

State of California  
Regional Water Quality Control Board  
San Diego Region

SUPPLEMENTAL EXECUTIVE OFFICER SUMMARY REPORT  
October 13, 2010

ITEM: 7

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: Pursuant to the hearing procedures distributed with the ACL Complaint and finalized on August 11, 2010, the Prosecution Team and EMWD submitted evidence and policy statements on September 2, 2010 and September 22, 2010, respectively. The Prosecution Team submitted rebuttal evidence on October 4, 2010 (Supporting Document No. 12). The Prosecution Team challenges EMWD's assertion that less liability should be imposed for environmental harm, culpability, deviation from the requirement, and history of violations than recommended in the Tentative Order.

SUPPORTING DOCUMENTS: Documents 1 through 11 provided in original agenda package.  
2. Errata to Exhibit 1 of the Tentative Order.  
10. Hard copy excerpt of the Enforcement Policy penalty calculation methodology.  
12. Rebuttal Statement submitted by Prosecution Team on October 4, 2010.

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