



California Regional Water Quality Control Board



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

CERTIFIED MAIL NO. 7009 1410 0002 2000 0064
(Return receipt requested)

March 9, 2010

In reply refer to:
SMARTS-2 App. ID: 332341
NWPU: tfelix

Aytunc Atabek
Javo Beverage Company
1311 Specialty Drive
Vista, CA 92081

Subject: 2nd Notice of Violation No. R9-2010-0043: Order No. 97-03-DWQ, NPDES No. CAS000001 to Javo Beverage Company, WDID No. 9 371021167: Failure to Submit 2008-2009 Industrial Storm Water Annual Report

**Facility: Javo Beverage
1311 Specialty Drive
Vista, CA 92081**

YOU ARE HEREBY NOTIFIED THAT:

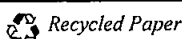
On December 1, 2009, you were notified that you are in violation of the statewide General Industrial Storm Water Permit Order No. 97-03-DWQ (Order) for failure to submit the 2008-2009 Annual Report. The Annual Report was due to the California Regional Water Quality Control Board, San Diego Region (San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



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,



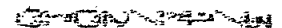
David T. Barker, P.E.
Supervising Water Resources Control Engineer
Surface Water Basins Branch

DTB:esb:aaf

SMARTS-2:

Violation ID	841031
Enforcement ID	401205

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



SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

*Aytunc Atabek
1311 Specialty Dr.
Vista, CA 92081*

2. Article Number
(Transfer from service label) 7009 1410 0002 2000 0064

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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

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Sent to *Aytunc Atabek*
Street, Apt. No., or PO Box No. *1311 Specialty Dr*
City, State, ZIP+4 *Vista, CA 92081*

See Reverse for Instructions
PS Form 3800, August 2006

