Board's Prosecution Team by May 1, 2009. Their contact information is shown below.

The District has the following options:

1. The District can appear before the Regional Water Board at the meeting to contest the matter. Written comments and evidence shall be submitted by the deadline indicated below and in accordance with the process set forth in the attached Public Notice. At the meeting, the Regional Water Board may impose an administrative civil liability in the amount proposed or for a different amount, decline to seek civil liability, or refer the case to the Attorney General for judicial enforcement.
2. The District can waive the right to a hearing to contest the allegations contained in the Complaint by completing the waiver attached to the Complaint.

If the District waives its right to a hearing, it must mail and fax a copy of the signed waiver by the time and date specified below to the attention of Sandia Potter of the Advisory Team with a copy to Claudia Villacorta of the Prosecution Team. Both faxes should be sent to (510) 622-2460.

The deadline for submittal of written comments and evidence to the Complaint and waiver is **May 1, 2009**, at 5 p.m.

The deadline for submittal of an SEP proposal(s) is **May 15, 2009**, at 5 p.m.

A copy of the Complaint and Notice of Public Hearing are enclosed. If you have any questions regarding these matters, please email or write to Sandia Potter of the Advisory Team at spotter@waterboards.ca.gov with a copy to Claudia Villacorta of the Prosecution Team or cvillacorta@waterboards.ca.gov. If you wish to communicate directly with the Prosecution Team, please call or email Claudia Villacorta. Her phone number is (510) 622-2485.

Sincerely,

Thomas E. Mumley
Assistant Executive Officer

Enclosures: ACL Complaint No. R2-2009-0027
SEP Information
Notice of Public Hearing

Copy to (via email):

Regional Water Board Advisory Team and Standard List R-1E