

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

NOTICE OF PROPOSED SETTLEMENT AGREEMENT AND STIPULATED ORDER
in the matter of
INDUSTRIAL FACILITIES
OPERATING AN INDUSTRIAL FACILITY WITHOUT A STORM WATER
DISCHARGE PERMIT

The California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board) Prosecution Team and each of the four industrial facilities listed below (Dischargers) have entered into proposed Settlement Agreement and Stipulated Orders. The proposed settlements would impose an administrative civil liability against each Discharger for the alleged violation of operating an industrial facility without a storm water discharge permit. The liability against Dischargers 1-2 listed below is \$5,000 for failing to recertify for Notice of Intent (NOI) coverage, and the liability for Dischargers 3-4 is \$1,000 for failing to recertify for No Exposure Certification (NEC) coverage.

1. Advanced Surface Finishing Inc, Santa Clara County (NOI coverage)
2. Precision Technical Coating, Alameda County (NOI coverage)
3. Rutherford Grove Winery, Napa County (NEC coverage)
4. Santay Granite, Santa Clara County (NEC coverage)

The proposed liability is based on allegations that the Dischargers violated section II.B.4 of the General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 2014-0057-DWQ, National Pollutant Discharge Elimination System (NPDES) No. CAS000001, by failing to recertify for continued coverage under the new permit by July 1, 2015, for NOI coverage, or by October 1, 2015, for NEC coverage. The State Water Resources Control Board sent notices of noncompliance as required by the California Water Code, section 13399.30, on October 30, 2015, and December 11, 2015. The Dischargers failed to recertify by December 28, 2015. Dischargers 1-2 are subject to a mandatory penalty of \$5,000 pursuant to California Water Code section 13399.33(a)(1) and Dischargers 3-4 are subject to \$1,000 pursuant to California Water Code section 13399(b).

The proposed Settlement Agreement and Stipulated Orders (“conditional offers” comprised of the Acceptance of Conditional Resolution, Waiver to Right to a Hearing, and tentative order) are available at http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml. Persons may comment on the proposed Settlement Agreement and Stipulated Orders by submitting written comments no later than 5:00 p.m. on February 22, 2017.

For additional information and updates, please contact prosecutorial staff Brian Thompson at (510) 622-2422 or Brian.Thompson@waterboards.ca.gov or check the Regional Water Board website link cited above for documents and future developments associated with this matter.

Dated: January 23, 2017