

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

NOTICE OF
PROPOSED SETTLEMENT AGREEMENT AND STIPULATED ORDER
in the matter of
CONSTRUCTION FACILITIES SUBMITTING THEIR ANNUAL REPORTS LATE
FOR THE 2016/2017 FISCAL YEAR

Staff at the California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board) and the construction facility listed below (Discharger) have entered into a proposed Settlement Agreement and Stipulated Order. The proposed settlement would impose a minimum penalty of \$1,000 for failing to submit their annual report of stormwater discharge for the 2016/17 reporting year by September 1, 2017.

- Sunpower Corporation- Reid Hillview Airport, Santa Clara County

The proposed liability is based on the following. The Discharger allegedly violated section XVI of the Construction Stormwater General Permit by failing to submit an annual report of stormwater discharge for the 2016/17 reporting year by the September 1, 2017 deadline. Staff at the Regional Water Board prosecuting this matter sent two notices of noncompliance as specified in California Water Code section 13399.31: one on October 4 and one on November 9, 2017. The Dischargers failed to submit an annual report by the deadlines cited in those notices.

The proposed Settlement Agreement and Stipulated Order is a “conditional offer” that waive a hearing before the Regional Water Board and include a tentative order to impose the minimum penalty. The proposed Settlement Agreement and Stipulated Order are available at for review at http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtm. Persons may submit written comments on the proposed Settlement Agreement and Stipulated Orders in the following link: https://www.waterboards.ca.gov/sanfranciscobay/public_notices/ by no later than 5:00 p.m. on December 26, 2018.

For additional information and updates, please contact prosecutorial staff Jack Gregg at 510-622-2437 or Jack.Gregg@waterboards.ca.gov or check the Regional Water Board website linked above to see associated documents and check for future announcements regarding with this matter.

Dated: February 1, 2019