

**State Water Resources Control Board**

**PUBLIC NOTICE OF ACCEPTANCE OF CONDITIONAL EARLY SETTLEMENT WITH UNI-KOOL PARTNERS FOR MANDATORY MINIMUM PENALTIES**

FOR ALLEGED VIOLATIONS ASSOCIATED WITH VEGETABLE PACKING FACILITY OPERATIONS

WRITTEN COMMENTS DUE NO LATER THAN  
**5:00 P.M., February 16, 2018**

On or after February 16, 2018, the State Water Resources Control Board (State Water Board) or its delegee will consider approval of a proposed settlement with the Uni-Kool Partners to resolve alleged violations associated with the operation of its Vegetable Packing Facility, which are subject to mandatory minimum penalty (MMP) pursuant to California Water Code subsections 13385(h) and (i). Final calculation of MMP amounts owed is listed below:

Violation Number	Violation Date	Pollutant	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious	No. of Viols within 180 days	Penalty
645843	06/07/2007	pH	Instantaneous Maximum	8.3	8.4	SU	N/A	N/A	1	\$ 0
645845	06/07/2007	Nitrate (as N)	Daily Maximum	10	27	mg/L	170	S	N/A	\$ 3,000
645844	06/07/2007	Boron, Total	Daily Maximum	0.5	0.8	mg/L	60	S	N/A	\$ 3,000
698981	08/08/2007	pH	Instantaneous Maximum	8.3	8.4	SU	N/A	N	4	\$ 3,000
743955	10/08/2007	pH	Instantaneous Maximum	8.3	8.4	SU	N/A	N	5	\$ 3,000
906094	05/12/2011	Settleable Solids	Maximum Daily	0.3	1	ml/L	233	S	N/A	\$ 3,000
911236	08/10/2011	Settleable Solids	Maximum Daily	0.3	0.5	ml/L	67	S	N/A	\$ 3,000
911235	09/06/2011	Settleable Solids	Maximum Daily	0.3	0.6	ml/L	100	S	N/A	\$ 3,000
911237	09/22/2011	Settleable Solids	Maximum Daily	0.3	0.4	ml/L	33	N	4	\$ 3,000
918077	10/25/2011	Dissolved Oxygen	Instantaneous Minimum	5.0	4.9	mg/L	N/A	N	5	\$ 3,000
1004907	04/19/2012	Biochemical Oxygen Demand	Maximum Daily	90	210	mg/L	133	S	N/A	\$ 3,000
931829	04/30/2012	Biochemical Oxygen Demand	Monthly Average	60	210	mg/L	250	S	N/A	\$ 3,000
931827	05/22/2012	Biochemical Oxygen Demand	Maximum Daily	90	516	ml/L	473	S	N/A	\$ 3,000
1004908	05/31/2012	Biochemical Oxygen Demand	Monthly Average	60	516	mg/L	760	S	N/A	\$ 3,000
938580	07/12/2012	Dissolved Oxygen	Instantaneous Minimum	5	0	mg/L	N/A	N	6	\$ 3,000
1004892	07/31/2012	Biochemical Oxygen Demand	Monthly Average	60	76	mg/L	27	N	6	\$ 3,000
938581	08/07/2012	Dissolved Oxygen	Instantaneous Minimum	5	0	mg/L	N/A	N	8	\$ 3,000
938579	08/07/2012	Biochemical Oxygen Demand	Maximum Daily	90	116	mg/L	29	S	N/A	\$ 3,000
1004901	08/29/2012	Flow	Daily Discharge	0.10	0.11	MGD	N/A	N	10	\$ 3,000

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Violation Number	Violation Date	Pollutant	Limitation Period	Limit	Result	Units	% Over Limit	Serious or Non-Serious	No. of Viols within 180 days	Penalty
1004893	08/31/2012	Biochemical Oxygen Demand	Monthly Average	60	116	mg/L	93	S	N/A	\$ 3,000
938577	09/06/2012	Dissolved Oxygen	Instantaneous Minimum	5	0	mg/L	N/A	N	12	\$ 3,000
938578	09/06/2012	Biochemical Oxygen Demand	Maximum Daily	90	292	mg/L	224	S	N/A	\$ 3,000
1004902	09/29/2012	Flow	Daily Discharge	0.10	0.11	MGD	N/A	N	14	\$ 3,000
1004895	09/30/2012	Total Dissolved Solids	Monthly Average	1300	1338	mg/L	3	N	15	\$ 3,000
1004896	09/30/2012	Total Suspended Solids	Monthly Average	60	80	mg/L	33	N	16	\$ 3,000
1004894	09/30/2012	Biochemical Oxygen Demand	Monthly Average	60	292	mg/L	387	S	N/A	\$ 3,000
942659	10/09/2012	Settleable Solids	Maximum Daily	0.3	0.4	ml/L	33	N	18	\$ 3,000
1004904	10/31/2012	Biochemical Oxygen Demand	Monthly Average	60	70	mg/L	17	N	16	\$ 3,000
1004905	10/31/2012	Flow	Daily Discharge	0.10	0.11	MGD	N/A	N	17	\$ 3,000
1004911	05/08/2013	pH	Instantaneous Maximum	8.3	8.4	SU	N/A	N/A	1	\$ 0
951764	06/04/2013	pH	Instantaneous Maximum	8.3	8.6	SU	N/A	N/A	2	\$ 0
964629	07/02/2013	pH	Instantaneous Maximum	8.3	8.5	SU	N/A	N/A	3	\$ 0
957549	09/06/2013	Total Dissolved Solids	Monthly Average	1300	1320	mg/L	2	N	4	\$ 3,000
964639	10/28/2013	Selenium, Total	Monthly Average	4.1	10	ug/L	144	S	N/A	\$ 3,000
964640	10/28/2013	Selenium, Total	Daily Maximum	8.2	10	ug/L	22	S	N/A	\$ 3,000
968072	03/06/2014	Selenium, Total	Monthly Average	4.1	9	ug/L	120	S	N/A	\$ 3,000
973714	06/24/2014	Selenium, Total	Monthly Average	4.1	12	ug/L	193	S	N/A	\$ 3,000
973713	06/24/2014	Selenium, Total	Daily Maximum	8.2	12	ug/L	46	S	N/A	\$ 3,000
974386	06/30/2014	Total Dissolved Solids	Monthly Average	1300	1417	mg/L	9	N	5	\$ 3,000
979117	09/04/2014	Selenium, Total	Monthly Average	4.1	10	ug/L	144	S	N/A	\$ 3,000
979118	09/04/2014	Selenium, Total	Maximum Daily	8.2	10	ug/L	22	S	N/A	\$ 3,000
994101	06/09/2015	Selenium, Total	Daily Maximum	8.2	67	ug/L	717	S	N/A	\$ 3,000
994103	06/30/2015	Selenium, Total	Monthly Average	4.1	67	ug/L	1534	S	N/A	\$ 3,000
1029001	06/30/2017	Bis (2-Ethylhexyl) Phthalate	Monthly Average	1.8	2.8	ug/L	56	S	N/A	\$ 3,000

Per the conditions of the Uni-Kool Expedited Payment Program Offer (Offer), Uni-Kool Partners (Uni-Kool) signed the *Acceptance of Conditional Resolution and Waiver of Right to Hearing; Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order No. OE-2018-XXXX (Acceptance and Waiver)*, hereby published on January 16, 2018 for public comment through February 16, 2018. The Offer proposes to resolve mandatory liability in the amount of \$120,000 in response to effluent limit violations that occurred from June 7, 2007 through June 30, 2017. Uni-Kool has agreed to pay the maximum allowable portion of the Expedited Payment Amount of \$67,500 toward the Supplemental Environmental Project (SEP) Central Coast

Ambient Monitoring Program-Groundwater Assessment and Protection (CCAMP-GAP) project and the remaining amount of \$52,500 to the State Water Resources Control Board Cleanup and Abatement Account.

Persons may comment on the proposed settlement by submitting written comments no later than **5:00 p.m. on February 16, 2018**. Written comments should include “Uni-Kool Partners Vegetable Packing Facility Proposed Settlement” in the subject line and should be submitted to the attention of Ms. Erin Mustain, State Water Resources Control Board, Office of Enforcement, 801 K Street, Suite 2300, Sacramento, CA 95814, or by email at [erin.mustain@waterboards.ca.gov](mailto:erin.mustain@waterboards.ca.gov). If the State Water Board or its delegee does not approve the proposed settlement, the matter may be scheduled for an evidentiary hearing at a subsequent State Water Board meeting. Please check the State Water Board’s website for any updates on this matter.