

SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD

NOTICE OF PROPOSED SETTLEMENT WITH
C&H SUGAR, INC.

FOR ALLEGED VIOLATIONS OF NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM ("NPDES") PERMIT NO. CA0005240, WASTE
DISCHARGE REQUIREMENTS ORDER NO. R2-2007-0032.

WRITTEN COMMENTS DUE NO LATER THAN
5:00 P.M., January 4, 2011

On or after January 4, 2011, the San Francisco Bay Regional Water Quality Control Board, (Regional Water Board) or its delegee will consider approval of a proposed settlement with C&H Sugar Company, Inc. to impose an administrative civil liability in the amount of \$200,000 for alleged violations of National Pollutant Discharge Elimination System ("NPDES") Permit No. CA0005240, Waste Discharge Requirements Order No. R2-2007-0032, arising out of two discharges from the C&H Sugar Refinery to the Carquinez Strait. The first discharge occurred on October 16, 2009, and consisted of approximately 5,093 gallons of soft sugar liquor (containing an estimated 35,000 pounds of sugar), mixed with approximately 243,000 gallons of cooling water. The second discharge occurred on June 21, 2010, of approximately 3,957 gallons of sucrose (containing an estimated 33,000 pounds of sugar), mixed with approximately 520,000 gallons of cooling water. C&H Sugar Company, Inc. and the Regional Water Board's Prosecution Team have entered into a tentative settlement for these alleged violations, and have agreed to jointly seek the Regional Water Board's approval of that settlement through the adoption of a Stipulated Administrative Civil Liability Order. The proposed Order is available on the Regional Water Board's website at www.waterboards.ca.gov/sanfranciscobay/. Persons may comment on the proposed settlement by submitting written comments no later than 5:00 p.m. on January 4, 2011. Written comments should include "C&H Sugar Company, Inc.; Proposed Stipulated Order" in the subject line, and should be submitted to the attention of Myriam Zech, San Francisco Bay Regional Water Quality Control Board, 1515 Clay Street, Suite 1400, Oakland, CA 94612 or MZech@waterboards.ca.gov. If the Regional Water Board or its delegee does not adopt the proposed Order, the matter may be scheduled for an evidentiary hearing at a subsequent Regional Water Board meeting. Please check the Regional Water Board's website for any updates on this matter.