



# California Regional Water Quality Control Board

## San Diego Region



Linda S. Adams  
Acting Secretary for  
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Edmund G. Brown, Jr.  
Governor

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[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

Supporting Document No. 4

January 12, 2011

**Hand Delivered**

Catherine Hagan, Esq.  
Senior Staff Counsel  
Office of the Chief Counsel  
State Water Resources Control Board  
9174 Sky Park Court, Suite 100  
San Diego, California 92123-4340

**In reply refer to:**  
WDID: 9 371017603

Dear Mrs. Hagan:

**EVIDENCE AND POLICY STATEMENTS, COMPLAINT NO. R9-2010-0126 FOR ADMINISTRATIVE CIVIL LIABILITY AGAINST HEALTHY TIMES, INC. FOR VIOLATIONS OF STATE BOARD ORDER NO. 97-03-DWQ, NPDES NO. CAS000001**

In accordance with the amended Hearing Procedure for Administrative Civil Liability (ACL) Complaint No. R9-2010-0126 dated January 5, 2011, issued to Healthy Times, Inc., the Prosecution Team of the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) submits the following information:

**Evidence**

All materials previously distributed to the Designated Parties, including, but not limited to, ACL Complaint No. R9-2010-0126, its technical report, and all attachments thereto.

**Legal and Technical Arguments or Analysis**

This information has been provided to the Designated Parties with ACL Complaint No. R9-2010-0126, and related documents on December 17, 2010.

**Witnesses**

The Prosecution Team may call upon the following witnesses if necessary:

Name	Subject	Estimated Testimony Time	Qualifications
Jeremy Haas	Technical and administrative analysis	Five (5) minutes	Senior Environmental Scientist
Frank Melbourn	Technical and administrative analysis	Five (5) minutes	Water Resource Control Engineer

I also intend on presenting and discussing the evidence set forth above as the Prosecution Team's case-in-chief. I estimate this will take no longer than 15 minutes.

Please contact me at (858) 467-2973 or by e-mail at [fmelbourn@waterboards.ca.gov](mailto:fmelbourn@waterboards.ca.gov) if you have any questions concerning this matter. The heading portion of this letter includes a San Diego Water Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter.

Respectfully,



FRANK T. MELBOURN  
Water Resource Control Engineer

FTM:ftm

cc: Healthy Times, Inc.  
Rondi K. Prescott, Agent for Service of Process  
14984 Huntington Gate Drive  
Poway, California 92064-6709  
USPS Cert. Return Receipt No. 7010 1060 0000 4952 7327  
Via Facsimile (858) 513-1533  
Via E-mail to [htbaby@healthytimes.com](mailto:htbaby@healthytimes.com) and [htbaby80@aol.com](mailto:htbaby80@aol.com)

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