

California Regional Water Quality Control Board  
North Coast Region  
5550 Skylane Boulevard, Suite A

Notice  
of  
Issuance of a Complaint and Notice of Public Hearing

Complaint No. R1-2005-0048

For

Administrative Civil Liability

In the Matter of

American Aircraft Painting  
600 Heidelberger Way  
Healdsburg  
WDID No. 1 1 49I001518

For

Violation of  
California Water Code (CWC) Section 13399.31

Sonoma County

On May 23, 2005 the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), Executive Officer issued Administrative Civil Liability Complaint No. R1-2005-0048 (Complaint) to Larry Remington (Discharger), in the amount of \$9,000 for allegedly violating water quality laws by failing to submit the 2003-2004 Annual Storm Water Report for the American Aircraft Painting in a timely manner. CWC Section 1399.31(d) provides for the imposition of Civil Liabilities against any person failing to submit an Annual Storm Water Report within 60 days from the date on which notice is sent pursuant to CWC Section 13399.31(c). For violations of CWC Section 13399.31, CWC Section 13399.33 requires that the Regional Water Board impose Civil Liability in the amount not less than \$1,000 violation.

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

A 30-day public comment period has commenced beginning on the date of this notice. If no significant comments are received during the comment period, this matter may be settled without a hearing and if the Discharger waives the hearing and agrees to pay the full amount of proposed Civil Liability. The Executive Officer will consider comments received and either finalize the settlement or take other appropriate action.

***Public Hearing Procedures***

If the Discharger expresses intent to contest the Complaint by not waiving the hearing, the Regional Water Board will hold a public hearing on this matter 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 1,

2005. The meeting is scheduled to be held in the Regional Water Quality Control 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 Discharger 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 2, 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 Discharger 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 10, 2005. The statements should provide the name of the witness, their qualifications (if 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 Discharger 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 no later than May 27, 2005. That document as well as the other evidentiary documents and file may be inspected or copied at the Regional Water Board office during regular office hours, which are generally weekdays from 8 a.m. to 5 p.m, excluding holidays. 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 Paul Keiran at (707) 576-2753 or at [pkeiran@waterboards.ca.gov](mailto:pkeiran@waterboards.ca.gov).

Catherine E. Kuhlman  
Executive Officer

May 23, 2005