

November 17, 2021

RE: Agenda item 6. In the Matter of Charles Grace; FPPC No. 20/416.

Dear Chair Miadich and Commissioners,

Thank you for initiating the investigation into the 1090 Violation that occurred on January 20, 2016 in the matter of Charles Grace. When a 1090 violation occurs, Democracy is harmed. Thank you for recognizing that the fact that Mr. Grace was negotiating his own contract, influencing the public who may have wanted to speak to it and the Board who would vote on it. This act was harmful to the community and is an inherent conflict in the contract. From that day forward, it was believed that Mr. Grace was the San Simeon Community Services District (SSCSD) General Manager. Only recently, as part of these proceedings and the SLO County District Attorney's investigation into Mr. Grace, does the harmful "General Manager" question come into play.

As a former elected official and San Luis Obispo County Activist for 20 years, please accept these observations into the majority of comment letters supporting Charles Grace.

Many of the support letters submitted to your agency are penned by nine previous and current SSCSD Board members. Additional letters are from previous employees, a current employee, an SSCSD contract videographer and an SSCSD engineering consultant. All have been paid as employees (benefitted as spouses) or consultants by the District.

Of these authors, several individuals are also under investigation by the FPPC. Gwen Kellas, SSCSD current Board Chair, and Mary Margaret McGuire (past Board Chair, resigned in April 2020), former Board members, William Maurer (wife Jill signed) and John Russell (also a former Chair) are all under investigation by your agency for conflicts of interest.

Current SSCSD Board member Will Carson (wife Mary signed), is the subject of a conflict of interest complaint filed in October of this year.

Ralph McAdams was the Chair of the SSCSD Board and presided over the contract discussion when the 1090 Conflict violation occurred. Board member Dan Williams was also at the dais at the same time the contract discussion took place when the 1090 Conflict occurred, and later served as Chair.

Additional former Board members, Julia Stanert and former SSCSD Chair Terry Lambeth (wife Maren signed) served on either side of the 2016 inherently conflicted contract.

Current GES/SSCSD employee, Jerry Copeland, has been the lead water and wastewater operator for many years.

Former District Administrator/Grant Writer for SSCSD and GES Renee Osborne (and her husband Rolan [sic] Osborne) submitted comment. Renee was seated to the right of Mr. Grace during the January 20, 2016, Board meeting, she witnessed the 1090 violation first hand.

Former GES employee Dane Lundy, who also wrote a letter, was once married to Renee Osborne.

Lori Matther was contracted to perform videography services for the SSCSD this past August. Prior to that, Ms. Matther was contracted to videotape the District Board meetings by Michael Hanchett (he is on record stating he paid \$70,000 for these since 1997). Mr. Hanchett SSCSD Water and Budget committee member and manages the largest property holdings in the community of San Simeon and that company (hotels and restaurant) is its largest employer. Mr. Hanchett is also under investigation by the FPPC for conflict of interest.

Mr. Hanchett has written to your Commission, spearheading the form letter signing campaign that includes his signature and he has signed the Chamber of Commerce submission included in the record.

Most of the signatories have not attended or been involved in SSCSD meetings in the last year and half that I have been attending. It is unclear if the majority of these signatories have ever met Charles Grace, or if they are signing because Mr. Hanchett, a man of great influence, asked them to. It does not go unnoticed that no Spanish version of the letter was submitted. San Simeon is comprised of a majority population of Latinx.

Jon Turner is the contract engineer for the district. He has made hundreds of thousands of dollars in sole sourced contracts with SSCSD.

What may not be evident to the authors and signatories supporting Mr. Grace, or to your Commission, is that he is no stranger to disciplinary proceedings with a State agency. In 2004, Mr. Grace worked for ECO Resources Inc. and managed the SSCSD and Santa Paula wastewater treatment plants. These plants were found to have violated their waste discharge requirements (over 300 times combined) along with another 11 of ECO Resources Inc. managed wastewater treatment plants -- also managed by ECO Resources Inc. ECO Resources was fined and paid a \$1,000,000 fine for all the violations, including those plants managed by Charles Grace. (Order WQ-2011-0001-EXEC Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order attached).

Mr. Grace himself went through disciplinary proceedings and was required to pay \$30,000 to the State Water Board and was ordered to surrender his Grade V Operator's Certification. Today Grace retains a Grade III Operator's Certification (Order WQ 2011-

From the Desk of Julie Tacker

00016-EXEC Imposing Operator Certification Discipline Pursuant to Settlement Agreement attached).

Mr. Grace's leadership has harmed the community. Mr. Grace, as signatory on grant applications mislead State and Federal providers. The District paid environmental and engineering consultants to advance these applications, costing thousands of dollars for grants the District wasn't eligible for.

Had the 1090 violation not occurred in 2016 a very different picture may have played out for San Simeon. Please also note that additional complaints have been filed with your Commission against Mr. Grace in recent months.

Democracy was harmed by the 1090 violation. The community of San Simeon was harmed by the 1090 violation.

Thank you again for your diligence in this matter, please feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "Julie Tacker".

Julie Tacker
P.O. Box 6070
Los Osos, CA 93412
805-235-8262

STATE WATER RESOURCES CONTROL BOARD

In the matter of:

MR. CHARLES GRACE

)
) **ORDER WQ 2011-0016-EXEC**

) Imposing Operator Certification Discipline
) Pursuant to Settlement Agreement
)
)
)

INTRODUCTION:

This Stipulated Order imposing Operator Certification Discipline (hereafter "Stipulated Order") is entered into by and between the Director of the Office of Enforcement of the State Water Resources Control Board ("State Water Board"), and Mr. Charles Grace (collectively "Parties," and individually, a "Party") and is presented to the State Water Board's Executive Director for adoption as an Order by settlement, pursuant to Government Code section 11415.60.

RECITALS:

WHEREAS, Mr. Charles Grace is certified by the State Water Board as a Grade V wastewater treatment plant operator.

WHEREAS, Mr. Grace, at certain times, was a supervising operator of the San Simeon Wastewater Treatment Plant ("WWTP") and the now closed Santa Paula WWTP.

WHEREAS, the Office of Enforcement issued a Letter of Proposed Disciplinary Action on January 12, 2009, alleging that Mr. Grace engaged in certain conduct between approximately 2004 and 2006 while employed as an operator at the San Simeon and Santa Paula WWTPs, which the Office of Enforcement contended subjected him to discipline pursuant to Water Code section 13627(e) and California Code of Regulations, title 23, section 3710.

WHEREAS, Mr. Grace appealed the Office of Enforcement's Letter of Proposed Disciplinary Action on February 12, 2009. The Parties continued to engage in the appeals process described in California Code of Regulations, title 23, section 3711, and the Division of Financial Assistance issued its Final Division Decision on December 10, 2009. On January 15, 2010, Mr. Grace timely filed with the State Water Board a Petition For Review of the Final Division Decision.

WHEREAS, the Parties have engaged in settlement negotiations and agree to settle the matter without further administrative or civil litigation and to avoid continuing to incur costs and expenses, and by presenting this Stipulated Order to the State Water Board for adoption as an Order by settlement, pursuant to Government Code section 11415.60. The Office of Enforcement believes that the resolution of the alleged violations is fair and reasonable and fulfills its enforcement objectives, that no further action is warranted concerning the specific violations alleged in the Office of Enforcement's initial Letter of Proposed Disciplinary Action, except as provided in the Stipulated Order, and that this Stipulated Order is in the best interest of the public.

THE DIRECTOR OF THE STATE WATER BOARD OFFICE OF ENFORCEMENT AND
MR. CHARLES GRACE HEREBY STIPULATE AS FOLLOWS:

- A. The Parties agree that upon execution by the Executive Director (which date is referred to below as the "Effective Date"), this Stipulated Order represents a final and binding resolution and settlement, as of the Effective Date, of all claims, violations, or causes of action asserted by the Office of Enforcement in the Letter of Proposed Disciplinary Action or as part of the appeals process or which could have been asserted by the Office of Enforcement, based on the specific facts alleged in the Letter of Proposed Disciplinary Action and in the appeals process.
- B. Upon the Effective Date, Mr. Charles Grace shall and does release, discharge, and covenant not to sue or pursue any civil or administrative claims against the State Water Board, including its officers, agents, directors, employees, contractors, subcontractors, attorneys, representatives, predecessors-in-interest, and successors and assigns for any and all claims or causes of action, of every kind and nature whatsoever, in law and equity, whether known or unknown, suspected or unsuspected, foreseen or unforeseen, which arise out of, or are related to, this action. Notwithstanding the foregoing, nothing contained in this Order shall be deemed to preclude Mr. Grace from opposing and raising all applicable defenses and objections with respect to any future claims, proceedings, or actions of any kind by the State Water Board, except as described in Paragraph G, below.
- C. The Parties agree to support, advocate for, and promote the Stipulated Order before the Executive Director.
- D. The Parties covenant and agree that they will not contest the Stipulated Order before the State Water Board, or any court.
- E. This Stipulated Order shall not constitute evidence of, or be construed as, a finding, adjudication, or acknowledgment of any fact, law or liability, nor shall it be construed as admission of violation of any law, rule, or regulation. In that regard, Mr. Grace expressly denies the allegations in the Letter of Proposed Disciplinary Action and/or which have been made by the Office of Enforcement as part of the appeals process, the findings and determinations in the Final Division Decision and any allegations made, contained or referred to in this Stipulated Order and further expressly denies that there is any basis for disciplinary action against him. He further disputes and denies that he willfully or negligently allowed a violation of waste discharge requirements or permits for the WWTPs or failed to use good judgment or care in their operation. He is willing to enter into this Stipulated Order, however, to avoid the expense and uncertainty of further litigation. This Stipulated Order may constitute evidence in actions seeking compliance with this Order. For a period of two years after the Effective Date, this Stipulated Order may also be used as evidence of a prior enforcement action in any future enforcement action or disciplinary proceeding initiated by the State Water Board against Mr. Grace.
- F. The Parties agree that:
1. Within thirty (30) days of the Effective Date of this Order, Mr. Grace will remit, by check, THIRTY THOUSAND DOLLARS (\$30,000.00) to the State Water Board, payable to the *State Water Pollution Cleanup and*

Abatement Account, and shall indicate on the check the number of this Stipulated Order. Mr. Grace shall send the original signed check to the State Water Resources Control Board, Division of Administrative Services, P.O. Box 1888, Sacramento, California 95812-1888, with copies sent to: Mark Bradley, State Water Resources Control Board, Office of Enforcement, P.O. Box 100, Sacramento California, 95812, and David Boyers, State Water Resources Control Board, Office of Enforcement, P.O. Box 100, Sacramento California, 95812. The Parties agree that this payment serves as a sanction imposed pursuant to Government Code section 11415.60, subdivision (c).

2. As of the Effective Date, a letter of reprimand, in the form attached hereto as Exhibit A ("Letter of Reprimand"), will be placed in Mr. Grace's Office of Operator Certification file and will remain in such file for a period of two years. The Letter of Reprimand may be used as evidence of a prior enforcement action in any future enforcement action or disciplinary proceeding initiated by the State Water Board against Mr. Grace for a period of two years, beginning on the Effective Date. The State Water Board represents and agrees that, as of the date this Stipulated Order is executed by the Director of the Office of Enforcement, there is no other enforcement action or discipline pending or contemplated against Mr. Grace by the Office of Enforcement. Upon the expiration of the two year period, the Office of Operator Certification shall remove the Letter of Reprimand from Mr. Grace's Office of Operator Certification file and shall notify him in writing that it has done so.
3. Mr. Grace will take the Grade V Certification Examination in October 2011 (October 2011 Exam). If Mr. Grace passes the October 2011 Exam, he will retain his Grade V Certificate. If Mr. Grace does not pass the October 2011 Exam, however, he will surrender his Grade V Certificate to the Office of Operator Certification within 10 business days of receiving notice that he did not pass the October 2011 Exam, and Mr. Grace will be issued a Grade III Certificate. Mr. Grace will be reissued a Grade V Certificate after passing a subsequent Grade V Certification Examination. In the event of illness or other extenuating circumstances that prevent Mr. Grace from taking the October 2011 Exam, Mr. Grace will be permitted to take the Grade V Certification Examination in April 2012 (April 2012 Exam). If Mr. Grace does not pass the April 2012 Exam, he will surrender his Grade V Certificate to the Office of Operator Certification within 10 business days of receiving notice that he did not pass the April 2012 Exam, and Mr. Grace will be issued a Grade III Certificate. Mr. Grace will be reissued a Grade V Certificate after passing a subsequent Grade V Certification Examination. In the event of illness or other extenuating circumstances that prevent Mr. Grace from taking the April 2012 Exam, Mr. Grace will surrender his Grade V Certificate to the Office of Operator Certification within 10 days of the date of the April 2012 Exam, and Mr. Grace will be issued a Grade III Certificate. Mr. Grace will be able to regain his Grade V Certificate only after passing a subsequent Grade V Certification Examination. All application and examination fees associated with the requirements in this Paragraph are not waived and shall be borne by Mr. Grace.

- G. In the event that this Stipulated Order does not take effect because it is not approved by the Executive Director, or is vacated in whole or in part by the State Water Board or a court, the Parties acknowledge that they expect to proceed to a contested evidentiary hearing before the State Water Board on the Petition to determine whether to assess operator certification discipline for the underlying alleged violations, unless the Parties agree otherwise. The Parties agree that all oral and written statements and agreements made during the course of settlement discussions will not be admissible as evidence in the hearing. The Parties also agree to waive any and all objections related to their efforts to settle this matter, including, but not limited to: 1) objections related to prejudice or bias of any of the State Water Board members or their advisors and any other objections that are premised in whole or in part on the fact that the State Water Board members or their advisors were exposed to some of the material facts and the Parties' settlement positions, and therefore may have formed impressions or conclusions, prior to conducting any contested evidentiary hearing on the Petition in this matter; or 2) laches or delay or other equitable defenses based on the time period that the Stipulated Order may be subject to administrative or judicial review.
- H. Each person executing this Stipulated Order in a representative capacity represents and warrants that he or she is authorized to execute this Order on behalf of and to bind the entity on whose behalf he or she executes the Order.
- I. Each Party having incurred investigative, attorneys' fees, expert witness fees and other costs, each Party shall pay his or its own attorneys' fees, expert witness fees and costs, and all costs of litigation and investigation to date.
- J. This Order shall not be construed against the Party preparing it, but shall be construed as if the Parties jointly prepared it and any uncertainty and ambiguity shall not be interpreted against either Party.
- K. This Order shall not be modified by either of the Parties by oral representation made before or after the execution of this Order. All modifications must be made in writing and approved by the State Water Board.
- L. This Order may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one document.

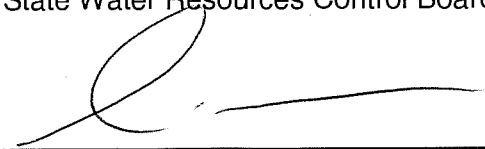
IT IS SO STIPULATED



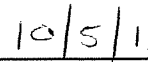
Reed Sato
Director
State Water Resources Control Board, Office of Enforcement



Date



Charles Grace




Date

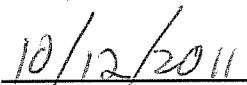
HAVING CONSIDERED THE ALLEGATIONS DESCRIBED ABOVE AND THE PARTIES' STIPULATIONS, THE STATE WATER BOARD FINDS THAT:

1. Issuance of this Stipulated Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.), in accordance with sections 15061(b)(3) and 15321(a)(2), of Title 14 of the California Code of Regulations.
2. The terms of the foregoing Stipulation are fully incorporated herein and made part of this Order of the State Water Board, and capitalized terms used in this Order and not otherwise defined shall have the same meaning as in the Stipulation.

IT IS HEREBY ORDERED, pursuant to section 11415.60 of the California Government Code



Thomas R. Howard
Executive Director



Date



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

EXHIBIT A

September 30, 2011

Letter of Reprimand

This Letter of Reprimand is issued to Mr. Charles Grace by the State Water Resources Control Board Office of Enforcement in accordance with Order WQ-2011-0016-EXEC Imposing Operator Certification Discipline Pursuant to Settlement Agreement (Stipulated Order), after an investigation and upon a determination by the Office of Enforcement, that Mr. Grace engaged in the actions listed below while serving as a wastewater treatment plant operator during the period from approximately 2004 to 2006:


1. Willfully or negligently allowing a violation of waste discharge requirements for the San Simeon Wastewater Treatment Plant ("WWTP") by not following industry-wide standards of care related to the application and control of chlorine residual.
2. Failing to use good care or judgment in the operation of the San Simeon WWTP or willfully or negligently allowing a violation of waste discharge requirements for the San Simeon WWTP relating to sampling and reporting frequency.
3. Failing to use good care or judgment in the operation of the San Simeon WWTP or willfully or negligently allowing a violation of waste discharge requirements for the San Simeon WWTP relating to coliform sampling location.
4. Failing to use good care or judgment in the operation of the Santa Paula WWTP or willfully or negligently allowing a violation of waste discharge requirements for the Santa Paula WWTP by not following industry-wide standards of care related to the application and control of chlorine residual.

A more detailed description of the actions alleged above is contained in the Office of Enforcement Disciplinary Action Letter dated January 12, 2009.

A copy of this Letter of Reprimand will be placed in Mr. Grace's Office of Operator Certification file. It shall remain in that file for a period of two years from the Effective Date of the Stipulated Order.

Acknowledgment of Receipt

I, Charles Grace, acknowledge receipt of this written reprimand. I dispute and do not admit that there is any basis for the discipline, and entered into the Stipulated Order on that basis. I understand that a copy of this reprimand will be placed in my Office of Operator Certification file for a period of two years, beginning on the date that Order WQ 2011-0016-EXEC takes effect and that, during that two year period, the reprimand may be used as evidence of a prior enforcement action in any future enforcement action or disciplinary proceeding initiated by the State Water Resources Control Board against me.



Charles Grace

10/5/11

Date

STATE WATER RESOURCES CONTROL BOARD

In the matter of:

Order WQ-2011-0001-EXEC

ECO RESOURCES INC.

**SETTLEMENT AGREEMENT AND
STIPULATION FOR ENTRY OF
ADMINISTRATIVE CIVIL LIABILITY ORDER**

This Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order (hereafter "Stipulated Order" or "Order") is entered into by and between the Chief Deputy Director of the State Water Resources Control Board ("State Water Board"), on behalf of the State Water Board Prosecution Staff ("Prosecution Staff") and ECO Resources Inc., now known as Southwest Water Services Co. ("ECO") (collectively, the "Parties" and individually, each a "Party") and is presented to the State Water Board for adoption as an Order by settlement, pursuant to Government Code section 11415.60.

1. RECITALS

WHEREAS, at all times relevant to this matter, ECO Resources Inc. ("ECO") was registered with the State Water Board as a contract operator pursuant to Water Code section 13627.3 and Title 23, California Code of Regulations, sections 3719 *et seq.*;

WHEREAS, ECO contracted to operate and did operate or is operating Wastewater Treatment Plants (WWTPs) for periods of time indicated in Table 1A below under water discharge requirements issued by one or more California regional water quality control boards. The waste discharge requirements listed in Table 1A below are those that are relevant to the matters addressed in this order.

TABLE 1A			
WWTP	Permit No.	Begin Operation	End Operation
City of Corning Wastewater Treatment Plant	Order No. 98-234 (NPDES Permit No. CA0004995) <i>Waste Discharge Requirements for City of Corning</i>		
	Order No. R5-2004-0153 (NPDES Permit No. CA0004995) <i>Waste Discharge Requirements for City of Corning and Eco Resources Inc.</i>	10/19/1990	n/a

TABLE 1A			
WWTP	Permit No.	Begin Operation	End Operation
City of Willows Wastewater Treatment Plant	<p>Order No. R5-01-066 (NPDES Permit No. CA0078034) <i>Waste Discharge Requirements for City of Willows.</i></p> <p>Order No. R5-2006-0009 (NPDES Permit No. CA0078034) <i>Waste Discharge Requirements for City of Willows and Eco Resources Inc.</i></p>	01/01/2004	n/a
City of Winters Wastewater Treatment Plant	<p>Order No. R5-2002-0136 <i>Waste Discharge Requirements for City of Winters</i></p>	06/15/1989	n/a
Discovery Bay Wastewater Treatment Plant	<p>Order No. 99-096 <i>Waste Discharge Requirements for Town of Discovery Bay</i></p> <p>Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i></p>	02/01/1999	12/31/2008
City of Rio Vista, Trilogy Wastewater Treatment Plant	<p>Order No. R5-2004-0092 (NPDES Permit No. CA0083771) <i>Waste Discharge Requirements for City of Rio Vista and Eco Resources, Inc., Trilogy Wastewater Treatment Plant</i></p>	10/30/2003	07/31/2005
City of Rio Vista, Beach Wastewater Treatment Plant	<p>Order No. 5-01-178 (NPDES Permit No. CA0079588) <i>Waste Discharge Requirements for the City of Rio Vista and Eco Resources Inc., Beach Wastewater Treatment Facility</i></p>	10/30/2003	07/31/2005

TABLE 1A			
WWTP	Permit No.	Begin Operation	End Operation
Cypress Ridge Wastewater Treatment Plant	Order No. 97-66 <i>Waste Discharge Requirements for Cypress Ridge Sewer Facility</i>	05/27/2005	06/30/2008
Tejon Industrial Complex Wastewater Treatment Plant	Order No. 99-076 <i>Waste Discharge Requirements for Tejon Ranch Corp, Tejon Industrial Complex Wastewater Treatment Facility</i>	09/27/2001	07/15/2005
Lamont Public Utilities District	Order No. 98-043 <i>Waste Discharge Requirements for Lamont Public Utilities District</i>	11/08/1999	04/30/2010
Taft Federal Prison Wastewater Treatment Plant	Order No. 96-035 <i>Waste Discharge Requirements for City of Taft Federal Prison Wastewater Treatment Facility</i> Order No. R5-2004-0011 (NPDES Permit No. CA0083755) <i>Waste Discharge Requirements for City of Taft Federal Prison Wastewater Treatment Facility</i>	06/21/1995	n/a
City of Taft Wastewater Treatment Plant	Order No. 5-00-080 (NPDES Permit No. CA0080161) <i>Waste Discharge Requirements for City of Taft, Taft Heights Sanitation District and United States Department of Energy</i>	06/21/1995	n/a
San Simeon Community Services District	Order No. R3-2002-0046 (NPDES Permit No. CA 0047961) <i>Waste Discharge Requirements for the San Simeon Community Services District</i> Order No. R3-2007-0024 (NPDES Permit No. CA 0047961) <i>Waste Discharge Requirements for San Simeon Community Services District</i>	06/01/2004	n/a

TABLE 1A			
WWTP	Permit No.	Begin Operation	End Operation
City of Santa Paula Wastewater Reclamation Facility	Order No. 97-041 (NPDES Permit No. CA0054224) <i>Waste Discharge Requirements for City of Santa Paula and Ventura Regional Sanitation District</i>	08/01/2004	08/31/2010

WHEREAS, the Chief Deputy Director of the State Water Board, by and through the Prosecution Staff, and with the assistance of the Central Valley Regional Water Quality Control Board (Central Valley Water Board) Staff, investigated complaints regarding ECO's operation and maintenance of the WWTPs listed in Table 1A, above;

WHEREAS, the Prosecution Staff alleges that ECO is responsible for violations of the Water Code related to its operation of the WWTPs listed in Table 1A, above. The specific alleged violations and potential liability are described in Exhibit A, attached hereto; and

WHEREAS, the Parties have engaged in settlement negotiations and agree to settle the matter without administrative or civil litigation and by presenting this Stipulated Order to the State Water Board for adoption as an order by settlement, pursuant to Government Code section 11415.60. The terms of settlement in this matter were agreed to by the Parties prior to the May 20, 2010 effective date of the State Water Board's Water Quality Enforcement Policy (Policy). Since the effective date of the Policy, the Parties have been memorializing the terms of settlement; no further material negotiations have occurred. The Prosecution Staff believes that the resolution of the alleged violations is fair and reasonable and fulfills its enforcement objectives, that no further action is warranted concerning the specific violations alleged in Exhibit A, except as provided in the Stipulated Order, and that this Stipulated Order is in the best interest of the public.

2. JURISDICTION

The Parties agree that the State Water Board has subject matter jurisdiction over the matters alleged in this action and personal jurisdiction over the Parties to this Stipulated Order.

3. SETTLEMENT AND DISPUTED CLAIMS

3.1 Denial of Liability

ECO expressly denies the allegations described in Exhibit A and this Stipulated Order, and further specifically denies any violations or liability for penalties for violations arising out of or related to such allegations. Neither this Stipulated Order nor any payment pursuant to the Order shall constitute evidence of, or be construed as, a finding, adjudication, or acknowledgment of any fact, law or liability, nor shall it be construed as an admission of violation of any law, rule, or regulations. However, this

Order and/or any actions or payment pursuant to the Order may constitute evidence in actions seeking compliance with this Order. This Order may be used as evidence of a prior enforcement action in any future actions by the State Water Board or any regional water quality control board against ECO.

3.2 Compliance with Regulations and Permits

ECO, as a registered contract operator, agrees to diligently maintain compliance with the operator certification and registration laws and to maintain compliance with the terms of the permits for the WWTPs it operates in California.

4. ADMINISTRATIVE CIVIL LIABILITY

Upon issuance of this Stipulated Order, ECO shall be liable for a total of ONE MILLION DOLLARS (\$1,000,000) in administrative civil liability, as set forth in Paragraphs 4.1 through 4.2, below.

4.1 Paid Liability

Within thirty (30) days of issuance of this Stipulated Order, ECO shall remit, by check, FIVE HUNDRED THOUSAND DOLLARS (\$500,000), payable to the *State Water Resources Control Board Cleanup and Abatement Account*, and shall indicate on the check the number of this Stipulated Order. ECO shall send the original signed check to State Water Resources Control Board, Department of Administrative Services, PO Box 1888, Sacramento, CA 95812-1888, with copies sent to: Mark Bradley, State Water Resources Control Board, Office of Enforcement, P.O. Box 100, Sacramento, CA 95812, and David Boyers, State Water Resources Control Board, Office of Enforcement, P.O. Box 100, Sacramento, CA 95812.

4.2 Enhanced Environmental Improvement Credit

4.2.1. Against ECO's total liability of \$1,000,000, ECO may be credited up to FIVE HUNDRED THOUSAND DOLLARS (\$500,000) for costs incurred for actions that ECO voluntarily took between January 28, 2008 and the date of this Order that exceed regulatory requirements related to ECO's operation and maintenance of WWTPs in California ("Enhanced Environmental Improvements"). The cost of these Enhanced Environmental Improvements will be treated as a Suspended Administrative Civil Liability. Such actions that may receive credit include the following:

- a. Implementation of environmental software programs such as, ENVIANCE and OP 10, to permit ongoing tracking of WWTP operations and compliance with effluent limitations.
- b. Development and implementation of a written field operation compliance plan, including standard operating procedures and directives to address operational issues at WWTPs operated by ECO and an audit program to ensure the compliance plan is followed.
- c. Development and implementation of software to track WWTP maintenance activities, such as Antero.

4.2.2. By no later than January 31, 2011 or thirty (30) days after issuance of this Stipulated Order, whichever occurs later, ECO shall provide evidence reasonably acceptable to the Director of the State Water Board's Office of Enforcement that it has expended monies in the amount set forth in Paragraph 4.2.1. above, including, without limitation, a certified report prepared by an independent third party providing such party's professional opinion that (1) ECO has expended monies in the amounts claimed by ECO, and (2) the actions taken were in excess of applicable regulatory requirements.

4.2.3. In the event that ECO is not able to demonstrate to the reasonable satisfaction of the Director of the Office of Enforcement that it has expended FIVE HUNDRED THOUSAND DOLLARS (\$500,000) in Enhanced Environmental Improvement costs, ECO shall pay the difference between the amount reasonably accepted by the Director of the Office of Enforcement as Enhanced Environmental Improvement costs and FIVE HUNDRED THOUSAND DOLLARS (\$500,000), as an administrative civil liability. The amount of the Suspended Administrative Civil Liability owed shall be determined via a "Motion for Payment of Suspended Administrative Civil Liability" before the State Water Board. Upon a determination by the State Water Board of the amount of the Suspended Administrative Civil Liability assessed, the amount owed shall be paid within thirty (30) days of the order containing such determination becoming final and shall be paid by check, payable to the *State Water Resources Control Board Cleanup and Abatement Account*, and shall indicate on the check the number of this Stipulated Order. Submission of the check shall be in accordance with Paragraph 4.1, above.

5. INVESTIGATION AND ENFORCEMENT COSTS

Within one hundred eighty days (180) days of issuance of this Stipulated Order, ECO shall remit, by check, TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000), payable to the *State Water Resources Control Board Cleanup and Abatement Account*, as reimbursement for the State Water Board's costs of investigation and enforcement with respect to or arising out of the Covered Matters (as defined below) and this Order. ECO shall indicate on the check the number of this Stipulated Order, and shall send the original signed check to State Water Resources Control Board, Department of Administrative Services, PO Box 1888, Sacramento, CA 95812-1888, with copies sent to: Mark Bradley, State Water Resources Control Board, Office of Enforcement, P.O. Box 100, Sacramento, CA 95812, and David Boyers, State Water Resources Control Board, Office of Enforcement, P.O. Box 100, Sacramento, CA 95812.

6. MATTERS COVERED BY THIS STIPULATED ORDER

a. Upon adoption by the State Water Board, this Stipulated Order represents a final and binding resolution and settlement of, and a covenant not to sue or pursue civil or administrative claims with respect to, all claims, violations or causes of action alleged in this Order or which could have been asserted by the State Water Board, the Central Valley Water Board, the Central Coast Regional Water Quality Control Board, or the Los Angeles Regional Water Quality Control Board against ECO and its officers, agents, directors, employees, contractors, subcontractors, attorneys, representatives, predecessors-in-interest, parent and/or affiliated companies and successors, as of the effective date of this Stipulated Order, based on or arising out of the facts and alleged violations referenced in Exhibit A or in this Stipulated Order, including an action against ECO's contract operator registration pursuant to Water Code

section 13627.3, subdivision (c) or California Code of Regulations, Title 23, section 3719.17 ("Covered Matters"). The provisions of this Paragraph are expressly conditioned on ECO's full payment of administrative civil liability by the deadlines specified in Paragraph 4.1 of and its full satisfaction of the obligations described in Paragraph 4.2.

b. As of the effective date of this Order and other than the Covered Matters, there are no violations by ECO of Title 23, California Code of Regulations, Section 3719 *et seq.* of which the Prosecution Staff is aware or as to which the Prosecution Staff currently intends to pursue any enforcement action.

7. COVENANT NOT TO SUE

Upon the effective date of this Stipulated Order, ECO shall and does release, discharge and covenant not to sue or pursue and civil or administrative claims against the State Water Board, including its officers, agents, directors, employees, contractors, subcontractors, attorneys, representatives, predecessors-in-interest, and successors and assigns for any and all claims or causes of action, of every kind and nature whatsoever, in law and equity, whether known or unknown, suspected or unsuspected, foreseen or unforeseen, which arise out of or are related to the Covered Matters. Notwithstanding the foregoing, nothing contained in this Order shall be deemed to preclude ECO from (a) opposing and raising all applicable defenses and objections to any Motion for Payment of Suspended Administrative Civil Liability brought pursuant to Section 4.2.3 of this Order, (b) enforcing its rights under this Order, or (c) from raising all applicable defenses and objections with respect to any future claims, proceedings or actions of any kind by the State Water Board, except as described in Paragraph 10.

8. PUBLIC NOTICE

The Parties agree that the proposed Stipulated Order, as signed by the Parties, will be noticed for a 30-day public comment period prior to being presented to the State Water Board for adoption. If the State Water Board Chief Deputy Director or other Prosecution Staff receives significant new information that reasonably affects the propriety of presenting this Stipulated Order to the State Water Board for adoption, the State Water Board Chief Deputy Director may unilaterally declare this Stipulated Order void and decide not to present the Order to the State Water Board. ECO agrees that it may not rescind or otherwise withdraw its approval of this proposed Stipulated Order.

9. PROCEDURE

The Parties agree that the procedure that has been adopted for the approval of the settlement by the Parties and review by the public, as reflected in this Order, will be adequate. In the event procedural objections are raised prior to this Stipulated Order becoming effective, the Parties agree to meet and confer concerning any such objections, and may agree to revise or adjust the procedure as necessary or advisable under the circumstances.

10. WAIVERS

In the event that this Stipulated Order does not take effect because it is not approved by the State Water Board, or is vacated in whole or in part by a court, the

Parties acknowledge that they expect to proceed to a contested evidentiary hearing before the State Water Board and/or Central Valley Water Board to determine whether to assess administrative civil liabilities for the underlying alleged violations, unless the Parties agree otherwise. The Parties agree that all oral and written statements and agreements made during the course of settlement discussions will not be admissible as evidence in the hearing. The Parties also agree to waive any and all objections related to their efforts to settle this matter, including, but not limited to:

a. Objections related to prejudice or bias of any of the State Water Board or Central Valley Water Board members or their advisors and any other objections that are premised in whole or in part on the fact that the State Water Board or Central Valley Water Board members or their advisors were exposed to some of the material facts and the Parties' settlement positions, and therefore may have formed impressions or conclusions, prior to conducting any contested evidentiary hearing in this matter; or

b. Laches or delay or other equitable defenses based on the time period that this Stipulated Order may be subject to administrative or judicial review.

11. APPEALS

ECO hereby waives its right to appeal this Stipulated Order to a California Superior Court and/or any California appellate level court or any other judicial body.

12. EFFECT OF STIPULATED ORDER

Except as expressly provided in this Stipulated Order, nothing in this Stipulated Order is intended nor shall it be construed to preclude the Prosecution Staff or any state agency, department, board or entity or any local agency from exercising its authority under any law, statute, or regulation.

13. WATER BOARDS NOT LIABLE

Neither the State Water Board or Central Valley Water Board members, staff, attorneys, or representatives shall be liable for any injury or damage to persons or property resulting from acts or omissions by ECO, its employees, representative agents, attorneys, or contractors in carrying out activities pursuant to this Stipulated Order, nor shall the State Water Board or Central Valley Water Board members, staff, attorneys or representatives be held as parties to or guarantor of any contract entered into by ECO, its employees, representative agents, attorneys, or contractors in carrying out activities required pursuant to this Stipulated Order.

14. NO WAIVER OF RIGHT TO ENFORCE

The failure of the Prosecution Staff or State Water Board to enforce any provision of this Stipulated Order shall in no way be deemed a waiver of such provision, or in any way affect the validity of this Stipulated Order. The failure of the Prosecution Staff or State Water Board to enforce any such provision shall not preclude it from later enforcing the same or any other provision of this Stipulated Order. The failure of ECO to raise any defense, claim or argument shall not be deemed an admission that such defense, claim or argument does not apply or in any way limit or preclude ECO from raising such defense, claim or argument with respect to any matter. No oral advice,

guidance, suggestions or comments by employees or officials of any Party regarding matters covered under this Stipulated Order shall be construed to relieve any Party regarding matters covered in this Stipulated Order.

15. REGULATORY CHANGES

Nothing in this Stipulated Order shall excuse ECO from meeting any more stringent requirements which may be imposed hereafter by changes in applicable and legally binding legislation or regulations.

16. AUTHORITY TO ENTER STIPULATED ORDER

Each person executing this Stipulated Order in a representative capacity represents and warrants that he or she is authorized to execute this Order on behalf of and to bind the entity on whose behalf he or she executes the Order.

17. INTEGRATION

This Stipulated Order constitutes the entire agreement between the Parties and may not be amended or supplemented except as provided for in this Stipulated Order.

18. MODIFICATION OF STIPULATED ORDER

This Order shall not be modified by any of the Parties by oral representation made before or after the execution of this Order. All modifications must be made in writing and approved by the State Water Board or its Executive Director.

19. INTERPRETATION

This Stipulated Order shall not be construed against the party preparing it, but shall be construed as if the Parties jointly prepared it and any uncertainty and ambiguity shall not be interpreted against any one party.

20. COUNTERPART SIGNATURES

This Order may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one document.

21. NOTICE

All submissions and notices required by this Stipulated Order shall be sent to:

For Prosecution Staff:

David M. Boyers
Staff Counsel III Supervisor
State Water Resources Control Board
Office of Enforcement
P.O. Box 100
Sacramento, CA 95812

Mark Bradley
Senior Water Resource Control Engineer
State Water Resources Control Board
Office of Enforcement
P.O. Box 100
Sacramento, CA 95812

For ECO:

Ken Dix
Vice President, General Counsel & Secretary
Southwest Water Company
One Wilshire Building
624 South Grand Avenue, Suite 2900
Los Angeles, CA 90017

John F. Cermak Jr.
Baker Hostetler LLP
12100 Wilshire Boulevard, 15th Floor
Los Angeles, CA 90025

22. NECESSITY OF WRITTEN APPROVALS

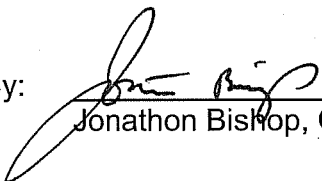
All approvals and decisions of the State Water Board under the terms of this Stipulated Order shall be communicated to ECO in writing. No oral advice, guidance, suggestions or comments by employees or officials of the State Water Board regarding submissions or notices shall be construed to relieve ECO of its obligation to obtain any final written approval required by this Order.

23. INCORPORATION OF EXHIBITS

Exhibit "A" is incorporated by reference.

IT IS SO STIPULATED:

State Water Board Prosecution Staff

By: 

Jonathon Bishop, Chief Deputy Director

12/16/2010
Date

ECO RESOURCES, INC.

By: _____
Floyd E. Wicks, President

Date

Mark Bradley
Senior Water Resource Control Engineer
State Water Resources Control Board
Office of Enforcement
P.O. Box 100
Sacramento, CA 95812

For ECO:

Ken Dix
Vice President, General Counsel & Secretary
Southwest Water Company
One Wilshire Building
624 South Grand Avenue, Suite 2900
Los Angeles, CA 90017

John F. Cermak Jr.
Baker Hostetler LLP
12100 Wilshire Boulevard, 15th Floor
Los Angeles, CA 90025

22. NECESSITY OF WRITTEN APPROVALS

All approvals and decisions of the State Water Board under the terms of this Stipulated Order shall be communicated to ECO in writing. No oral advice, guidance, suggestions or comments by employees or officials of the State Water Board regarding submissions or notices shall be construed to relieve ECO of its obligation to obtain any final written approval required by this Order.

23. INCORPORATION OF EXHIBITS

Exhibit "A" is incorporated by reference.

IT IS SO STIPULATED:

State Water Board Prosecution Staff

By: _____
Jonathon Bishop, Chief Deputy Director

Date

ECO RESOURCES, INC.

By: Floyd E. Wicks
Floyd E. Wicks, President

12-17-10
Date

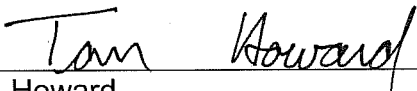
**HAVING CONSIDERED THE ALLEGATIONS AND THE PARTIES' STIPULATIONS,
THE STATE WATER BOARD FINDS THAT:**

24. Issuance of this Stipulated Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.), in accordance with sections 15061(b)(3) and 15321(a)(2), of Title 14 of the California Code of Regulations.

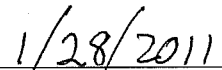
25. In adopting this Stipulated Order, the State Water Board has considered all the factors prescribed in Water Code section 13327 and 13385(e). The State Water Board's consideration of these factors is based upon information and comments provided by the Parties and by members of the public.

26. Because the terms of settlement in this matter were agreed to by the Parties prior to the May 20, 2010 effective date of the State Water Board's Water Quality Enforcement Policy (Policy), the Policy is not applicable to this Stipulated Order.

PURSUANT TO WATER CODE SECTION 13323 AND GOVERNMENT CODE SECTION 11415.60, **IT IS HEREBY ORDERED** ON BEHALF OF THE STATE WATER BOARD.



Tom Howard
Executive Director



Date

**EXHIBIT A TO STIPULATED ORDER –
ALLEGATIONS**

Capitalized terms used in this Exhibit A and not specifically defined have the meaning ascribed to such terms in the Stipulated Order to which this Exhibit A is attached.

WWTP	Alleged Violations¹	Days/# of Violation(s)²	Potential Maximum Administrative Civil Liability
City of Corning Wastewater Treatment Plant	1. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, allowed the operation of the City of Corning WWTP by an individual who did not hold a valid and unexpired certificate of the appropriate grade issued by the State Water Board, for which liability may be imposed pursuant to Water Code section 13627.1(b).	168	168 X \$100 = \$16,800

¹ Each alleged violation references liability under a specific Water Code provision. To the extent that the same facts might give rise to a violation and liability under other provisions of the Water Code (for example, if the facts alleged to be a willful or negligent violation of waste discharge requirements order or permit also could be alleged to be a basis for alleging failure to use reasonable care in the operation of a waste water treatment system), all potential violations and any associated administrative civil liability associated with the facts on which the alleged violation is based are deemed to be within the scope of Covered Matters. Those violations that refer to a failure to use "reasonable care" are intended to encompass allegations of negligence and/or "poor care and judgment." Notwithstanding the above, Covered Matters do not include liability for mandatory minimum penalties under Water Code section 13385(h), 13385(i) or 13385.1.

² With respect to any alleged violation, the identification of the number of violations or number of days of violation is based on a determination by the Prosecution Staff of the number or days of violation it might elect to pursue based on the facts with respect to the alleged violation. That is also the case with respect to any estimate of the size (in gallons) of any release. As to each alleged violation, all potential violations, number of days of violation and claims arising out of a release or discharge (irrespective of any estimate of the number of gallons associated with such release or discharge), together with any associated administrative civil liability with respect to the alleged violation, are deemed to be within the scope of Covered Matters.

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Corning Wastewater Treatment Plant	<p>2. Between January 1, 2005 and December 31, 2006 and on other dates through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2004-0153 (NPDES Permit No. CA0004995) <i>Waste Discharge Requirements for City of Corning and Eco Resources Inc.</i>, by failing to monitor and report on parameters required by Order No. R5-2004-0153 (including, but not limited to sampling for ammonia, flow, biochemical oxygen demand, total dissolved solids, pH, coliform, conductivity, chlorine residual, and receiving water characteristics), for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).</p>	140	$140 \times \$10,000 = \$1,400,000$
City of Corning Wastewater Treatment Plant	<p>3. Between January 1, 2004 and through and following the expiration of the permit referenced below, willfully or negligently caused or allowed a violation of Order No. 98-234 (NPDES Permit No. CA0004995) <i>Waste Discharge Requirements for City of Corning</i>, by failing to monitor and report on parameters required by Order No. 98-234 (including, but not limited to sampling and reporting on receiving water characteristics), for which liability may be imposed pursuant to Water Code section 13627.1(c).</p>	1	$1 \times \$5,000 = \$5,000$

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Corning Wastewater Treatment Plant	4. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, failed to use reasonable care in the operation of the City of Corning WWTP by sampling for coliform prior to dechlorination and otherwise failing to take representative samples, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000
City of Corning Wastewater Treatment Plant	5. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, failed to use reasonable care in the operation of the City of Corning WWTP by failing to perform effective monitoring for chlorine residual (including failing to meet a deadline for installation of new monitoring equipment and failing to ensure that monitoring equipment was calibrated and that an alarm system was operative), for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000
City of Corning Wastewater Treatment Plant	6. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, failed to use reasonable care in the operation of the City of Corning WWTP by failing to ensure accurate sampling of bioassay (including collecting samples under circumstances in which the samples would not be representative), for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Willows Wastewater Treatment Plant	<p>7. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-01-066 (NPDES Permit No. CA 0078034) and Order No. R5-2006-0009 (NPDES Permit No. CA0078034) <i>Waste Discharge Requirements for City of Willows and Eco Resources Inc.</i>, by failing to monitor and report on parameters required by Order No. R5-01-066 and Order No. R5-2006-0009 (including, but not limited to, ammonia, biochemical oxygen demand, chlorine residual, coliform, and total suspended solids) and/or failing to monitor and report such parameters with the frequency and on the schedule required by such orders, for which liability may be imposed pursuant to Water Code section 13385(a)(2) and/or 13627.1(c).</p>	668	668 X \$10,000 = \$6,680,000
City of Willows Wastewater Treatment Plant	<p>8. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, failed to use reasonable care in the operation of the City of Willows WWTP by failing to submit accurate monitoring data for chlorine residual, for which liability may be imposed pursuant to Water Code section 13627.1(c).</p>	25	25 X \$5,000 = \$125,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Willows Wastewater Treatment Plant	9. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, failed to use reasonable care in the operation of the City of Willows WWTP by failing to maintain and calibrate the chlorine residual analyzer, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000
City of Willows Wastewater Treatment Plant	10. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, failed to use reasonable care in the operation of the City of Willows WWTP by using an unauthorized algaecide, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000
City of Willows Wastewater Treatment Plant	11. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, failed to use reasonable care in the operation of the City of Willows WWTP by using an improper dechlorination procedure, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Willows Wastewater Treatment Plant	12. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, failed to use reasonable care in the operation of the City of Willows WWTP by failing to prevent excess coliform levels in effluent, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000
City of Winters Wastewater Treatment Plant	13. Between January 1, 2005 and December 31, 2006, and at other times through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2002-0136, Waste Discharge Requirements for City of Winters , by failing to monitor and report on parameters required by Order No. R5-2002-0136 , for which liability may be imposed pursuant to Water Code section 13627.1(c).	66	66 X \$5,000 = \$330,000
City of Winters Wastewater Treatment Plant	14. In or after September 2005 and at other times through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2002-0136, Waste Discharge Requirements for City of Winters , by failing to timely submit a monitoring report or submitting incomplete monitoring reports for the months of September 2005, February 2006, June 2006, October 2006 and December 2006, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Winters Wastewater Treatment Plant	15. On or about December 2-3, 2006, willfully or negligently caused or allowed a violation of Order No. R5-2002-0136, Waste Discharge Requirements for City of Winters , by failing to restore power following maintenance on one of the WWTP's lift stations, resulting in a spill of 43,000 gallons of raw sewage to Putah Creek, for which liability may be imposed pursuant to Water Code section 13627.1(c).	2	2 X \$5,000 = \$10,000
City of Winters Wastewater Treatment Plant	16. Between January 1, 2005 and December 31, 2006, and at other times prior to December 31, 2008, failed to use reasonable care in the operation of the City of Winters Wastewater Treatment Plant by failing to perform and document maintenance and ensure that staff could properly operate plant equipment (including the chlorine monitor), for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000
Discovery Bay Wastewater Treatment Plant	17. Between December 1, 2003 and December 31, 2008, allowed the operation of the Town of Discovery Bay WWTP by an individual who did not hold a valid and unexpired certificate of the appropriate grade issued by the State Water Board, for which liability may be imposed pursuant to Water Code section 13627.1(b).	158	158 X \$100 = \$15,800

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Discovery Bay Wastewater Treatment Plant	18. On April 5, 19, and 20, 2008, May 10, 11 and 31, 2008, June 1, 7, 8, 28 and 29, 2008, July 19 and 20, 2008, August 9, 10, 30 and 31, 2008, September 1, 20 and 21, 2008, and other dates through December 31, 2008, allowed the operation of the Town of Discovery Bay WWTP by an individual who did not hold a valid and unexpired certificate of the appropriate grade issued by the State Water Board (including permitting operators in training to work without a certified operator of an appropriate grade being present), for which liability may be imposed pursuant to Water Code section 13627.1(b).	20	20 X \$100 = \$2,000
Discovery Bay Wastewater Treatment Plant	19. In its operation of the Discovery Bay WWTP between January 1, 2004 and to and through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , by failing to collect effluent samples at a point and in a manner to ensure a representative sample of the discharge as required by Order No. R5-2003-0067 , for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 X \$10,000 = \$10,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Discovery Bay Wastewater Treatment Plant	20. In its operations of the Discovery Bay WWTP between January 1, 2004 and to and through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , by failing to collect representative composite samples in compliance with sampling procedures in the Monitoring and Reporting Program of Order No. R5-2003-0067 , for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 X \$10,000 = \$10,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Discovery Bay Wastewater Treatment Plant	<p>21. In its operation of the Discovery Bay WWTP from January 1, 2004 to and through December 31, 2008, failed to use reasonable care by failing to perform appropriate and necessary maintenance (including without limitation, failing to regularly exercise and test generators and other equipment, failing to maintain ultraviolet (UV) treatment systems, failing to calibrate flow meters, failure to properly clean and maintain screens within the WWTP, failing to ensure that the flow meters were working and accurately reporting flows, failing to ensure that aerators were operational, failure to remove vegetation in sludge holding lagoons and the emergency overflow basin, and failing to troubleshoot and identify equipment issues associated with power failures), to maintain appropriate levels of dissolved oxygen, to properly calculate influent and other flows, or to otherwise properly operate the WWTP, for which liability may be imposed pursuant to Water Code section 13627.1(c).</p>	1	1 X \$5,000 = \$5,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Discovery Bay Wastewater Treatment Plant	22. On or about April 19-20, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , when treated effluent was discharged to Reclamation District No. 8 ditch, in violation of Discharge Prohibition A.2 of Order No. R5-2003-0067 , for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	2	2 X \$10,000 = \$20,000
Discovery Bay Wastewater Treatment Plant	23. Willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , by failing to provide a timely and complete report of the April 19-20, 2008 discharge described in Paragraph 21, above, in violation of Standard Provision B.1 Order No. R5-2003-0067 , for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 X \$10,000 = \$10,000
Discovery Bay Wastewater Treatment Plant	24. On or about July 17-18, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , when 100,000 gallons of raw sewage was discharged from the Town of	2	2 X \$10,000 = \$20,000
		99,000 [gallons discharged and not cleaned up in excess of 1,000	\$990,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
	Discovery Bay WWTP Collection System and entered the man-made lake at the community of Lakeshore, in violation of Discharge Prohibition A.3 of Order No. R5-2003-0067 , for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	gallons] X \$10/gal.	
Discovery Bay Wastewater Treatment Plant	25. During the July 17-18, 2008 event described in Paragraph 24 above, and subsequent thereto, willfully and negligently caused a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , by failing to take appropriate steps to respond to and address the spill, for which liability may be imposed under Water Code section 13385(a)(2) or 13627.1(c). ³	1	1 x \$10,000 = \$10,000

³ Covered Matters do not include the Central Valley Regional Board's right to issue an order to ECO pursuant to Water Code section 13304 with respect to the cleanup of the spill that is the basis of this allegation.

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Discovery Bay Wastewater Treatment Plant	26. Willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , by failing to provide a timely and complete report of the July 17-18, 2008 discharge described in Paragraph 24, above, in violation of Standard Provision B.1 Order No. R5-2003-0067 , for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 X \$10,000 = \$10,000
Discovery Bay Wastewater Treatment Plant	27. On or about September 29, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , when 500 gallons of raw sewage was discharged from the Town of Discovery Bay WWTP Collection System, in violation of Discharge Prohibition A.1 of Order No. R5-2003-0067 , for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 X \$10,000 = \$10,000
Discovery Bay Wastewater Treatment Plant	28. On or about November 10, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco</i>	1	1 X \$10,000 = \$10,000
		19,000 [gallons discharged and not	\$190,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
	<p><i>Resources Inc.</i>, when 20,000 gallons of raw sewage was discharged from the Town of Discovery Bay WWTP Collection System, in violation of Discharge Prohibition A.1 of Order No. R5-2003-0067, for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).</p>	<p>cleaned up in excess of 1,000 gallons] X \$10/gal.</p>	
<p>Discovery Bay Wastewater Treatment Plant</p>	<p>29. Willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i>, by failing to provide a timely and complete report of the November 10, 2008 discharge described in Paragraph 28, above, in violation of Standard Provision B.1 Order No. R5-2003-0067, for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).</p>	<p>1</p>	<p>1 X \$10,000 = \$10,000</p>

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Discovery Bay Wastewater Treatment Plant	30. On or about December 17, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , when raw sewage was discharged from the Town of Discovery Bay WWTP Collection System and entered four storm drain catch basins which ultimately drain into Reclamation District No. 800 ditch, in violation of Discharge Prohibition A.3 of Order No. R5-2003-0067 , for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 X \$10,000 = \$10,000
Discovery Bay Wastewater Treatment Plant	31. Willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , by failing to provide a timely and complete report of the December 17, 2008 discharge described in Paragraph 30, above, in violation of Standard Provision B.1 Order No. R5-2003-0067 , for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 X \$10,000 = \$10,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Discovery Bay Wastewater Treatment Plant	32. In its operations of the Discovery Bay WWTP between January 1, 2004 and to and through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , by failing to maintain proper calibration records for PH, flow and dissolved oxygen meters, for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 X \$10,000 = \$10,000
Discovery Bay Wastewater Treatment Plant	33. In its operations of the Discovery Bay WWTP between January 1, 2004 and to and through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , by permitting freeboard on the aerobic digester to be less than two feet, for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 X \$10,000 = \$10,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Discovery Bay Wastewater Treatment Plant	34. In its operations of the Discovery Bay WWTP between January 1, 2004 and to and through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2003-0067 (NPDES Permit No. CA0078590) <i>Waste Discharge Requirements for the Town of Discovery Bay and Eco Resources Inc.</i> , by not properly taking transmittance readings for the UV system, for which liability may be imposed pursuant to Water Code sections 13385(a)(2) and/or 13627.1(c).	1	1 x \$10,000 = \$10,000
City of Rio Vista, Trilogy Wastewater Treatment Plant	35. Between September 1, 2004 and December 31, 2004, and on other dates through July 31, 2005, allowed the operation of the City of Rio Vista, Trilogy WWTP by an individual who did not hold a valid and unexpired certificate of the appropriate grade issued by the State Water Board, for which liability may be imposed pursuant to Water Code section 13627.1(b).	114	114 X \$100 = \$11,400
City of Rio Vista, Trilogy Wastewater Treatment Plant	36. Between September 1, 2004 and December 31, 2004, and on other dates through July 31, 2005, failed to use reasonable care in the operation of the City of Rio Vista, Trilogy WWTP by failing to perform required maintenance and/or to document such maintenance, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 x \$5,000 = \$5,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Rio Vista, Beach Wastewater Treatment Plant	37. Between September 1, 2004 and December 1, 2004, and on other dates through July 31, 2005, allowed the operation of the City of Rio Vista, Beach WWTP by an individual who did not hold a valid and unexpired certificate of the appropriate grade issued by the State Water Board, for which liability may be imposed pursuant to Water Code section 13627.1(b).	26	26 X \$100 = \$2,600
Cypress Ridge Wastewater Treatment Plant	38. Between June 1, 2005 and December 31, 2006, and on other dates through July 31, 2008, willfully or negligently caused or allowed a violation of Order No. 97-66, Waste Discharge Requirements for Cypress Ridge Sewer Facility , by failing to monitor and report on parameters required by Order No. 97-66 (including, but not limited to, sampling of flows to the holding pond and sampling for turbidity, chlorine residual, flow and settleable solids), for which liability may be imposed pursuant to Water Code section 13627.1(c).	27	27 X \$5,000 = \$135,000
Cypress Ridge Wastewater Treatment Plant	39. Between July 1, 2005 and September 30, 2007, failed to report to the State Water Board that it had contracted to operate the Cypress Ridge Sewer Facility, as required under Water Code section 13627.3(a), and for which liability may be imposed pursuant to Water Code section 13627.3(f).	365	365 X \$1,000 = \$365,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Tejon Industrial Complex Wastewater Treatment Plant	40. Between January 1, 2004 and August 31, 2005, willfully or negligently caused or allowed a violation of Order No. 99-076, Waste Discharge Requirements for Tejon RanchCorp, Tejon Industrial Complex Wastewater Treatment Facility , by failing to monitor and report on parameters required by Order No. 99-076 (including, but not limited to, sampling for turbidity, pH, chlorine residual, coliform, biochemical oxygen demand, flow and total settleable solids), for which liability may be imposed pursuant to Water Code section 13627.1(c).	552	552 X \$5,000 = \$2,760,000
Tejon Industrial Complex Wastewater Treatment Plant	41. Between January 1, 2004 and July 15, 2005, willfully or negligently caused or allowed violations of effluent limitations of Order No. 99-076, Waste Discharge Requirements for Tejon RanchCorp, Tejon Industrial Complex Wastewater Treatment Facility , (including, but not limited to, limitations for turbidity, pH, chlorine residual, coliform, biochemical oxygen demand, and total settleable solids), for which liability may be imposed pursuant to Water Code section 13627.1(c).	616	616 X \$5,000 = \$3,080,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Tejon Industrial Complex Wastewater Treatment Plant	42. Between January 1, 2004 and July 15, 2005, failed to use reasonable care in the operation of the Tejon Industrial Complex WWTP by failing to perform required maintenance (including with respect to the oil-water separator at the Petro Travel Center), staff the WWTP with appropriately trained waste water treatment plant operators, or properly collect and otherwise perform sampling activities, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000
Lamont Public Utilities District Treatment Plant	43. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. 98-043, Waste Discharge Requirements for Lamont Public Utilities District , by failing to monitor and report on parameters required by Order No. 98-043 (including, but not limited to, sampling for flow, freeboard, dissolved oxygen, pH, biochemical oxygen demand, and total suspended solids), for which liability may be imposed pursuant to Water Code section 13627.1(c).	91	91 X \$5,000 = \$455,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Lamont Public Utilities District Treatment Plant	44. Between June 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. 98-043, Waste Discharge Requirements for Lamont Public Utilities District , by failing to timely monitor and report on groundwater sampling required by Order No. 98-043 , for which liability may be imposed pursuant to Water Code section 13627.1(c).	54	54 X \$5,000 = \$270,000
Lamont Public Utilities District Treatment Plant	45. Between January 1, 2004 and through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. 98-043, Waste Discharge Requirements for Lamont Public Utilities District by not operating the WWTP in such a manner that there were effluent violations for various parameters (including biological oxygen demand and total settleable solids), for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000
Lamont Public Utilities District Treatment Plant	46. Between January 1, 2004 and December 31, 2008, failed to use reasonable care in the operation of the WWTP by failing to perform required maintenance and to maintain proper records with respect to such maintenance and to properly perform sampling, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
Taft Federal Prison Wastewater Treatment Plant	47. Between January 1, 2004 and December 31, 2007, and on other dates through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R5-2004-0011 (NPDES Permit No. CA0083755), <i>Waste Discharge Requirements for City of Taft Federal Prison Wastewater Treatment Facility</i> , by failing to monitor and report on parameters required by Order No. R5-2004-0011 (including, but not limited to, calculations of mass loading for biochemical oxygen demand and total suspended solids, and influent flow), for which liability may be imposed pursuant to Water Code section 13627.1(c).	831	831 X \$5,000 = \$4,155,000
City of Taft Wastewater Treatment Plant	48. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. 5-00-080 (NPDES Permit No. CA0080161), <i>Waste Discharge Requirements for City of Taft, Taft Heights Sanitation District and United States Department of Energy</i> , by failing to monitor and report on parameters required by Order No. 5-00-080 (including, but not limited to, influent flow), for which liability may be imposed pursuant to Water Code section 13627.1(c).	654	654 X \$5,000 = \$3,270,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Taft Wastewater Treatment Plant	49. Between January 1, 2004 and December 31, 2006, and at other times through December 31, 2008, willfully or negligently caused or allowed violations of effluent limitations for dissolved oxygen provided by Order No. 5-00-080 (NPDES Permit No. CA0080161), <i>Waste Discharge Requirements for City of Taft, Taft Heights Sanitation District and United States Department of Energy</i> , for which liability may be imposed pursuant to Water Code section 13627.1(c).	25	25 X \$5,000 = \$125,000
San Simeon Community Services District Wastewater Treatment Plant	50. Between June 1, 2004 and December 31, 2006, and at other times through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R3-2002-0046 (NPDES Permit No. CA 0047961), <i>Waste Discharge Requirements for the San Simeon Community Services District</i> , by failing to monitor and report on parameters required by Order No. R3-2002-0046 (including, but not limited to, chlorine residual, coliform, upcoast total coliform, downcoast total coliform, effluent turbidity settleable solids, pH, and effluent dissolved oxygen), for which liability may be imposed pursuant to Water Code section 13627.1(c).	55	55 X \$5,000 = \$275,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
San Simeon Community Services District Wastewater Treatment Plant	51. On October 8, 9, 12, and 14, 2004, and at other times through December 31, 2008, failed to use reasonable care in the management or operation of the San Simeon WWTP by failing to follow standard operating procedures and ensure that coliform samples were taken and analyzed in the appropriate manner, for which liability may be imposed pursuant to Water Code section 13627.1(c).	4	4 X \$5,000 = \$20,000
San Simeon Community Services District Wastewater Treatment Plant	52. Between May 2004 and September 2006, and at other times through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R3-2002-0046 (NPDES Permit No. CA 0047961), <i>Waste Discharge Requirements for the San Simeon Community Services District</i> , by submitting sampling results which it knew or should have known might not be accurate, for which liability may be imposed pursuant to Water Code section 13627.1(c).	65	65 X \$5,000 = \$325,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
San Simeon Community Services District Wastewater Treatment Plant	53. Between May 2004 and September 2006, and at other times through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. R3-2002-0046 (NPDES Permit No. CA 0047961), <i>Waste Discharge Requirements for the San Simeon Community Services District</i> , by not sampling in representative locations and an appropriate manner (including for chlorine residual and coliform), as required by such permit, for which liability may be imposed pursuant to Water Code section 13627.1(c).	1	1 X \$5,000 = \$5,000
San Simeon Community Services District Wastewater Treatment Plant	54. Between May 1, 2005 and June 30, 2006, and at other times through December 31, 2008, willfully or negligently caused or allowed violations of effluent limitations for chlorine residual provided by Order No. R3-2002-0046 (NPDES Permit No. CA 0047961), <i>Waste Discharge Requirements for the San Simeon Community Services District</i> , for which liability may be imposed pursuant to Water Code section 13627.1(c).	8	8 X \$5,000 = \$40,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
San Simeon Community Services District Wastewater Treatment Plant	55. Between May 2004 and December 31, 2007, and on other dates through December 31, 2008, failed to use reasonable care in the operation of the San Simeon WWTP and exercising poor care and judgment by failing to properly maintain the WWTP, for which liability may be imposed pursuant to Water Code Section 13627.1(c).	69	69 X \$5,000 = \$345,000

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Santa Paula Wastewater Reclamation Facility	56. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, willfully or negligently caused or allowed a violation of Order No. 97-041 (NPDES Permit No. CA 0054224), <i>Waste Discharge Requirements for the City of Santa Paula and Ventura Regional Sanitation District</i> , as applicable requirements under such Order were modified, or superceded or set forth in the Time Schedule Orders issued by the Los Angeles Regional Water Quality Control Board ("TSOs") and the Consent Judgment in Ventura County Superior Court Case No. 56-2007-00304441 between the City of Santa Paula and the Los Angeles Regional Water Quality Control Board ("Consent Judgment"), by failing to monitor and report on parameters in the manner or as required by Order No. 97-041 , as modified by the TSOs and/or the Consent Judgment (including, but not limited to, for chlorine residual), for which liability may be imposed pursuant to Water Code section 13627.1(c). ⁴	100	100 X \$5,000 = \$500,000

⁴ ECO was not a party to the Consent Judgment, and violations of the Consent Judgment on the part of the City of Santa Paula are not intended to be included in the scope of the Covered Matters.

WWTP	Alleged Violations	Days/# of Violation(s)	Potential Maximum Administrative Civil Liability
City of Santa Paula Wastewater Reclamation Facility	57. Between January 1, 2004 and December 31, 2006, and on other dates through December 31, 2008, willfully or negligently caused or allowed violations of effluent limitations for chlorine residual provided by Order No. 97-041 (NPDES Permit No. CA 0054224), <i>Waste Discharge Requirements for the City of Santa Paula and Ventura Regional Sanitation District</i> , as applicable requirements under such Order were modified or superceded or set forth in the TSOs and/or the Consent Judgment, for which liability may be imposed pursuant to Water Code section 13627.1(c).	15	15 X \$5,000 = \$75,000
City of Santa Paula Wastewater Reclamation Facility	58. Between January 1, 2004 and on other dates through December 31, 2008, failed to use reasonable care in the operation of the Santa Paula WWTP by failing to correct and appropriately manage the chlorination and dechlorination process and to maintain the WWTP, for which liability may be imposed pursuant to Water Code Section 13627.1(c).	1	1 X \$5,000 = \$5,000
			Total Maximum Potential Liability: \$26,223,600