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Arnold Schwarzenegger
Governor

NOTICE OF TENTATIVE ORDER FOR SETTLEMENT OF ADMINISTRATIVE LIABILITY IN THE MATTER OF

CONOCOPHILLIPS COMPANY SAN FRANCISCO REFINERY IN RODEO, CONTRA COSTA COUNTY

The San Francisco Bay Regional Water Quality Control Board's (Water Board) Executive Officer has been presented with a proposed settlement of the claims alleged in Administrative Liability Complaint No. R2-2009-0076, dated December 17, 2009 (the Complaint), and additional effluent limitation violations for acute toxicity occurring from October 1, 2009, through December 31, 2009. The proposed settlement represents a mutually agreed-upon resolution of the Water Board's Prosecution Team claims through the payment of an administrative civil liability in the amount of \$600,000. This administrative civil liability will consist of: (1) a payment of \$310,000 to the State Water Resources Control Board's Cleanup and Abatement Account, (2) completion of a \$190,000 Supplemental Environment Project, and (3) completion of two enhanced compliance activities with a total estimated cost of \$316,000 for suspension of \$100,000 in liability. A Tentative Order has been prepared that will effectuate the proposed settlement. If no significant comments are received by the deadline stated below the Executive Officer intends to adopt the Tentative Order setting Administrative Civil Liability. If significant comments are received, a hearing for the Water Board to consider this matter may be publicly noticed.

The deadline for comment is 5 p.m. on Monday, August 23, 2010. Comments should be sent to the attention of Bruce Wolfe and Thomas Mumley. Persons wishing to file written comments on or objections to the Tentative Order must do so no later than this deadline.

The Complaint, Settlement Agreement, Tentative Order, and related documents are on file, and may be inspected or copied at the Water Board's offices during weekdays between 8:00 a.m. to noon, and 1:00 p.m. to 5.00 p.m. The Complaint, Settlement Agreement, and Tentative Order are also available on the Water Board's website at www.waterboards.ca.gov/sanfranciscobay.

Questions concerning this matter may be addressed to prosecutorial staff Robert Schlipf at 510-622-2478 or rschlipf@waterboards.ca.gov, or Office of Enforcement Staff Counsel Yvonne West at 916-341-5445 or ywest@waterboards.ca.gov. Please also refer to the website given above for future developments and updates.

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