

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

COMPLAINT NO. 01-018

**MANDATORY PENALTY
IN THE MATTER OF
CENTRAL MARIN SANITATION DISTRICT
SAN RAFAEL
MARIN COUNTY**

This complaint assesses Mandatory Penalties pursuant to Water Code section 13385 is issued to the Central Marin Sanitation District (hereafter Discharger) based on a finding of a violation of Waste Discharge Requirements Order No. 96-034 (NPDES No. CA0038628).

The Executive Officer finds the following:

1. On March 20, 1996, the Regional Water Quality Control Board, San Francisco Bay Region, (Regional Board) adopted Waste Discharge Requirements Order No. 96-034 (NPDES No. CA0038628), for Central Marin Sanitation Agency, to regulate discharges of waste from the wastewater treatment plant.
2. Water Code section 13385(h)(1) requires the Regional Board to assess a mandatory minimum penalty (MMP) of three thousand dollars (\$3,000) for the first serious violation in any six-month period or in lieu of the penalty require the discharger to spend an equal amount for a supplemental environmental project or to develop a pollution prevention plan.
3. Water Code section 13385(i)(1) requires the Regional Board to assess a MMP of three thousand dollars (\$3,000) for two or more serious violations in any 6-month period
4. Water Code section 13385(i)(2) states: A MMP of three thousand dollars (\$3,000) shall be assessed for each violation, not counting the first three violations, if the discharger does any of the following four or more times in any six-month period:
 - a. Exceeds a waste discharge requirement effluent limitation;
 - b. Fails to file a report pursuant to Section 13260;
 - c. Files an incomplete report pursuant to Section 13260;
 - d. Exceeds a toxicity discharge limitation where the waste discharge requirements do not contain pollutant-specific effluent limitations for toxic pollutants.

5. Order No. 96-034 includes the following effluent limitation:

B. Effluent Limitations

4. Concentration Criteria for Toxic Pollutants

(i) The effluent shall not exceed the following concentration limits:

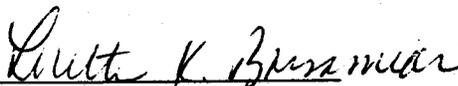
Constituent	Monthly Avg.	Weekly Avg.	Instantaneous Maximum
Chlorine Residual, mg/L	---	---	0.0

6. According to monitoring reports submitted by the Discharger, the Discharger two (2) chronic violations of the chlorine residual, one on July 3 and one on September 20, 2000. Due to previous chronic violations, the amount of the MMP for the chronic violations is \$6,000 (2* \$3,000).

7. The total amount of the MMP is \$6,000.

CENTRAL MARIN SANITATION DISTRICT IS HEREBY GIVEN NOTICE THAT:

1. The Executive Officer of the Regional Board proposes that the Discharger be assessed a Mandatory Penalty in the amount of \$6,000.
2. A hearing shall be held by the Regional Board on March 21, 2001 unless the Discharger agrees to waive the hearing and pay the mandatory penalty of \$6,000 in full.
3. The discharger may waive the right to a hearing. If you wish to waive the hearing, please check and sign the attached waiver and return it and a check made payable to the State Water Resources Control Board for the full amount of the MMP to the Regional Board's office at the letterhead address.



Loretta K. Barsamian
Executive Officer

2-15-01

Date