

**17/18 FEBRUARY 2022 BOARD MEETING
CONTESTED AGENDA ITEM**

AGENDA ITEM: 21

SUBJECT:

Consideration of an order vacating an enforcement order

BOARD ACTION:

Consideration of Proposed Order Vacating Administrative Civil Liability (ACL) Order R5-2016-0002, in the Matter of Malaga County Water District, Wastewater Treatment Facility, Fresno County

BACKGROUND:

On 21 April 2016, the Central Valley Water Board issued ACL Order R5-2016-0002 to Malaga County Water District (Malaga) for violations of its Waste Discharge Requirements/NPDES Permit and Cease and Desist Order. Malaga filed a Petition for Writ of Mandate with the Fresno County Superior Court. Following several years of litigation, the Fresno County Superior Court issued a Writ of Mandate directing the Board to set aside ACL Order R5-2016-0022 and file a return by February 28, 2022.

Board staff circulated the proposed Order to Malaga and the Prosecution Team on 7 January 2022 with comments requested by 5:00 pm on 24 January 2022. Malaga provided comments on the proposed Order, which are addressed in response to comments. The proposed Order has been revised in response to comments received.

RECOMMENDATION:

Adopt the Order Vacating Administrative Civil Liability Order R5-2016-0002

REVIEWS:

Management Review:	
Legal Review:	

BOARD MEETING LOCATION:

Central Valley Regional Water Quality Control Board meeting
11020 Sun Center Dr. #200
Rancho Cordova, CA 95670

Internet Zoom Meeting