

California Regional Water Quality Control Board  
North Coast Region  
5550 Skylane Boulevard, Suite A  
Santa Rosa, CA 95403

SCHEDULED PUBLIC HEARING  
AND  
NOTICE OF ISSUANCE OF A COMPLAINT

FOR

ADMINISTRATIVE CIVIL LIABILITY  
AND  
MANDATORY PENALTIES

IN THE MATTER OF

STOCKTON PACIFIC ENTERPRISES, INC.  
SAMOA PULP MILL  
WDID NO. 1B77005OHUM

FOR

VIOLATIONS OF WASTE DISCHARGE REQUIREMENTS

Humboldt County

On April 22, 2005, the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), Executive Officer issued Complaint No. R1-2005-0028 (Complaint) for Administrative Civil Liability and Mandatory Penalties to Stockton Pacific Enterprises, Inc. (Permittee), in the amount of \$1,730,915 for violations of Waste Discharge Requirements. During the period between August 15, 2003, through March 2, 2005, the Permittee violated NPDES permit conditions contained in Waste Discharge Requirements Order Nos. R1-2001-0063 and R1-2004-0047 for which the Regional Water Board may impose civil liability under Section 13385 of the California Water Code.

Based on a review of the facts and the required factors, the Executive Officer of the Regional Water Board issued a Complaint that proposes to assess administrative civil liability in the amount of \$1,730,915.

***Opportunity for Settlement Without a Public Hearing***

A 14-day public comment period has commenced beginning on the date of this notice. If no significant comments are received during the comment period, the Permittee will have the opportunity to settle the matter by paying the proposed administrative civil liability. The Executive Officer will consider comments received and either finalize the settlement or take other appropriate action.

***Public Hearing Procedures***

If the Permittee expresses intent to contest the Complaint by not waiving the hearing, the Regional Water Board will hold a public hearing on June 21, 2005, at 9:00 a.m., or as announced

in the Regional Water Board's summary agenda to be mailed on or about June 8, 2005. The meeting is scheduled to be held at the Regional Water Board Hearing Room located at 5550 Skylane Boulevard, Suite A, Santa Rosa, California. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed civil liability, or take other enforcement action.

The Permittee and interested persons must submit to the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, 95403, written copies of all technical reports, testimony, and other evidentiary material concerning this issue by 5:00 p.m. on June 8, 2005. This written material will be made available to the Regional Water Board members and all interested persons.

Written material received after the above date will not be accepted, except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice the Permittee or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, Title 23, Sections 648.1 and 648.4).

All those who plan to testify at the hearing must submit written statements to the Regional Water Quality Control Board by June 8, 2005. The statements should provide the name of the witness, their qualifications (if they will appear as an expert), and the scope of their intended testimony. Testimony at the above-scheduled hearing may summarize or explain timely submitted or late-accepted written evidence, but shall not add new evidence. The time constraints for oral testimony or comments will be set by Regional Water Board Chair and usually will allow no more than 10 minutes for Regional Water Board staff and the Permittee and three minutes for other interested persons. A timer may be used and speakers are expected to honor the time limits. Where speakers can be grouped by affiliation or interest, such groups will be expected to select a spokesperson and not be repetitive.

### ***Document Review***

The Complaint is available for review on the Regional Water Board web site at <http://www.waterboards.ca.gov/northcoast/agenda/pending.html>. The draft staff report will be available for review by June 8, 2005. That document as well as the other evidentiary documents and file may be inspected or copied at the Regional Water Board office on Mondays from 1:30 p.m. to 4:30 p.m., Tuesday through Thursday from 8:30 a.m. to 11:30 a.m. and from 1:30 p.m. to 4:30 p.m., and Fridays from 8:30 a.m. to 11:30 a.m. Appointments are recommended for file review. Appointments can be made by calling (707) 576-2220. For further information, please contact Regional Water Board staff member Roy O'Connor at (707) 576-2670 or at [roconnor@waterboards.ca.gov](mailto:roconnor@waterboards.ca.gov)

Catherine E. Kuhlman  
Executive Officer

April 22, 2005