



**California Regional Water Quality Control Board**  
**San Diego Region**



Linda S. Adams  
*Acting Secretary for  
 Environmental Protection*

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*Governor*

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January 18, 2011

Gino Russo  
 Russo Tile and Marble, Inc.  
 635 Front St.  
 El Cajon, CA 92020

In reply refer to:  
 WDID: 9 371021620  
 642570;rstewart

Dear Mr. Russo:

**ADOPTION OF ORDER NO R9-2011-0013 ADMINISTRATIVE CIVIL LIABILITY  
 AGAINST RUSSO TILE AND MARBLE, INC. FOR VIOLATION OF STATE BOARD  
 ORDER NO. 97-03-DWQ, NPDES NO. CAS000001**

Enclosed find Order No. R9-2011-0013, for Administrative Civil Liability (Order) against Russo Tile and Marble, Inc. adopted on January 12, 2011 by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). Adoption of the Order constituted acceptance of Russo Tile and Marble Inc.'s proposed settlement of Complaint No. R9-2010-0128 (Complaint) for violation of State Board Order No. 97-03-DWQ. On November 29, 2010, the San Diego Water Board received Russo Tile and Marble, Inc.'s proposed settlement of the Complaint in the form of a signed waiver of hearing and check for \$1,700. Therefore, Russo Tile and Marble, Inc. has fulfilled the terms of the accepted settlement and no further action is required.

In the subject line of any response, please include the requested "In reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Rebecca Stewart at (858) 467-2966 or by e-mail at [rstewart@waterboards.ca.gov](mailto:rstewart@waterboards.ca.gov).

Respectfully,

DAVID W. GIBSON  
 Executive Officer

DWG:jh:rls

Enclosure: 1. ACL Order No. R9-2011-0013

SMARTS Enforcement ID 402596 Violation ID 840399 WDID 9 371021620
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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**ORDER NO. R9-2011-0013**

**ADMINISTRATIVE ASSESSMENT OF CIVIL LIABILITY  
AGAINST**

**RUSSO TILE AND MARBLE, INC.  
EL CAJON, CALIFORNIA**

**FOR**

**VIOLATION OF STATE BOARD ORDER NO. 97-03-DWQ  
AND WATER CODE SECTION 13260**

The California Regional Water Quality Control Board, San Diego Region (hereinafter San Diego Water Board), having considered in a public meeting on January 12, 2011 all comments received on the issuance of liability against Russo Tile and Marble, Inc. regarding violations alleged in Complaint No. R9-2010-0128, dated September 20, 2010 (Complaint), having provided public notice thereof and not less than thirty (30) days for public comment, and on the recommendation for administrative assessment of Civil Liability in the amount of \$1,700, finds as follows:

1. Russo Tile and Marble, Inc. submitted a Notice of Intent on October 18, 2007 for coverage under State Board Order No. 97-03-DWQ, *National Pollutant Discharge Elimination System General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated With Industrial Activities Excluding Construction Activities (General Permit)*.
2. The integrity and effectiveness of the Industrial NPDES regulatory program relies upon discharger compliance accomplished by self-evaluation and self-reporting. Self-evaluation is accomplished by implementing the programs and provisions of Order No. 97-03-DWQ. Self-reporting is accomplished by the submission of an annual report as outlined in Order No. 97-03-DWQ Section B-14. The annual report includes a summary and evaluation of visual observations and sampling results, laboratory reports and an Annual Comprehensive Site Compliance Evaluation Report. Therefore, timely submittal of the required annual report is critically important for the evaluation of a facility's compliance with water quality standards.

**IT IS HEREBY ORDERED** that pursuant to section 13399.33 of the California Water Code, that civil liability imposed on Russo Tile and Marble, Inc. in the amount of \$1,700, and that Russo Tile and Marble, Inc.'s waiver of its right to a public hearing and offer of \$1,700 in satisfaction of Complaint No. R9-2010-0128 is accepted.

I, David W. Gibson, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order imposing civil liability assessed by the California Regional Water Quality Control Board, San Diego Region, on January 12, 2011.



DAVID W. GIBSON  
Executive Officer

SMARTS: Violation ID 840399  
Enforcement ID 402596  
WDID No. 9 371021620