

March 5, 2013

Patty Kouyoumdjian  
Executive Officer  
California Regional Water Quality Control Board  
Lahontan Region  
2501 Lake Tahoe Boulevard  
South Lake Tahoe, CA 96150

**Re: Settlement Agreement Between Pacific Gas and Electric and Lahontan Regional Water Board Prosecution Team in the Matter of an Administrative Civil Liability for Alleged Violations of the 2008 Cleanup and Abatement Order No. R6V-2008-0002.**

Dear Executive Officer Kouyoumdjian:

The Lahontan Regional Water Board Staff Prosecution Team (Prosecution Team) reached a settlement with Pacific Gas and Electric (PG&E) concerning alleged violations of the Regional Water Board's Cleanup and Abatement Order No. R6V-2008-0002 on March 14, 2012. Ordering Paragraph 3 of the Cleanup and Abatement Order, in part, required PG&E to contain the hexavalent chromium plume. The Prosecution Team alleged that PG&E failed to contain the hexavalent and total chromium plumes from December 31, 2008 for a period of at least 1,093 days.

In this matter, PG&E agreed to the imposition of \$3,600,000 in administrative civil liability. Of the total payment, \$1,800,000 was made to the State Water Resources Control Board Waste Discharge Permit Fund, and the remaining amount of \$1,800,000 in penalties was to be suspended upon completion of a Supplemental Environmental Project ("SEP") titled the *Hinkley Community Benefit Project* to provide a new permanent water supply for the Hinkley Elementary School.

On February 26, 2013 the Barstow Unified School District (BUSD) Board, in a 4 to 1 decision, voted to close the Hinkley School as of July 1, 2013. The students who currently attend school at Hinkley are now planned to be sent to other schools within the BUSD. As you can imagine this decision is not welcomed, and delivers more hardship to the Hinkley Community. The final decision on the future of the Hinkley School site still needs to be determined by the BUSD. As was explained to the community by Superintendent Jeff Malan, BUSD will now form a committee and decide what will specifically happen with the Hinkley School site. Several options exist, which are; convert the Hinkley School into a charter school; make Hinkley School a magnet school, or finally sale or lease of the school site to the highest bidder.

Since the BUSD Board's decision leaves options open for the future of the Hinkley School site to still be used as a school, the Hinkley Community Advisory Committee (CAC) is requesting that the Water Board continue to enforce with PG&E the need for

the design, construction and implementation of the SEP at the Hinkley School. The CAC is concerned that if the Water Board does not enforce the SEP at the Hinkley School then the school site will have even less chance of ever operating as a school again, and in turn become another asset the Hinkley Community will lose forever.

Sincerely,



Lester White  
Chairman  
Hinkley Community Advisory Committee  
19816 Hwy 58, SP #9  
Hinkley, CA 92347  
(760) 253-5288

CAC CHAIRMAN

cc: CAC Members  
IRP Manger & Staff