

ADDITIONAL INFORMATION REQUIRED

YES (SEE ATTACHED)

NO

BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: February 3, 2015

ITEM SUMMARY, JUSTIFICATION or SPECIAL CONSIDERATIONS

A.R.S. § 49-391(C) provides that a comment period of 30 days must be provided before any pretreatment Consent Decree or Negotiated Settlement Agreement is made final. The following Negotiated Settlement Agreement is a result of enforcement action by Pima County Wastewater Management Department's Industrial Wastewater Control Group. Publication of the announcement on the February 3, 2015, agenda will meet the requirement for the following action:

- Frontier Star CJ, L.L.C., dba Carl's Jr. Case No. C2014-005. The proposed settlement of a \$2,000 penalty and payment of \$996.68 for the County's remediation costs, the acquisition of an Industrial Wastewater Discharge Permit, and the attendance of Pollution Prevention School is in accordance with the Industrial Wastewater Enforcement Response Plan.

STAFF RECOMMENDATION:

That the Board of Supervisors allows the public comment period to transpire.

PIMA COUNTY COST: \$ None and/or REVENUE TO PIMA COUNTY \$ _____

FUNDING SOURCE: N/A

ADVERTISED PUBLIC HEARING: ___ YES ___ X NO

REQUEST FOR: X Action ___ Discussion ___ Discussion/Action

BOARD OF SUPERVISOR DISTRICT 1 2 3 4 5 X All

IMPACT:

IF APPROVED:

Pima County Wastewater Management complies with A.R.S. § 49-391(C) and its Industrial Wastewater pretreatment enforcement program requiring a comment period of 30 days before any pretreatment Consent Decree or Negotiated Settlement Agreement is made final.

IF DENIED:

Pima County is in violation of state law.

AGENDA ITEM INITIATED BY: Christopher Straub, Chief Civil Deputy *C.S.*

DEPARTMENT NAME: Pima County Attorney's Office

CONTACT PERSON: Michael LeBlanc, Deputy County Attorney *ML*

DATE AND TELEPHONE NUMBER: February 20, 2015/ 740-5750
