



California Regional Water Quality Control Board San Diego Region



Linda S. Adams
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

Arnold Schwarzenegger
Governor

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(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego>

March 9, 2010

CERTIFIED MAIL NO. 7009 1410 0002 2000 0033
(Return receipt requested)

In reply refer to:
SMARTS-2 App. ID: 218595
NWPU: tfelix

Jack Spencer
Modern Stairways
3239 Bancroff Drive
Spring Valley, CA 91977

**Subject: 2nd Notice of Violation No. R9-2010-0040: Order No. 97-03-DWQ,
NPDES No. CAS000001 to Modern Stairways, WDID No. 9 371013743:
Failure to Submit 2008-2009 Industrial Storm Water Annual Report**

**Facility: Modern Stairway
3239 Bancroff Drive
Spring Valley, CA 91977**

YOU ARE HEREBY NOTIFIED THAT:

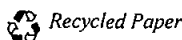
On December 1, 2009, you were notified that you are in violation of the statewide General Industrial Storm Water Permit Order No. 97-03-DWQ (Order) for failure to submit the 2008-2009 Annual Report. The Annual Report was due to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) by July 1, 2009 as required by Section B.14 of the Order.

Pursuant to California Water Code (CWC) Sections 13399.33 and 13385, your continued noncompliance for failure to submit the Annual Report may subject you to escalated enforcement actions by the San Diego Water Board. Civil liability could range from a minimum of \$1,000 and up to \$10,000 a day for each day of violation, or up to \$25,000 a day if the liability is assessed by a court. You may also be subject to criminal prosecution under Section 13387 of the CWC. The number of days of violation would be counted from July 1, 2009, up to the date the 2008-2009 Annual Report is received. To date, we have not received a report or response to this notification and the report is 251 days late.

To minimize the potential liability assessed, please submit the Annual Report immediately. Mail the Annual Report to the address at the top of this page.

If you have any questions pertaining to the submission of the Annual Report, and or the

California Environmental Protection Agency



Jack Spencer
Notice of Violation No. R9-2010-0040

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March 9, 2010

issuance of this NOV, please contact Mr. Tony Felix at (858) 636-3134, or by email at TFelix@waterboards.ca.gov. If you feel you have received this NOV in error, please contact our office immediately.

Respectfully,



David T. Barker, P.E.
Supervising Water Resources Control Engineer
Surface Water Basins Branch

DTB:esb:aaf

SMARTS-2:

Violation ID	841034
Enforcement ID	401208

S:\Surface Waters Basins Branch\Northern Watershed Unit\Tony\Storm Water Program\Industrial
SW2nd NOV\Modern_Stairways.doc

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (<i>Printed Name</i>) C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>JACK SPENCER 3239 BANCROFF DRIVE SPRING VALLEY, CA 91977</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7009 1410 0002 2000 0033</p>

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
CERTIFIED MAIL™



7009 1410 0002 2000 0033
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U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)											
For delivery information visit our website at www.usps.com ® OFFICIAL USE											
<table border="1"> <tr><td>Postage</td><td>\$</td></tr> <tr><td>Certified Fee</td><td></td></tr> <tr><td>Return Receipt Fee (Endorsement Required)</td><td></td></tr> <tr><td>Restricted Delivery Fee (Endorsement Required)</td><td></td></tr> <tr><td>Total Postage & Fees</td><td>\$</td></tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$	<p>Postmark Here</p>
Postage	\$										
Certified Fee											
Return Receipt Fee (Endorsement Required)											
Restricted Delivery Fee (Endorsement Required)											
Total Postage & Fees	\$										
<p>Sent To JACK SPENCER Street, Apt. No., or PO Box No. 3239 BANCROFF DRIVE City, State, ZIP+4 SPRING VALLEY, CA 91977</p>											
<p>PS Form 3800, August 2006 See Reverse for Instructions</p>											

[Handwritten signature]