

State Water Resources Control Board

NOTICE OF PROPOSED SETTLEMENT WITH LOS ANGELES DEPARTMENT OF WATER AND POWER

FOR ALLEGED VIOLATIONS OF LOS ANGELES REGIONAL WATER QUALITY
CONTROL BOARD ORDER NO. 00-081

WRITTEN COMMENTS DUE NO LATER THAN
5:00 P.M., July 18, 2013

On or after July 18, 2013, the State Water Resources Control Board, (State Water Board) or its delegee will consider approval of a proposed settlement with the Los Angeles Department of Water and Power (LADWP or Department) to resolve alleged violations that occurred at the Haynes Generating Station (Facility). Complaint No. OE-2011-0040 (Complaint) alleged that the following effluent limits set forth in Order No. 00-081 had been exceeded: arsenic, copper, nickel, zinc, total residual chlorine, free available chlorine, suspended solids (for in-plant waste streams - low volume wastes), biological oxygen demand (BOD) and suspended solids (for in-plant waste streams – sanitary wastes), and Bis (2-ethylhexyl) phthalate totaling four hundred thirty eight thousand dollars (\$438,000.00) in mandatory minimum penalties. Since the issuance of the Complaint, thirty-two (32) of the alleged effluent limit violations were determined to be in error. As a result, with this proposed settlement, the State Water Board is hereby dismissing, with prejudice, those thirty-two (32) violations as reflected in Attachment D of the proposed Stipulated Administrative Civil Liability Order (Stipulated Order). Thus, LADWP has agreed to pay a total three hundred forty two thousand dollars (\$342,000.00) in mandatory minimum penalties.

Out of the three hundred and forty two thousand dollars (\$342,000.00), LADWP and the Prosecution Team have agreed to devote one hundred seventy eight thousand five hundred dollars (\$178,500.00) towards the completion of the San Gabriel River Watershed Low Impact Development Performance Monitoring Supplemental Environmental Project (SEP). The details of the SEP are described in Attachment A of the proposed Stipulated Order.

LADWP and the Prosecution Team have entered into a tentative settlement to resolve any and all claims for civil liability the State Water Board or Regional Board have or may have against LADWP, arising from or relating to the violations of the Order No. 00-081 alleged in Complaint OE-2011-0040 and have agreed to jointly seek the State Water Board's approval of that settlement through the adoption of a Stipulated Order. The proposed Stipulated Order is available on the State Water Board's website at: http://www.swrcb.ca.gov/water_issues/programs/enforcement/orders_actions.shtml

Persons may comment on the proposed settlement by submitting written comments no later than **5:00 p.m. on July 18, 2013** Written comments should include "LADWP; Proposed Stipulated Order" in the subject line, and should be submitted to the attention of Ms.

Mayumi Okamoto, State Water Resources Control Board, Office of Enforcement, 1001 “I” Street, Sacramento, CA, 95814, or by email at mayumi.okamoto@waterboards.ca.gov. If the State Water Board or its delegee does not adopt the proposed Order, 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.