

73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260  
(760) 346-7491

Public Notice 7-21-42  
November 23, 2021  
NPDES Nos. CA0104523

## NOTICE OF OPPORTUNITY TO COMMENT

### PROPOSED RESOLUTION OF VIOLATIONS CONDITIONAL SETTLEMENT OFFER NO. R7-2021-0042 FOR CITY OF BRAWLEY, OWNER/OPERATOR CITY OF BRAWLEY WASTEWATER TREATMENT PLANT IMPERIAL COUNTY

**NOTICE IS HEREBY GIVEN THAT** the California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) is releasing for public comment a proposed resolution of discharge limit violations subject to mandatory minimum penalties pursuant to California Water Code (Water Code) section 13385, subdivisions (h) and (i).

On November 18, 2021, the Assistant Executive Officer of the Colorado River Basin Water Board signed the Proposed Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order No. R7-2021-0042 (Stipulated Order) issued to the City of Brawley (Discharger), Owner/Operator of the City of Brawley Wastewater Treatment Plant, to resolve effluent limit violations of Waste Discharge Requirements (WDR) Order No. R7-2015-0004 (NPDES No. CA0104523) without a formal enforcement proceeding.

The Discharger and Colorado River Basin Water Board Prosecution Team (collectively, Parties) have entered into a tentative settlement to resolve the violations alleged in the Stipulated Order. As a result, the Parties have agreed to settle the matter. The Prosecution Team believes that the resolution of the alleged violations is fair and reasonable and fulfills the Prosecution Team's enforcement objectives, that no further action is warranted concerning the specific violations, and that the Stipulated Order is in the public's best interest.

Accordingly, to resolve the alleged violations by consent and without further administrative proceedings, the Parties have agreed to the final imposition of an administrative civil liability against the Discharger in the amount of **\$48,000**. The Parties have further agreed that \$18,950 will be suspended pending the Discharger's completion of two Supplemental Environmental Projects (SEPs). Additional details concerning this proposed settlement are described in the Stipulated Order.

If no comments are received in opposition to the settlement within the 30-day comment period and no new material facts become available to the Colorado River Basin Water Board, the Executive Officer will execute the Acceptance and Waiver as a Stipulated Order assessing the uncontested mandatory minimum penalty amount pursuant to Water Code sections 13385 and/or 13385.1. If, however, significant comments are received in opposition to the Stipulated Order, the offer may be withdrawn.

## **DOCUMENT AVAILABILITY**

Additional information and relevant documents related to this matter may be reviewed online at [https://www.waterboards.ca.gov/coloradoriver/public\\_notices/](https://www.waterboards.ca.gov/coloradoriver/public_notices/).

If you need a hard copy of the proposed Stipulated Order mailed to you, please contact CJ Jasieniecki by phone at (760) 346-7494 or e-mail at [CJ.Jasieniecki@waterboards.ca.gov](mailto:CJ.Jasieniecki@waterboards.ca.gov).

## **SUBMISSION OF WRITTEN COMMENTS**

The Colorado River Basin Water Board will accept written comments regarding the proposed Stipulated Order during a 30-day public comment period, which begins **November 23, 2021** and ends **December 23, 2021**. Persons wishing to submit written comments on the Stipulated Order are requested to do so as soon as possible, but no later than **5:00 p.m., December 23, 2021**.

Comments should be mailed to the attention of Maribel Pizano at the address shown below, emailed to [Maribel.Pizano@waterboards.ca.gov](mailto:Maribel.Pizano@waterboards.ca.gov), or faxed to the office at (760) 341-6820.

California Regional Water Quality Control Board  
Colorado River Basin Region  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

Please bring the foregoing to the attention of any persons known to you whom would be interested in this matter.

## **ADDITIONAL INFORMATION**

If you have questions concerning this matter, please contact Maribel Pizano at [Maribel.Pizano@waterboards.ca.gov](mailto:Maribel.Pizano@waterboards.ca.gov).