



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

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<http://www.waterboards.ca.gov/sandiego>

November 2, 2010

Bulldog Concrete Pumping
Oscar Molina Pereyra
Linda Michelle Pereyra
9089 Avocado Court
Spring Valley, California 91977-3302

In reply refer to: Place ID 713170 fmelbourn

Re: **Withdrawal of Administrative Civil Liability Complaint No. R9-2010-0082**

Dear Mr. and Mrs. Pereyra:

This is to inform you that Administrative Civil Liability Complaint No. R9-2010-0082 (Complaint) is withdrawn without prejudice. The Complaint was issued to you for failing to comply with the directives of Cleanup and Abatement Order R9-2008-0036; specifically the failure to cleanup and abate the effects of concrete discharged into Chollas Creek in 2004. On October 18, 2010, you notified the Prosecution Team that the concrete was removed. San Diego Water Board staff Frank Melbourn and Christina Arias inspected the discharge site in Chollas Creek on October 20, 2010, and documented that the concrete has been removed. Furthermore, on October 26, 2010, you provided requested documentation that the concrete was properly disposed.

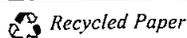
Given the criminal prosecution of this matter to act as a deterrent, and the importance the San Diego Water Board staff places on cleanup, both present here, the Prosecution Team has will not pursue additional penalties at this time. Therefore, the Complaint is withdrawn without prejudice.

Please contact Mr. Frank Melbourn of my staff at (858) 467-2973 or by e-mail at 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,

JAMES G. SMITH
Assistant Executive Officer

California Environmental Protection Agency



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JGS:jch:ftm:jem

cc: By electronic email only:

Kelly Fisher, California Department of Fish & Game (kfisher@dfg.ca.gov)

Ken Greenberg, U.S. Environmental Protection Agency (Greenberg.ken@epa.gov)

Catherine Hagan, State Water Resources Control Board (chagan@waterboards.ca.gov)

Michael Hudson, City of San Diego, City Attorney's Office (mhudson@saniego.gov)

Ruth Kolb, City of San Diego, Storm Water Program (rkolb@saniego.gov)

Julie Macedo, State Water Resources Control Board (jmacedo@waterboards.ca.gov)

David McKean, City of San Diego, City Attorney's Office (dmcckean@saniego.gov)

Therese O'Rourke, US Army Corps of Engineers (therese.orourke@usace.army.mil)