

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

Notice
of
Issuance of a Complaint and Notice of Public Hearing

Complaint No. R1-2006-0019

For

Administrative Civil Liability

In the Matter of

Dura Glass Products
1500A Copperhill Pkwy
Santa Rosa
WDID No. 1 49I014731

For

Failure to file an annual report in violation of
California Water Code (CWC) Section 13399.31

Sonoma County

On February 24, 2006 the California Regional Water Quality Control Board, North Coast Region (Regional Water Board), Executive Officer issued Administrative Civil Liability Complaint No. R1-2006-0019 (Complaint) to Dura Glass Products (Discharger), in the amount of \$1,000 for allegedly violating water quality laws by failing to submit the 2003-04 Annual Storm Water Report for the Dura Glass Products 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 May 17, 2006, at 9:00 a.m., or as announced in the Regional Water Board's summary agenda to be mailed on or about April 17, 2006. The meeting is scheduled to be held in the River Lodge Conference Center, 1800 Riverwalk Drive, Fortuna, 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 March 30, 2006. 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 March 30, 2006. The statements must 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 <http://water100.waterboards.ca.gov/rb1/orders/com/s.asp>. The draft staff report 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 Nancy Negley at (707) 576-2657 or at nnegley@waterboards.ca.gov.

Catherine E. Kuhlman
Executive Officer

February 24, 2006

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