

SUMMARY OF WATER QUALITY ORDER

ORDER NO.	WQ 2008-0001
DATE ADOPTED	January 15, 2008
PETITION TITLE	City of Arcata
POPULAR NAME [if applicable]	N/A
REGIONAL BOARD	North Coast Regional Water Quality Control Board
FILE NO[S]	SWRCB/OCC File A-1754

NON-PRECEDENTIAL DECISION

On May 17, 2006, the North Coast Regional Water Quality Control Board (North Coast Water Board) issued Administrative Civil Liability Order No. R1-2006-0054 (MMP Order), which assessed \$297,000 in mandatory minimum penalties (MMPs) against the City of Arcata (City). The City filed a timely petition. In response to the petition, the North Coast Water Board identified three errors in the MMP Order and expressed its desire to revise it accordingly.

In the non-precedential order, the State Water Resources Control Board (State Water Board) reviews and revises the MMP Order on its own motion. It agrees with the North Coast Water Board that three MMP assessments were erroneous because they were based on alleged "violations" that in fact complied with the underlying NPDES permit. The order revises the MMP Order to eliminate all references to those "violations."

The order also corrects a calculation error identified by the State Water Board; it revises the MMP Order to eliminate an MMP assessment for a permit violation that was not subject to MMPs. In total, the order reduces the MMP assessment from \$297,000 to \$285,000.