

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

TENTATIVE ADDENDUM NO. 2 TO ORDER NO. 88-37

**AN ADDENDUM TRANSFERRING RESPONSIBILITY FOR ORDER NO. 88-37
FROM CALMAT COMPANY (d/b/a VULCAN MATERIALS COMPANY,
WESTER REGION) TO CEMEX MATERIALS PACIFIC, LLC**

The California Regional Water Quality Control Board, San Diego Region (hereinafter San Diego Water Board), finds that:

1. The San Diego Water Board prescribed waste discharge requirements (WDRs) in Order No. 88-37 (Order) for the discharge of sediment laden wastewater into a series of settling ponds via a concrete lined sump. The San Diego Water Board adopted the Order on March 25, 1988.
2. The property is identified by assessor's parcel number 162-031-02-00, and is located on the south side of Industry Street, between Foussa Road and Garrison Street in Oceanside.
3. The San Diego Water Board was notified, via *Report of Waste Discharge General Information Form for Waste Discharge Requirements* dated February 5, 2015, that ownership of the property was transferred from CalMat Company (d/b/a Vulcan Materials Company, West Region) to Cemex Construction Materials Pacific, LLC (hereinafter the Discharger) on January 30, 2015.
4. The San Diego Water Board has notified all known interested parties of its intent to modify Order No. 88-37 to transfer responsibility for the Order to the Discharger, the new owner of the property.
5. This action to transfer responsibility for the Order is exempt from the provisions of CEQA in accordance with section 15061(b)(3) of chapter 3, title 14 of the California Code of Regulations because it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment.
6. The San Diego Water Board, in a public hearing, heard and considered all comments pertaining to the modification of Order No. 88-37.

IT IS HEREBY ORDERED THAT, Order No. 88-37 is modified as follows:

1. Order No. 88-37 shall henceforth be referred to as Waste Discharge Requirements for Cemex Construction Materials Pacific, LLC, Palomar Oceanside Batch Plant.
2. The waste discharge requirements contained in Order No. 88-37 shall be the responsibility of Cemex Construction Materials Pacific, LLC.
3. The "Discharger," as it appears in Order No. 88-37, shall hereinafter refer to Cemex Construction Materials Pacific, LLC.
4. CalMat Company is liable for violations of Order No. 88-37 prior to the ownership transfer date and Cemex Construction Materials Pacific, LLC is liable for violations of Order No. 88-37 from the ownership transfer date forward.

I, David W. Gibson, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Addendum adopted by the California Regional Water Quality Control Board, San Diego Region, on June 24, 2015.

DAVID W. GIBSON
Executive Officer