

California Regional Water Quality Control Board  
Santa Ana Region

June 1, 2001

**ITEM:** 10

**SUBJECT:** Administrative Civil Liability Complaint No. 01-64, Dynamic Details, Inc., Anaheim, Orange County

**BACKGROUND**

On May 4, 2001, the Executive Officer issued Administrative Civil Liability Complaint (ACL) No. 01-64 (copy attached) to Dynamic Details, Inc. (Dynamic Details) for alleged violations of State's General Permit for Storm Water Runoff Associated with Industrial Activity (General Permit). In the ACL, the Executive Officer proposed an assessment of \$12,750 for the alleged violations.

**INTRODUCTION**

The matter before the California Regional Water Quality Control Board, Santa Ana Region (Board), is whether to affirm, reject, or modify the proposed administrative civil liability assessment against Dynamic Details.

ACL No. 01-64 was issued by the Executive Officer to Dynamic Details for failing to develop and effectively implement an effective Storm Water Pollution Prevention Plan (SWPPP) and Monitoring and Reporting Requirements; for discharging unauthorized, non-storm water containing pollutants; and, for discharging pollutants in storm water to the storm drain system.

**DISCUSSION**

The General Permit regulates the discharge of storm water from industrial sites as required under Section 402(p) of the Federal Clean Water Act. Coverage under the permit is obtained by filing a Notice of Intent (NOI), site map, and fee (annual fee of \$250), with the State Water Resources Control Board. Dynamic Details filed an NOI and obtained coverage under the General Permit on May 12, 2000, WDID No. 8 30S015881. The facility is located at 1220 Simon Circle in the City of Anaheim.

On January 9, 2001, Board staff initiated an inspection of the facility and observed that a significant amount of hazardous wastes were being improperly stored between 1240 and 1260 Lance Lane (location A on Attachment 1), adjacent to the storm drain system. Adequate Best Management Practices (BMPs) designed to prevent the commingling of hazardous wastes and other pollutants with storm water and non-storm water runoff had not been implemented. Multi-colored stains were observed between the storage area and the outside storm drain system (location A, Attachment 1). Oily liquid and oil-soaked adsorbent were found under the compressor outside the facility at 1251 Simon Circle (location C, Attachment 1). There was evidence that oily liquid had been discharged to

the nearby storm swales. Dynamic Details was requested by Regional Board staff (staff) to immediately remedy these problems.

On January 11, 2001, a rainy day, staff continued the inspection of the facility. It was observed that some efforts had been made to clean up the adsorbent and the oil spills at 1251 Simon Circle and approximately two-thirds of the hazardous waste containers on Lance Lane had been moved into an area equipped with secondary containment (location B, Attachment 1). However, improper storage of hazardous wastes and lack of adequate BMPs continued to exist. A grab sample of runoff from this area (location A, Attachment 1) was taken by Board staff. Analytical results of the sample indicated elevated concentrations of copper and zinc. The copper concentration was 0.309 mg/L, compared to U. S. EPA's multisector benchmark of 0.0636 mg/L. The lead concentration was found at 0.399 mg/L, compared with the benchmark of 0.0816 mg/L.

During the inspection, staff observed an overflow from the secondary containment berm (location B, Attachment 1) serving the wastewater pretreatment system and the hazardous waste storage area located between 1221 and 1231 Simon Circle. The previously contained liquid was observed discharging to the storm drain system (location B, Attachment 1). Analytical results of the runoff at this location indicated the presence of copper (4.50 mg/L), lead (1.78 mg/L), and zinc (0.776mg/L), at elevated concentrations. The sample had a pH of 5.71. The problem was discussed with Dynamic Details' representative. The representative instructed his staff to pump the liquid into a container. Board staff reminded Dynamic Details' representative that the facility SWPPP had identified secondary containment and covers as the BMPs to reduce/eliminate contaminants in runoff. The representative stated that there was a shortage of manpower at the facility and he did not expect such a big storm in the area. The representative agreed to remedy the problem and fully implement the additional BMPs identified in the facility's SWPPP.

On January 22, 2001, Dynamic Details' representative informed staff in a phone conversation that all the chemical containers at the 1240 Lance Lane (location A, Attachment 1) had been either treated or moved into the contained area (location B, Attachment 1). The company's representative also stated that the containment at the 1231 Simon Circle would be fixed by the end of the week to ensure no discharge of pollutants to the storm drain system. An updated map of the facility was submitted by the company on January 30, 2001.

On February 27, 2001, during a heavy storm event, staff re-inspected the facility and observed another discharge of liquid from the contained hazardous waste storage area (location B, Attachment 1) between 1231 and 1221 Simon Circle to the storm drain system. A sample of the runoff was taken by the staff. The analytical results indicated that the runoff had elevated concentrations of copper (3.65 mg/L), lead (2.41 mg/L), and zinc (0.360 mg/L). During this inspection, while it was observed that some efforts were made to cleanup the site, many of the earlier violations continued, including improper storage of hazardous wastes and inadequate BMPs to prevent commingling of pollutants with runoff. Board staff informed Dynamic Details' representative that they had to immediately address the problems to prevent discharge of contaminants in storm water. The representative agreed to comply.

## **SITE HISTORY**

From 1993 to June 2000, the facility was operated under the name "Details, Inc." In June, 2000, the company changed ownership; however, the nature of the business remained essentially the same, the manufacture of printed circuit boards. A review of the past annual reports submitted by Details, Inc. shows that:

- a) In the 1997-98 annual report, the company acknowledged that implementation of BMPs in the hazardous waste storage area was inadequate and resulted in the high concentrations of metals and high/low pH levels in the runoff. The company reported that a berm would be built by July 1998 to be used as a secondary containment. The analytical results of the storm water runoff during this period indicated all 14 samples had copper levels above the benchmark, with the highest level at 5.6 mg/L. Eight samples had excessively high lead levels. The pH of the samples ranged from 2 to 5.44.

Note: On January 29, 2001, Dynamic Details' representative stated that the berm had not been built.

- b) The 1998-99 annual report identified "keeping containers of spent chemicals inside the contained areas" as the preferred BMP to reduce/eliminate heavy metal concentrations in runoff. Analytical results of the 10 storm water runoff samples during this period showed all of them had copper concentrations above the benchmark. The runoff from the two hazardous chemical storage areas also exceeded the benchmark level for lead.

Note: During the inspections in January and February 2001, this BMP had not been fully implemented.

- c) In the 1999-2000 annual report, out of a total of 12 samples of storm water collected at the facility, eleven samples had copper concentrations above the EPA benchmark level. Seven of these samples had elevated lead concentrations. As expected, these pollutants were especially concentrated in the runoff from the chemical storage area at 1240 Lance Lane and the hazardous wastes area at 1221 Simon Circle. Copper was found as high as 7 mg/L. The lead concentration in the runoff was found at 0.71 mg/L. The corresponding pH and electrical conductivity (EC) for these specific samples were also out of the benchmark range. The ECs were excessively high, in the range of 900 to 2200 us/cm.

Note: In the 1999-2000 annual report, the company acknowledged that BMPs had not been fully implemented for the chemical storage area and the chemical receiving area;

By failing to effectively implement BMPs identified in the facility's SWPPP and discharging pollutants in storm water, Dynamic Details violated Provisions A1, A2, and B3 of the General Permit. Pursuant to Water Code Section 13385 (a) (2), civil liability may be imposed for the preceding violations.

Section 13385 (c) provides that civil liability may be administratively imposed by a regional board in an amount not to exceed ten thousand dollars (\$10,000) for each day the violation occurs.

The Executive Officer issued ACL No. 01-64 because of these repeated violations of the General Permit. The Water Code specifies factors the Board shall consider in establishing the amount of civil liability. These factors are discussed below.

1. Nature, Circumstances, Extent and Gravity of the Violations

The discharger was fully aware of the requirements of the General Permit to develop and implement a SWPPP to control the discharge of pollutants in storm water runoff. The company repeatedly acknowledged the need to have additional/revised BMPs to reduce/eliminate pollutants in the storm water.

2. Ability to Pay the Proposed Assessment

The discharger has not provided any information to indicate that it would have difficulty paying the proposed assessment.

3. Prior History of Violations

Dynamic Details had been aware that they needed to improve their BMPs for proper storage and handling of hazardous wastes. Dynamic Details failed to correct the violations after being requested to do so by Board staff. Their failure to correct the violations resulted in the discharge of storm water containing pollutants to the storm drain system.

4. Degree of Culpability

The storm water regulations are applicable to all industrial activities. All dischargers, including Dynamic Details, are responsible for compliance with the Clean Water Act. Dynamic Details is fully culpable for violating the terms and conditions of the General Permit, which implements the Clean Water Act. Dynamic Details had been repeatedly warned about these violations.

5. Economic Benefit or Savings, if any, Resulting from the Violations

By failing to effectively develop and implement BMPs, Dynamic Details gained an economic advantage over their competitors. Board staff estimated that Dynamic Details saved approximately \$8,000 as a result of the violations.

### **STATEWIDE ENFORCEMENT POLICY**

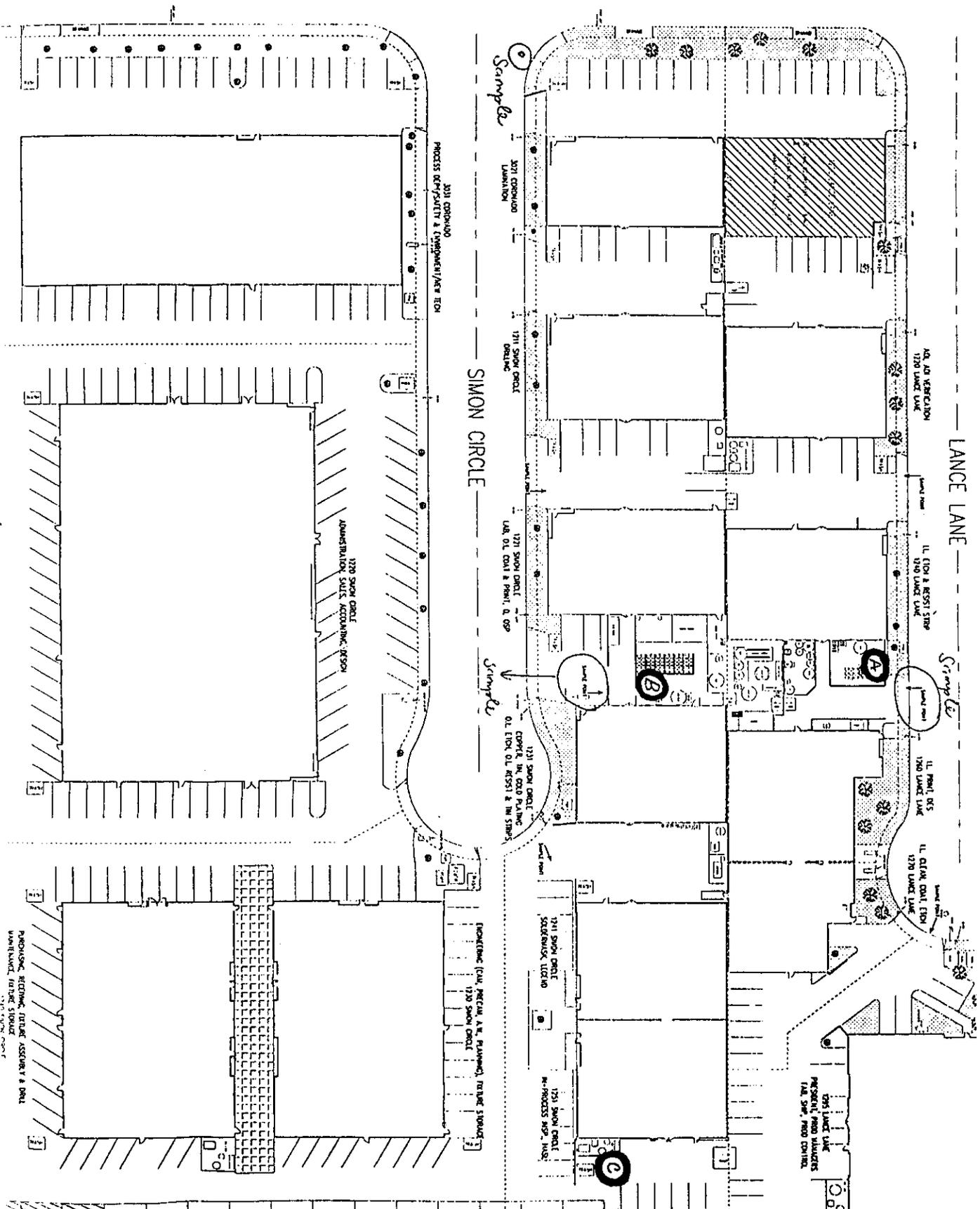
On April 18, 1996, the State Water Resources Control Board adopted a State Water Quality Enforcement Policy to ensure that enforcement actions throughout the State are consistent, predictable, and fair. The above-described administrative civil liability complaint is in accordance with the Statewide Enforcement Policy.

### **RECOMMENDATION**

After consideration of the above factors, staff recommends that the Board affirm the assessment of \$12,750 specified in the Administrative Civil Liability Complaint issued by the Executive Officer on May 4, 2001.

Attachment 1

CORONADO



STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION

In the matter of: )  
 )  
Dynamic Details, Inc. ) Complaint No. 01-64  
1231 Simon Circle ) for  
Anaheim, CA 92806 ) Administrative Civil Liability  
Attention: Mr. Nirav Sheth )

YOU ARE HEREBY GIVEN NOTICE THAT:

1. You are alleged to have violated provisions of law for which the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), may impose liability under Section 13385 of the California Water Code.
2. A hearing concerning this Complaint will be held before the Board within sixty days of the date of issuance of this Complaint. The hearing in this matter has been scheduled for the Board's regular meeting on June 1, 2001 at the City Council Chambers, City of Loma Linda, California. You or your representative will have an opportunity to appear and be heard, and to contest the allegations in this Complaint and the imposition of civil liability by the Board. An agenda for the meeting will be mailed to you not less than 10 days before the hearing date.
3. At the hearing, the Board will consider whether to affirm, reject or modify the proposed administrative civil liability or whether to refer the matter to the Attorney General for recovery of judicial civil liability.
4. The Dynamic Details, Inc. (Dynamic Details), facility located at 1231 Simon Circle, Anaheim, California (facility), is currently regulated under the State's General Permit for Storm Water Discharges Associated with Industrial Activities, Water Quality Order No. 97-03-DWQ, NPDES No. CAS000001 (General Permit). The facility's WDID Number is 830S015881. The facility is comprised of 18 buildings located on Simon Circle and Lance Lane in the City of Anaheim.
5. Dynamic Details is alleged to have violated Provisions A1, A2, and B3 of the General Permit. Dynamic Details failed to properly implement an effective Storm Water Pollution Prevention Plan (SWPPP) and Monitoring and Reporting Requirements, improperly stored and handled hazardous waste and discharged pollutants to the storm drain system from its facility. Pursuant to Water Code Section 13385 (a)(2), civil liability may be imposed for the preceding violations.
6. On January 9, 2001, Board staff initiated an inspection of the facility and observed that a significant amount of hazardous wastes were being improperly stored between 1240 and 1260 Lance Lane, adjacent to the storm drain system.

Adequate Best Management Practices (BMPs) designed to prevent the commingling of hazardous wastes and other pollutants with storm water and non-storm water runoff had not been implemented. Multi-colored stains were observed between the storage area and the outside storm drain system. Oily liquid and oil-soaked adsorbent were found under the compressor outside the facility at 1251 Simon Circle. There was evidence that oily liquid had been discharged to the nearby storm swales. Dynamic Details was requested by Regional Board staff (staff) to immediately remedy these problems.

7. On January 11, 2001, a rainy day, staff resumed inspection of the facility. It was observed that some efforts had been made to clean up the adsorbent and the oil spills at 1251 Simon Circle and approximately two-thirds of the hazardous waste containers on Lance Lane had been moved into an area equipped with secondary containment. However, improper storage of hazardous wastes and lack of adequate BMPs continued to exist. A grab sample of runoff from this area was taken by Board staff. Analytical results of the sample indicated elevated concentrations of copper and zinc.

During the inspection, staff observed a significant breach in the secondary containment berm serving the wastewater pretreatment system and the hazardous waste storage area located between 1221 and 1231 Simon Circle. The previously contained liquid was observed overflowing to the storm drain system. Analytical results of the runoff at this location indicated the presence of copper, lead, and zinc at elevated concentrations and a low pH. The problem was discussed with Dynamic Details' representative. The representative instructed his staff to pump the liquid into a container. Board staff reminded Dynamic Details' representative that the facility SWPPP had identified secondary containment and covers as the BMPs to reduce/eliminate contaminants in runoff. The representative agreed to remedy the problem and implement additional BMPs.

8. On February 27, 2001, during a heavy storm event, staff re-inspected the facility and observed another discharge of liquid from the contained hazardous waste storage area between 1231 and 1221 Simon Circle to the storm drain system. A sample of the runoff was taken by the staff. The analytical results indicated that the runoff had elevated concentrations of copper, lead, and zinc. During this inspection, it was observed that some efforts were made to cleanup the site; however, many of the earlier violations continued, including improper storage of hazardous wastes and inadequate BMPs to prevent commingling of pollutants with runoff. Board staff informed Dynamic Details' representative that they had to immediately address the problems to prevent discharge of contaminants in storm water. The representative agreed to comply.
9. From 1993 to June 2000, the facility was operated under the name "Details, Inc." In June, 2000, the company changed ownership; however, the nature of the business remained essentially the same, the manufacture of printed circuit boards. A review of the past annual reports submitted by Details, Inc. shows that:

- a) The analytical results indicate that the runoff from the site has consistently contained elevated concentrations of metals, particularly copper and lead. The runoff also had both high and low pH values and high specific conductance;
  - b) In the annual report for 1997-98, the company acknowledged that implementation of BMPs in the hazardous waste storage area was inadequate and that was the cause of the high concentrations of metals and high/low pH levels in the runoff. The company reported that a berm would be built by July 1998 to be used as a secondary containment. On January 29, 2001, a Dynamic Details representative stated that the berm had not been built; and,
  - c) The annual report for 1998-99 identified "keeping containers of spent chemicals inside the contained areas" as the preferred BMP to reduce/eliminate heavy metal concentrations in runoff. This BMP had not been fully implemented.
10. The General Permit requires permittees to develop and implement an effective storm water pollution prevention plan, including proper BMPs. The General Permit further states that storm water runoff shall not cause pollution, contamination, or nuisance and it prohibits most discharges of non-storm water. Dynamic Details violated the General Permit by not developing and effectively implementing BMPs, discharging unauthorized, non-storm water containing pollutants, and by discharging pollutants in storm water.
  11. Section 13385(a)(2) provides that any person who violates waste discharge requirements shall be civilly liable. Section 13385 (c) provides that civil liability may be administratively imposed by a regional board in an amount not to exceed ten thousand dollars (\$10,000) for each day the violation occurs. Additional liability, not to exceed \$10 per gallon, may be imposed for each gallon discharged in excess of 1,000 gallons.
  12. The amount of storm water containing elevated concentrations of pollutants discharged to the storm drain system on January 11, 2001 and February 27, 2001 is unknown, but probably did not substantially exceed 1,000 gallons per day.
  13. Pursuant to Section 13385(c), Dynamic Details is civilly liable in the amount of \$20,000 for the violations cited in Paragraphs 7 and 8. The total maximum liability for the violations on January 11, 2001 and February 27, 2001 is \$20,000.

14. Regional Board staff spent a total of 25 hours investigating this incident (@\$70/hr, the total cost for staff time is \$1,750). Dynamic Details saved approximately \$8,000 by not developing and implementing adequate BMPs throughout the facility. Past annual reports indicate that the facility has had a history of storm water discharges containing elevated metal concentrations, but that adequate BMPs have not been implemented. These factors were considered in assessing the penalty indicated in Paragraph 15, below.
15. Section 13385 (e) specifies factors that the Board shall consider in establishing the amount of civil liability. After consideration of those factors, the Executive Officer proposes that administrative civil liability be imposed on Dynamic Details by the Board in the amount of \$12,750 for the violations cited above.

### WAIVER OF HEARING

You may waive your right to a hearing. If you choose to do so, please sign the attached waiver form and return it, together with a check or money order payable to the State Water Resources Control Board for the amount of civil liability proposed under Paragraph 15, above, to:

Santa Ana Regional Water Quality Control Board  
3737 Main Street, Suite 500  
Riverside, CA 92501-3384

If you have any questions, please contact Mark Smythe at (909) 782-4998, or Michael Adackapara, at (909) 782-3238. For legal questions, contact the Regional Board's staff counsel, Ted Cobb at (916) 341-5171.

5/4/01  
Date

  
Gerard J. Thibeault  
Executive Officer

In the matter of: )  
 )  
Dynamic Details, Inc. )  
1231 Simon Circle )  
Anaheim, CA 92806 )  
Attention: Mr. Nirav Sheth )  
\_\_\_\_\_ )

Complaint No. 01-64  
for  
Administrative Civil Liability

WAIVER OF HEARING

I agree to waive the right of Dynamic Details, Inc. to a hearing before the Santa Ana Regional Water Quality Control Board with regard to the violations alleged in Complaint No. 01-64. I have enclosed a check or money order, made payable to the State Water Resources Control Board, in the amount of \$12,750. I understand that I am giving up Dynamic Details, Inc.'s right to be heard and to argue against allegations made by the Executive Officer in this complaint, and against the imposition of, and the amount of, the liability proposed.

\_\_\_\_\_  
Date

\_\_\_\_\_  
for Dynamic Details, Inc.

STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION

In the matter of: )  
 )  
Dynamic Details, Inc. ) Complaint No. 01-64  
1231 Simon Circle ) for  
Anaheim, CA 92806 ) Administrative Civil Liability  
Attention: Mr. Nirav Sheth )

YOU ARE HEREBY GIVEN NOTICE THAT:

1. You are alleged to have violated provisions of law for which the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), may impose liability under Section 13385 of the California Water Code.
2. A hearing concerning this Complaint will be held before the Board within sixty days of the date of issuance of this Complaint. The hearing in this matter has been scheduled for the Board's regular meeting on June 1, 2001 at the City Council Chambers, City of Loma Linda, California. You or your representative will have an opportunity to appear and be heard, and to contest the allegations in this Complaint and the imposition of civil liability by the Board. An agenda for the meeting will be mailed to you not less than 10 days before the hearing date.
3. At the hearing, the Board will consider whether to affirm, reject or modify the proposed administrative civil liability or whether to refer the matter to the Attorney General for recovery of judicial civil liability.
4. The Dynamic Details, Inc. (Dynamic Details), facility located at 1231 Simon Circle, Anaheim, California (facility), is currently regulated under the State's General Permit for Storm Water Discharges Associated with Industrial Activities, Water Quality Order No. 97-03-DWQ, NPDES No. CAS000001 (General Permit). The facility's WDID Number is 830S015881. The facility is comprised of 18 buildings located on Simon Circle and Lance Lane in the City of Anaheim.
5. Dynamic Details is alleged to have violated Provisions A1, A2, and B3 of the General Permit. Dynamic Details failed to properly implement an effective Storm Water Pollution Prevention Plan (SWPPP) and Monitoring and Reporting Requirements, improperly stored and handled hazardous waste and discharged pollutants to the storm drain system from its facility. Pursuant to Water Code Section 13385 (a)(2), civil liability may be imposed for the preceding violations.
6. On January 9, 2001, Board staff initiated an inspection of the facility and observed that a significant amount of hazardous wastes were being improperly stored between 1240 and 1260 Lance Lane, adjacent to the storm drain system.

Adequate Best Management Practices (BMPs) designed to prevent the commingling of hazardous wastes and other pollutants with storm water and non-storm water runoff had not been implemented. Multi-colored stains were observed between the storage area and the outside storm drain system. Oily liquid and oil-soaked adsorbent were found under the compressor outside the facility at 1251 Simon Circle. There was evidence that oily liquid had been discharged to the nearby storm swales. Dynamic Details was requested by Regional Board staff (staff) to immediately remedy these problems.

7. On January 11, 2001, a rainy day, staff resumed inspection of the facility. It was observed that some efforts had been made to clean up the adsorbent and the oil spills at 1251 Simon Circle and approximately two-thirds of the hazardous waste containers on Lance Lane had been moved into an area equipped with secondary containment. However, improper storage of hazardous wastes and lack of adequate BMPs continued to exist. A grab sample of runoff from this area was taken by Board staff. Analytical results of the sample indicated elevated concentrations of copper and zinc.

During the inspection, staff observed a significant breach in the secondary containment berm serving the wastewater pretreatment system and the hazardous waste storage area located between 1221 and 1231 Simon Circle. The previously contained liquid was observed overflowing to the storm drain system. Analytical results of the runoff at this location indicated the presence of copper, lead, and zinc at elevated concentrations and a low pH. The problem was discussed with Dynamic Details' representative. The representative instructed his staff to pump the liquid into a container. Board staff reminded Dynamic Details' representative that the facility SWPPP had identified secondary containment and covers as the BMPs to reduce/eliminate contaminants in runoff. The representative agreed to remedy the problem and implement additional BMPs.

8. On February 27, 2001, during a heavy storm event, staff re-inspected the facility and observed another discharge of liquid from the contained hazardous waste storage area between 1231 and 1221 Simon Circle to the storm drain system. A sample of the runoff was taken by the staff. The analytical results indicated that the runoff had elevated concentrations of copper, lead, and zinc. During this inspection, it was observed that some efforts were made to cleanup the site; however, many of the earlier violations continued, including improper storage of hazardous wastes and inadequate BMPs to prevent commingling of pollutants with runoff. Board staff informed Dynamic Details' representative that they had to immediately address the problems to prevent discharge of contaminants in storm water. The representative agreed to comply.
9. From 1993 to June 2000, the facility was operated under the name "Details, Inc." In June, 2000, the company changed ownership; however, the nature of the business remained essentially the same, the manufacture of printed circuit boards. A review of the past annual reports submitted by Details, Inc. shows that:

- a) The analytical results indicate that the runoff from the site has consistently contained elevated concentrations of metals, particularly copper and lead. The runoff also had both high and low pH values and high specific conductance;
  - b) In the annual report for 1997-98, the company acknowledged that implementation of BMPs in the hazardous waste storage area was inadequate and that was the cause of the high concentrations of metals and high/low pH levels in the runoff. The company reported that a berm would be built by July 1998 to be used as a secondary containment. On January 29, 2001, a Dynamic Details representative stated that the berm had not been built; and,
  - c) The annual report for 1998-99 identified "keeping containers of spent chemicals inside the contained areas" as the preferred BMP to reduce/eliminate heavy metal concentrations in runoff. This BMP had not been fully implemented.
10. The General Permit requires permittees to develop and implement an effective storm water pollution prevention plan, including proper BMPs. The General Permit further states that storm water runoff shall not cause pollution, contamination, or nuisance and it prohibits most discharges of non-storm water. Dynamic Details violated the General Permit by not developing and effectively implementing BMPs, discharging unauthorized, non-storm water containing pollutants, and by discharging pollutants in storm water.
  11. Section 13385(a)(2) provides that any person who violates waste discharge requirements shall be civilly liable. Section 13385 (c) provides that civil liability may be administratively imposed by a regional board in an amount not to exceed ten thousand dollars (\$10,000) for each day the violation occurs. Additional liability, not to exceed \$10 per gallon, may be imposed for each gallon discharged in excess of 1,000 gallons.
  12. The amount of storm water containing elevated concentrations of pollutants discharged to the storm drain system on January 11, 2001 and February 27, 2001 is unknown, but probably did not substantially exceed 1,000 gallons per day.
  13. Pursuant to Section 13385(c), Dynamic Details is civilly liable in the amount of \$20,000 for the violations cited in Paragraphs 7 and 8. The total maximum liability for the violations on January 11, 2001 and February 27, 2001 is \$20,000.

14. Regional Board staff spent a total of 25 hours investigating this incident (@\$70/hr, the total cost for staff time is \$1,750). Dynamic Details saved approximately \$8,000 by not developing and implementing adequate BMPs throughout the facility. Past annual reports indicate that the facility has had a history of storm water discharges containing elevated metal concentrations, but that adequate BMPs have not been implemented. These factors were considered in assessing the penalty indicated in Paragraph 15, below.
15. Section 13385 (e) specifies factors that the Board shall consider in establishing the amount of civil liability. After consideration of those factors, the Executive Officer proposes that administrative civil liability be imposed on Dynamic Details by the Board in the amount of \$12,750 for the violations cited above.

### WAIVER OF HEARING

You may waive your right to a hearing. If you choose to do so, please sign the attached waiver form and return it, together with a check or money order payable to the State Water Resources Control Board for the amount of civil liability proposed under Paragraph 15, above, to:

Santa Ana Regional Water Quality Control Board  
3737 Main Street, Suite 500  
Riverside, CA 92501-3384

If you have any questions, please contact Mark Smythe at (909) 782-4998, or Michael Adackapara, at (909) 782-3238. For legal questions, contact the Regional Board's staff counsel, Ted Cobb at (916) 341-5171.

5/4/01  
Date

  
\_\_\_\_\_  
Gerard J. Thibeault  
Executive Officer

In the matter of: )  
 )  
Dynamic Details, Inc. )  
1231 Simon Circle )  
Anaheim, CA 92806 )  
Attention: Mr. Nirav Sheth )  
\_\_\_\_\_ )

Complaint No. 01-64  
for  
Administrative Civil Liability

WAIVER OF HEARING

I agree to waive the right of Dynamic Details, Inc. to a hearing before the Santa Ana Regional Water Quality Control Board with regard to the violations alleged in Complaint No. 01-64. I have enclosed a check or money order, made payable to the State Water Resources Control Board, in the amount of \$12,750. I understand that I am giving up Dynamic Details, Inc.'s right to be heard and to argue against allegations made by the Executive Officer in this complaint, and against the imposition of, and the amount of, the liability proposed.

\_\_\_\_\_  
Date

\_\_\_\_\_  
for Dynamic Details, Inc.