

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER No. 86-75

ORDER SETTING ADMINISTRATIVE CIVIL LIABILITY NO. 86-09

JONES CHEMICALS, INC.  
MILPITAS  
SANTA CLARA COUNTY

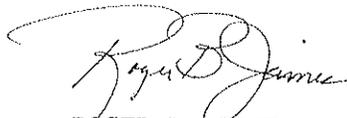
The California Regional Water Quality Control Board, San Francisco Bay Regional (hereinafter called the Board), finds, pursuant to California Water Code Section 13323, that:

1. Jones Chemicals, Inc. (hereinafter called the discharger) operates a chemical storage and distribution facility located at 985 Montague Expressway, between Routes 17 and 680, in the city of Milpitas, Santa Clara County.
2. Groundwaters beneath the site and beyond the site boundaries are polluted with organic solvents.
3. The Board adopted waste discharge requirements, Order No. 85-108, on September 18, 1985. Provision C.3.a required the discharger to submit a proposal, by October 22, 1985, for additional measures to contain and cleanup the pollutant plume.
4. The discharger was notified by letters dated November 8, 1985 and December 30, 1985, of non-compliance with Provision C.3.a.
5. The required technical proposal was submitted to Board staff on January 14, 1986, 84 days after the October 22, 1985 compliance date of Provision C.3.a of Order No. 85-108 thereby violating the terms of said order.
6. On July 11, 1986 Complaint No. 86-09 was issued for Administrative Civil Liability due to failure to submit a technical proposal by October 22, 1985, in violation of Provision C.3.a of Board Order No. 85-108.
7. The Executive Officer, in complaint No. 86-09 proposed that administrative civil liability be imposed by the Regional Board in the amount of \$12,600 pursuant to Section 13268 of the California Water Code for failure to submit a technical report. The proposed liability has not been paid, and the right to a hearing has not been waived.

8. The Board finds that this action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.
9. The Board on September 17, 1986, after due notice to the discharger and other affected persons, conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

IT IS HEREBY ORDERED, pursuant to Water Code Sections 13323 and 13268(b) that Jones Chemicals, Inc. is civilly liable for this violation and shall pay administrative civil liability in the amount of \$12,600. Payment shall be made within 30 days of the date of this Order to the State Water Pollution Cleanup and Abatement account.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 17, 1986.



ROGER B. JAMES  
Executive Officer