

State of California
Regional Water Quality Control Board
San Diego Region

SUPPLEMENTAL EXECUTIVE OFFICER SUMMARY REPORT
November 10, 2010

ITEM: 8

SUBJECT: Public Hearing: Administrative Assessment of Civil Liability, Eastern Municipal Water District (EMWD), Temecula Valley Regional Water Reclamation Facility (TVRWRF), Riverside County. The San Diego Water Board will consider adoption of a Tentative Order that would impose \$524,800 in civil liability for violations of Order No. R9-2000-0165 identified in Complaint No. R9-2010-0085. (Tentative Order No. R9-2010-0131) (*Robert Pierce*).

DISCUSSION: The Prosecution Team submitted evidence of potential conflict of interest for two Board Members. Newly appointed Board Member William Green may have potential bias concerning EMWD based on his request for EMWD's General Manager's endorsement of his appointment to the Board. Board Member Luker may have potential bias based on his father's position as EMWD Assistant General Manager. The Prosecution Team requests that the Board Members recuse themselves or state on the record that they are capable of adjudicating without bias despite the concern.

SUPPORTING DOCUMENTS: 13. Prosecution Team's Notice of Potential Bias of Board Member Green
14. Prosecution Team's Notice of Potential Bias of Board Member Luker

RECOMMENDATION: Recommendations from the Advisory and Prosecution staff teams will be provided at the hearing.