



California Regional Water Quality Control Board, San Diego Region

October 11, 2012

Greg Abbott
Tijuana River NERRR
301 Caspian Way
Imperial Beach, CA 91932

Certified Mail – Return Receipt Requested
Article Number: 7011 0470 0002 8961 6534

In reply refer to:
Application ID 291363. wghoram

NOTICE OF NONCOMPLIANCE AND REQUIREMENT TO SUBMIT TECHNICAL REPORTS PERTAINING TO STORM WATER DISCHARGES FROM TIJUANA RIVER NERRR, 301 CASPIAN WAY, IMPERIAL BEACH, CA 91932

Mr. Greg Abbott:

NOTICE OF NONCOMPLIANCE

You are in violation of the statewide General Industrial Storm Water Permit Order No. 97-03-DWQ (Order) for failure to submit the 2011-2012 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, 2012 as required by Section B.14 of the Order. By filing your Notice of Intent, you agreed to comply with the requirements of Order No. 97-03-DWQ which includes submitting Annual Reports.

You were previously notified on **August 2, 2012** by phone by the San Diego Water Board that the 2011-2012 Annual Report had not been received. This notice is to inform you that, pursuant to California Water Code (Water Code) section 13399.31 and 13399.33, you may be subject to a **minimum mandatory penalty** of \$1,000 plus staff costs if you fail to submit the 2011-2012 Annual Report.

WATER CODE SECTION 13267 ORDER FOR TECHNICAL INFORMATION

Pursuant to Water Code section 13267, you are required to submit the technical reports described below. San Diego Water Board staff needs this information to assess the potential for water quality impacts by contaminated storm water from your facility. Based on the nature and possible consequences of any discharge(s), the burden, including the cost of submitting this information bears a reasonable relationship to the need for the information and the benefits to be obtained.

Storm Water Pollution Prevention Plan (SWPPP) Compliance Date: November 9, 2012

You are required to submit a copy of your SWPPP. The SWPPP must contain all of the elements described in Section A. Storm Water Pollution Prevention Plan Requirements, of Order 97-03-DWQ.

Monitoring Program

Compliance Date: November 9, 2012

You are required to submit a copy of your Monitoring Program. The Monitoring Program must contain all of the elements described in Section B: Monitoring Program and Reporting Requirements of Order No. 97-03-DWQ.

2011-2012 Annual Report

Compliance Date: November 9, 2012

You are required to submit the 2011-2012 Annual Report. The Annual Report must contain all of the elements Section B.14 of Order No. 97-03-DWQ.

The required technical reports and any written correspondence pertaining to this matter shall be directed to the following address:

California Regional Water Quality Control Board, San Diego Region
Attention: Industrial Storm Water Unit, App ID **291363**
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Failure to comply with this Order to submit Technical Reports may subject you to additional liability of to \$1,000 per day of violation (Water Code section 13268.) The San Diego Water Board may refer the matter to the Attorney General or District Attorney for other civil and/or criminal liabilities.

In the subject line of any response, please include the reference number indicated under "In Reply Refer To" on the first page of this letter. For questions or comments, please contact Whitney Ghoram by phone at 858-467-2967, or by email at Wghoram@waterboards.ca.gov.

Respectfully,



David Barker, P.E.
Supervising Water Resources Control Engineer
Surface Waters Basins Branch
DB eb ac

Enclosure:

Cc [via email]: Chris Helmer, City of Imperial Beach Storm Water Dept., chelmer@cityofib.org

Tech Staff Info & Use	
WDID	9 371019905
NPDES No	CAS000001
Violation ID	849490
Enforcement ID	410359, 410360

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:

Greg Abbott
 Tijuana River NERRR
 301 Caspian Way
 Imperial Beach, CA 91932

2. Article Number
 (Transfer from service label)

7011 0470 0002 8961 6534

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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



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Sent To Tijuana River NERRR
 Street, Apt. No.,
 or PO Box No. 301 Caspian Way
 City, State, ZIP+4[®] Imperial Beach, CA 91932

PS Form 3800, August 2005 See Reverse for Instructions