

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

NOTICE OF PROPOSED SETTLEMENT AGREEMENT AND STIPULATED ORDER

in the matter of

Guadalupe Rubbish Disposal Company, Inc.  
Guadalupe Recycling and Disposal Facility,  
15999 Guadalupe Mines Road, San Jose, Santa Clara County

The California Regional Water Quality Control Board, San Francisco Bay Region (Water Board) Prosecution Team and Guadalupe Rubbish Disposal Co. have entered into a proposed Settlement Agreement and Stipulated Order. The proposed Settlement Agreement and Stipulated Order impose an administrative civil liability against Guadalupe Rubbish Disposal Co., Inc. in the amount of \$167,285 for an alleged discharge to an unnamed tributary of McAbee Creek in late December 2010.

This proposed liability is based on allegations of a release of landfill gas condensate from a storage container at the Landfill Gas Recovery Facility. The condensate flowed into the Landfill's stormwater detention basin and mixed with stormwater before discharging into the McAbee Creek tributary. An estimated 31,202 gallons of condensate-contaminated stormwater discharged over a three-day period in violation of Prohibitions 4, 6, 7 and 8 of Waste Discharge Requirements Order No. 01-050, prohibitions 1 and 2 of the Industrial Storm Water General Permit; Clean Water Act Section 301, and California Water Code section 13376.

The proposed Settlement Agreement and Stipulated Order are available at [http://www.waterboards.ca.gov/sanfranciscobay/public\\_notices/pending\\_enforcement\\_shtml](http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement_shtml). Persons may comment on the proposed Settlement Agreement and Stipulated Order by submitting written comments no later than 5:00 p.m. on July 9, 2012.

For additional information and updates, please contact prosecutorial staff Laurent Meillier at 510-622-3277 or [LMeillier@waterboards.ca.gov](mailto:LMeillier@waterboards.ca.gov) or check the Water Board website link cited above for documents and future developments associated with this matter.

Dated: June 8, 2012