STATE OF CALIFONRIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

IN THE MATTER OF:	)	
	)	
COUNTY OF SAN BERNARDINO	)	**COMPLAINT NO. 01-30**
SOLID WASTE MANAGEMENT	)	**FOR**
DIVISION	)	**ADMINISTRATIVE CIVIL LIABILITY**
222 WEST HOSPITALITY LANE,	)	
SECOND FLOOR	)	
SAN BERNARDINO, CA 92415	)	
	)	
ATTEN: MR. GERRY NEWCOMBE	)	

YOU ARE HEREBY GIVEN NOTICE THAT:

1. County of San Bernardino Solid Waste Management Division (hereinafter County) is alleged to have violated provisions of law for which the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), may impose liability pursuant to Section 13323 of the California Water Code.

2. The County owns, operates and maintains the San Timoteo Sanitary Landfill located at 31 Refuse Road in the City of Redlands, San Bernardino County. Norcal/San Bernardino, Incorporated (hereinafter Norcal), conducts the day-to-day operation and maintenance of the San Timoteo Landfill for the County.

3. Landfill operations at San Timoteo Landfill are regulated by Waste Discharge Requirements, Order No. 78-151, adopted by the Board on July 14, 1978, and amended by Order No. 98-99 on November 20, 1998. In addition, regulatory requirements for municipal solid waste (MSW) landfills are contained in California Code of Regulations, Title 27, Division 2 (Title 27).

4. On January 19, 2001, the Board adopted Cease and Desist Order No. 01-22. This order was issued to the County for failing to construct the side slopes of Unit 2 in accordance with the approved design report and Construction Quality Assurance (CQA) plan. Furthermore, Order No. 01-22 required the County to perform all corrective actions required to comply with the approved design report and CQA plan by February 20, 2001.

5. The County had indicated that it would not be able to comply with Cease and Desist Order No. 01-22 due to the high costs of the required corrective actions. Therefore, pursuant to California Water Code Section 13308, on January 19, 2001, the Board also adopted Order No. 01-24 for threatened violations of Cease and Desist Order No. 01-22. Order No. 01-24 directed the Executive Officer to issue an administrative civil liability complaint on March 12, 2001 for $200,000 if the County does not achieve compliance by that date.

6. The County has not complied with Cease and Desist Order No. 01-22. This complaint is being issued in accordance with the directives in Order No 01-24 for $200,000 ($10,000 per day for 20 days from February 20, 2001 to March 12, 2001).

7. The County may waive its right to a hearing. If the County wishes to waive its right to a hearing, please sign the waiver form on Page 3 of this Complaint and submit it to:

   Santa Ana Regional Water Quality Control Board
   3737 Main Street, Suite 500
   Riverside, CA 92501-3348

   Please make the check or money order payable to the State Water Resources Control Board.

If you have any questions regarding this complaint, please contact me at (909) 782-3284, or Dixie Lass, Chief of the Land Disposal Section at (909) 782-3295, or Ray Akhtarshad of her staff at (909) 320-2024, or Ted Cobb, the Regional Board's staff counsel, at (916) 341-5171.

3-12-01
Date

Gerard J. Thibeault
Executive Officer

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	)	

WAIVER OF HEARING

The County agrees to waive its right to a hearing before the Santa Ana Regional Water Quality Control Board with regard to the violation alleged in Complaint No. 01-30. The County has enclosed a check or money order as described in Paragraph 9 of Complaint No. 01-30. The County understands that it is giving up its right to be heard and to argue against allegations made by the Executive Officer in Complaint No. 01-30, and against the imposition of, and amount of, the civil liability.

_____ _____
Date for County of San Bernardino