



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

Certified Mail No. 7007 2560 001 7506 5173
Return Receipt Requested

July 15, 2010
CIWQS Place ID 250869 (BJT)
CIWQS Party ID 523504

HSR, Inc.
Attn: Mr. Matt Dorsa
530 Aldo Ave
Santa Clara, CA 95054

Subject: Administrative Civil Liability Complaint No. R2-2010-0094 for Storm Water Discharges from the Landfill 8 and Landfill 10 Construction Sites at the Presidio, San Francisco

Dear Mr. Dorsa:

Complaint No. R2-2010-0094 (Complaint) enclosed with this letter issues an administrative civil liability (ACL) against HSR, Inc. in the amount of \$118,085. This liability is based on allegations that HSR, Inc. violated terms of the General Permit for Storm Water Discharges Associated with Construction Activity, Order No. 99-08-DWQ (General Permit) and Provision No. 9 of the San Francisco Bay Regional Water Board Basin Plan while working on the Landfill 8 and Landfill 10 construction projects at the Presidio, San Francisco.

HSR, Inc. can respond to the Complaint by appearing before the Regional Water Board at a public hearing to contest the matter or by signing a waiver to pursue other options.

1. The Complaint can be contested before the Regional Water Board at the following meeting:

Date/Time: October 13, 2010, commencing at 9:00 a.m.
Place: First Floor Auditorium, Elihu Harris State Building
1515 Clay Street, Oakland

At this meeting, the Regional Water Board will consider whether to impose administrative civil liability (as proposed in the Complaint or for a different amount), decline the administrative civil liability, or refer the matter to the Attorney General for judicial enforcement at a public hearing.

Please refer to the enclosed Public Notice and Hearing Procedure for the Complaint and the ACL Fact Sheet for additional information about the Regional Water Board's process, hearing procedure, and important deadlines (for submitting comments or evidence, obtaining designated party status, waiving or postponing a hearing, making objections or rebuttals to evidence, etc.).

2. The public hearing that has been scheduled (above) can be waived to pursue one of the following options:
 - a. Pay the liability as proposed in the Complaint;
 - b. Request more time and postpone the date of the public hearing;
 - c. Promptly engage in settlement discussions with the Regional Water Board Prosecution Team;
 - d. Propose a Supplemental Environmental Project (SEP), where partial payment of the penalty may be deferred towards completion of an environmental project (see the enclosed SEP Policy for more information on such projects).

The Waiver, attached to the Complaint, describes these options in further detail, and it also provides the deadline for submitting an SEP proposal (if this option is selected). To pursue one of these options, **the Waiver must be signed, dated, and received by Bruce Wolfe of the Regional Water Board Advisory Team with a copy to the Prosecution Team contact listed below no later than 5:00 p.m. on August 16, 2010. It is at the discretion of the Regional Water Board Advisory Team to either accept or deny a waiver request.**

Please refer to the letterhead for our mailing address and fax number. If you wish to communicate directly with the Prosecution Team regarding the Complaint, please contact Brian Thompson at (510) 622-2422 or brthompson@waterboards.ca.gov.

Sincerely,



Thomas Mumley
Assistant Executive Officer

Enclosures: ACL Complaint No. R2-2010-0094 and associated, case-specific documents:

- Waiver Form
- Administrative Civil Liability Assessment
- Hearing Procedure
- Public Notice

Administrative Civil Liability Fact Sheet

State Water Resources Control Board Policy on Supplemental Environmental Projects, February 3, 2009.

cc: Regional Water Board Lyris Enforcement email list
Bruce H. Wolfe, Regional Water Board Advisory Team
Dorothy Dickey, State Water Board, Office of the Chief Counsel
Reed Sato, State Water Board, Office of Enforcement
Eileen Fanelli, Presidio Trust
Bob Boggs, California Department of Toxics Substances Control
Ryan Miya, California Department of Toxics Substances Control
Brian Ullensvang, National Park Service
Doug Kern, Presidio Restoration Advisory Board Co-Chair