

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

NOTICE OF PROPOSED SETTLEMENT AGREEMENT AND STIPULATED ORDER
in the matter of
INDUSTRIAL FACILITIES SUBMITTING THEIR ANNUAL REPORTS LATE FOR THE
2017/2018 FISCAL YEAR

The California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board) Prosecution Team and each of the three industrial facilities listed below (Dischargers) have entered into a proposed Settlement Agreement and Stipulated Orders. The proposed settlements impose a mandatory minimum penalty against each Discharger in the amount of \$1,000 for the alleged violation of submitting their Annual Report late for the 2017/2018 reporting year by July 15, 2018.

- MedPlast Fremont, Alameda County
- Refund Recycle Center LLC, Alameda County
- Kerry Inc, Alameda County

This proposed liability is based on allegations for Dischargers that violated section XVI of the Industrial Stormwater General Permit by failing to submit an annual report for the 2017/2018 reporting year by July 15, 2018. The Water Board sent notices of noncompliance as required by Water Code section 13399.31 on August 22, 2018 and October 1, 2018. The Dischargers failed to submit the annual report by the deadlines in those notices of noncompliance.

The proposed Settlement Agreement and Stipulated Orders (“conditional offers” comprised of the Acceptance of Conditional Resolution, Waiver of Right to Hearing, and tentative order) and stipulated orders are available at 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 May 7, 2019.

For additional information and updates, please contact prosecutorial staff Jerry Xu at 510-622-2469 or Jerry.Xu@waterboards.ca.gov or check the Regional Water Board website link cited above for documents and future developments associated with this matter.

Dated: April 8, 2019