
Central Valley Regional Water Quality Control Board

8 August 2016

Brooks & Arlene Rushing,
Trustee of the Brooks J & Arlene J Rushing Trust
2030 N Washington Rd
Turlock, CA 95380

Certified Mail No.
7013 2250 0000 3465 0592

ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2016-0546, BROOKS AND ARLENE RUSHING, AS INDIVIDUALS AND IN THEIR REPRESENTATIVE CAPACITY AS TRUSTEES FOR THE BROOKS J AND ARLENE J RUSHING TRUST

Enclosed is an Administrative Civil Liability (ACL) Complaint, issued pursuant to California Water Code section 13323. This ACL Complaint alleges that Brooks and Arlene Rushing, as individuals and in their representative capacity as trustees of the Brooks J & Arlene J Rushing Trust (Dischargers) failed to submit a Report of Waste Discharge as required under Water Code section 13260, and recommends an administrative civil liability pursuant to Water Code section 13261 in the amount of **thirty four thousand three hundred twenty dollars, (\$34,320)**.

You may:

- Pay the proposed administrative civil liability and waive the right to a hearing (Option 1 on the attached waiver form—see Attachment F);
- Ask that the hearing be postponed to facilitate settlement discussions or for other reasons (Options 2 or 3 on the attached waiver form—see Attachment F); or
- Contest the ACL Complaint and/or enter into settlement discussions without signing the enclosed waiver.

If the Central Valley Water Board does not receive a signed waiver by **5:00 p.m. on 24 August 2016**, a hearing will be scheduled for **3/4 November 2016** before a panel of the Central Valley Water Board. This hearing will be governed by the attached Hearing Procedure and held at 1685 E Street, Fresno, California. Any objections to the Hearing Procedure must be received by Andrew Deeringer, whose contact information is listed in the Hearing Procedure, by **5:00 p.m. on 18 August 2016**.

If the Dischargers would like to engage in settlement negotiations and assert an inability to pay the proposed liability, they should submit detailed financial information to the Central Valley Water Board along with a waiver requesting settlement discussions by **24 August 2016**. Appropriate documentation includes the last three years of signed federal income tax returns and schedules, credit card or line of credit statements, mortgage loan statements, bank account statements, or any other document that explains the special circumstances regarding past, current, or future financial conditions.

In order to conserve resources, this letter transmits paper copies of the documents to the Dischargers only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/.

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's Rancho Cordova office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Lisa Wilson at (916) 464-4844, or via e-mail at Lisa.Wilson@waterboards.ca.gov.

[Original signed by]

ANDREW ALTEVOGT
Assistant Executive Officer

Enclosure: ACL Complaint R5-2016-0546

cc via email: Pamela Creedon, Central Valley Water Board, Rancho Cordova
Adam Laputz, Central Valley Water Board, Rancho Cordova
Rob L'Heureux, Central Valley Water Board, Rancho Cordova
Kailyn Ellison, Office of Enforcement, SWRCB, Sacramento
Andrew Deeringer, Office of Chief Counsel, SWRCB, Sacramento
Parry Klassen, East San Joaquin Water Quality Coalition
Don H. Gaekle, Stanislaus County Agricultural Commissioner