

**PUBLIC NOTICE OF ACCEPTANCE OF CONDITIONAL EARLY SETTLEMENT
OFFER FOR MANDATORY MINIMUM PENALTIES**

**Conditional Early Settlement Offer No. SWB-2008-4-0015A with Mandatory Minimum Penalties
against Linde LLC formerly BOC Gases**

On February 25, 2011, the State Water Resources Control Board (State Board) issued Offer to Participate in Expedited Payment Program No. SWB-2008-4-0015A to Linde LLC, formerly BOC Gases, for alleged violations of Regional Board Order No. R4-2004-0058 for its El Segundo facility. On March 23, 2011, Linde LLC accepted the State Board's offer to participate in the Expedited Payment Program and Waived their right to a hearing. The following table lists this facility's alleged violations of California Water Code sections 13385 (h) and 13385.1 which have not received mandatory minimum penalty assessments by the Water Boards. Final calculation of MMP amounts owed is also listed below.

Violation ID	Occurred Date	Type	MMP Type	Violation Description
879822, 879823, 879824, 879825, 879826, 879827, 879828, 879829, 879830, 879831, 879832, 879833, 879834, 879835, 879836, 879837, 879838, 879839, 879840, 879841, 879842	Report due 2/15/06 Report Rec'd 11/20/07 652 days late	LREP	SIG	4 th Quarter 2005 Quarterly self-monitoring report, submitted 652 days late, no effluent limit violations occurred, subject to 13385.1(b).
696635, 877842, 877843, 877844, 877845, 877846, 877847, 877848, 877849, 877850, 877851, 877852, 877853, 877854, 877855, 877856, 877857, 877858	Report due 5/15/06 Report Rec'd 11/20/07 564 days late	LREP	SIG	1 st Quarter 2006 Quarterly self-monitoring report, submitted 564 days late, no effluent limit violations occurred, subject to 13385.1(b).
696636, 877880, 877882, 877885, 877888, 877890, 877892, 877895, 877899, 877901, 877904, 877907, 877909, 877910, 877911	Report due 8/15/06 Report Rec'd 11/20/07 462 days late	LREP	SIG	2 nd Quarter 2006 Quarterly self-monitoring report, submitted 462 days late, no effluent limit violations occurred, subject to 13385.1(b).
696637, 877860, 877861, 877862, 877863, 877864, 877865, 877866, 877867, 877868, 877869, 877870	Report due 11/15/06 Report Rec'd 11/20/07 370 days late	LREP	SIG	3 rd Quarter 2006 Quarterly self-monitoring report, submitted 370 days late, no effluent limit violations occurred, subject to 13385.1(b).
696639, 877871,	Report due	LREP	SIG	4 th Quarter 2006 Quarterly self-

877872, 877873, 877874, 877875, 877876, 877877, 877878	2/15/07 Report Rec'd 11/20/07 278 days late			monitoring report, submitted 278 days late, no effluent limit violations occurred, subject to 13385.1(b).
696642, 877913, 877914, 877915, 877916, 877917	Report due 5/15/07 Report Rec'd 11/20/07 189 days late	LREP	SIG	1 st Quarter 2007 Quarterly self- monitoring report, submitted 189 days late, no effluent limit violations occurred, subject to 13385.1(b).
696643, 877918, 877919	Report due 8/15/07 Report Rec'd 11/20/07 97 days late	LREP	SIG	2 nd Quarter 2007 Quarterly self- monitoring report, submitted 97 days late, no effluent limit violations occurred, subject to 13385.1(b).
810970	Report due 5/15/08 Report Rec'd 6/17/08 33 days late	LREP	SIG	1 st Quarter 2008, Quarterly self- monitoring report, submitted 33 days late.
879928	4/23/08	CAT2	SIG	Daily Max effluent residual chlorine (1.0 / 0.1 mg/L)
879927	5/22/09	CAT2	SIG	Daily Max effluent residual chlorine (0.25 / 0.1 mg/L)
880466	6/04/09	CAT2	SIG	Daily Max effluent residual chlorine (0.25 / 0.1 mg/L)
885320	9/29/10	CAT2	SIG	Daily Max effluent residual chlorine (0.709 / 0.1 mg/L)

EXPEDITED PAYMENT AMOUNT:

Mandatory Minimum Penalty Amount Owed for Effluent Violations

(4 Serious Violations + 0 Non-Serious Violations) × \$3,000 = \$12,000 to the Cleanup & Abatement Account

Mandatory Minimum Penalty Amount Owed for Reporting Violations

(8 Late Reporting Violations) × \$3,000 = \$24,000 to the Cleanup & Abatement Account

Written comments regarding the Expedited Payment Program and Waiver will be accepted through May 1, 2011. For more information, please contact Mayumi Okamoto at (916) 341-5674.