

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

NOTICE OF PROPOSED SETTLEMENT AGREEMENT AND STIPULATED ORDER
in the matter of

**SAN JOSE WATER COMPANY
UNAUTHORIZED DISCHARGE OF 110,250 GALLONS OF CHLORINATED
POTABLE WATER TO BABB CREEK
SAN JOSE, SANTA CLARA COUNTY**

The California Regional Water Quality Control Board, San Francisco Bay Region (Water Board) Prosecution Team and San Jose Water Company (Discharger) have entered into a proposed Settlement Agreement and Stipulated Order (proposed settlement order). The proposed settlement order imposes an administrative civil liability against the Discharger in the amount of \$75,000 for an alleged unauthorized discharge of chlorinated potable water to waters of the United States, which resulted in a fish kill.

The proposed liability is based on allegations that the Discharger violated Statewide NPDES Permit for Drinking Water System Discharges, Order WQ 2014-014-0194 section V.E on September 10, 2017.

The proposed settlement would allow \$37,500 to be suspended pending completion of a supplemental environmental project that includes a \$20,000 grant and \$17,500 in engineering and technical services by the Discharger to the California-Nevada Section of the American Water Works Association to update the *Best Management Practices Manual for Drinking Water Systems Releases* (BMPs Manual), publicize, and provide training and workshops on the updated BMPs Manual.

The proposed settlement order is available at http://www.waterboards.ca.gov/sanfranciscobay/public_notices/pending_enforcement.shtml. Persons may comment on the proposed settlement order by submitting written comments no later than 5:00 p.m. on August 20, 2018.

For additional information and updates, please contact prosecution staff Habte Kifle at (510) 622-2371 or Habte.Kifle@waterboards.ca.gov or check the Water Board website link cited above for documents and future developments associated with this matter.

Dated: July 20, 2018