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## Santa Ana Regional Water Quality Control Board

### **WAIVER FORM FOR MANDATORY MINIMUM PENALTY COMPLAINT NO. R8-2022-0030**

By signing this waiver, I affirm and acknowledge the following:

I am duly authorized to represent Myers and Sons Construction, LLC (Discharger) in connection with Mandatory Minimum Penalty Complaint No. R8-2022-0030 (Complaint). I am informed that California Water Code section 13323, subdivision (b), states that, “a hearing before the regional board shall be conducted within 90 days after the party has been served. The person who has been issued a complaint may waive the right to a hearing.”



***(OPTION 1: Check here if the Discharger waives the hearing requirement and will pay the liability in full.)***

- a. I hereby waive any right the Discharger may have to a hearing before the Santa Ana Water Board.
- b. I certify that the Discharger will remit payment for the proposed administrative civil liability in the full amount of **three thousand two hundred and fifty-nine dollars (\$3,259)** by submitting a check made payable to the “*Waste Discharge Permit Fund*,” that references “Complaint No. R8-2022-0030.”
- c. I understand the payment of the above amount constitutes a proposed settlement of the Complaint, and that any settlement will not become final until after the 30-day public notice and comment period. Should the Santa Ana Water Board receive significant new information or comments from any source (excluding the Santa Ana Water Board’s Prosecution Team) during this comment period, the Santa Ana Water Board’s Executive Officer may withdraw the Complaint, return payment, and issue a new complaint. I understand that this proposed settlement is subject to approval by the Santa Ana Water Board (or the Santa Ana Water Board’s delegee) and that the Santa Ana Water Board may consider this proposed settlement in a public meeting or hearing. I also understand that approval of the settlement will result the Discharger having waived the right to contest the allegations in the Complaint and the imposition of civil liability.

- d. I understand that payment of the above amount is not a substitute for compliance with applicable laws and that continuing violations of the type alleged in the Complaint may subject the Discharger to further enforcement, including additional civil liability.

Upon execution by the Discharger, the completed Acceptance and Waiver should be mailed to the following:

Keith Elliott, Inland Storm Water Unit  
Expedited Payment Letter  
Santa Ana Regional Water Quality Control Board  
3737 Main Street, Suite 500  
Riverside, CA 92501

The Discharger further understands that once this Acceptance and Waiver is executed by the Santa Ana Water Board Executive Officer, the full payment required by the deadline set forth below is a condition of this Acceptance and Waiver. In accordance with California Water Code section 13399.37(a), funds collected for violations pursuant to section 13399.33 shall be deposited in the Waste Discharge Permit Fund. Accordingly, the **three thousand two hundred and fifty-nine dollars (\$3,259)** liability, including staff costs, shall be paid by a cashiers or certified check made out to the "State Water Resources Control Board" referencing this Order number for deposit into the Waste Discharge Permit Fund. The payment must be submitted to the State Water Resources Control Board no later than thirty (30) calendar days after the date the Acceptance and Waiver is executed by the Santa Ana Water Board Executive Officer.

Please mail check to:

State Water Resources Control Board  
Re: Order No. R8-2021-0073  
Division of Administrative Services, Accounting Branch  
1001 I Street, 18<sup>th</sup> Floor, 95814  
P.O. Box 1888  
Sacramento, CA 95812-1888

