

California Regional Water Quality Control Board  
Santa Ana Region  
Staff Report  
January 21, 2011

**ITEM:** 9

**SUBJECT:** Order No. R8-2011-0009 Affirming Mandatory Minimum Penalty Complaint No. R8-2010-0065, Orange County Metal Processing, Fullerton, Orange County

**BACKGROUND**

On December 15, 2010, the Division Chief issued Mandatory Minimum Penalty Complaint (MMP) No. R8-2010-0065 to Orange County Metal Processing for alleged violations of the State General Permit for Storm Water Discharges Associated with Industrial Activity (General Permit). In the MMP (attached), the Division Chief proposed an assessment of \$1,000 for the alleged violation and \$750 to recover staff costs as required by Section 13399.33(d) of the California Water Code.

**INTRODUCTION**

The matter before the California Regional Water Quality Control Board, Santa Ana Region (Board), is whether to adopt Order No. R8-2011-0009 affirming the proposed MMP against Orange County Metal Processing.

MMP No. R8-2010-0065 was issued by the Division Chief to Orange County Metal Processing for failing to submit the annual report as required by the General Permit.

**DISCUSSION**

The General Permit regulates the discharge of storm water from industrial sites as required under Section 402(p) of the Federal Clean Water Act. Coverage under the permit is obtained by filing a Notice of Intent (NOI), site map, and a fee, with the State Water Resources Control Board. One of the requirements of the General Permit is that permittees submit by July 1 of each year, an annual report that documents: storm water sampling and analysis results; visual observations of facility conditions; the facility's Annual Comprehensive Site Compliance Evaluation; and a certification as to the accuracy of the submitted information.

The required annual report was not received by July 1, 2010 and as a consequence, a Notice of Non-Compliance (NNC) was issued to Orange County Metal Processing, by certified mail, on July 30, 2010, and was received by Orange County Metal Processing on August 2, 2010. When Board staff received no response to the first NNC, a second NNC was issued on August 30, 2010, again by certified mail, and was received by Orange County Metal Processing on September 1, 2010. In both NNCs, Board staff requested submittal of the completed 2009-

2010 annual report, a statement explaining why the annual report was not submitted by the July 1 deadline, and the measures that would be taken to ensure that future annual reports are submitted on time. Both NNCs also identified the mandatory minimum penalty of \$1,000 for failure to submit the annual report and the second NNC specified a deadline of September 28, 2010 (60 days from the date of the first NNC) for submittal of the annual report.

On September 27, 2010, Board staff spoke with Mr. Manuel Reynoso, Orange County Metal Processing's contact, informing him of the need to submit the annual and the impending mandatory minimum penalty conditions for failure to submit the report. On September 28, 2010, Board staff spoke again with Mr. Reynoso and was told that the completed 2009-2010 annual report would be submitted by the end of the day.

On October 13, 2010, Orange County Metal Processing submitted a 2009-2010 annual report. Orange County Metal Processing violated the General Permit, the Federal Clean Water Act and the California Water Code by failing to submit the annual report by July 1, 2010.

Orange County Metal Processing failed to submit the required annual report to the Regional Board office within 60 days from the date on which the original NNC was sent. Under those circumstances, California Water Code Section 13399.33(c) requires that an administrative civil liability shall be imposed by the Regional Board in an amount that is not less than one thousand dollars (\$1,000). In addition, Water Code Section 13385(c) provides that administrative civil liability may be imposed on any person who violates waste discharge requirements in an amount not to exceed \$10,000 per day of violation.

The Division Chief proposed that a MMP be imposed on Orange County Metal Processing in the amount of \$1,000 for this violation and \$750 to recover staff costs. The total proposed assessment is \$1,750.

### **RECOMMENDATION**

Board staff recommends that the Board affirm the assessment of \$1,750 specified in the Mandatory Minimum Penalty Complaint issued by the Division Chief on December 15, 2010, by adopting Order No. R8-2011-0009.

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION**

<b>In the matter of:</b>	)	<b>Order No. R8-2011-0009</b>
	)	<b>for</b>
<b>Orange County Metal Processing</b>	)	<b>Mandatory Minimum Penalty and Staff Costs</b>
<b>1711 East Kimberly Avenue</b>	)	
<b>Fullerton, CA 92634</b>	)	
	)	
<b>Attention: Manuel Reynoso</b>	)	

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The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board), held a hearing on January 21, 2011 to receive testimony and take evidence on the allegations contained in Complaint No. R8-2010-0065 (Attachment A), dated December 15, 2010 and on the recommendation for the imposition of penalties pursuant to Water Code Section 13399 in the amount of \$1,750. The Regional Board finds as follows:

1. Orange County Metal Processing (hereinafter OC Metal), located at 1711 E. Kimberly Ave in Fullerton, is currently regulated under the State's General Permit for Storm Water Discharges Associated with Industrial Activities, Water Quality Order No. 97-03-DWQ, NPDES No. CAS000001 (General Permit). The facility's WDID Number is 8 30I002576. The General Permit requires submittal of an annual report by July 1 of each year.
2. OC Metal's 2009-2010 annual report was not received by Board staff by the July 1, 2010 deadline. Therefore a Notice of Non-Compliance (NNC) was issued to OC Metal, by certified mail, on July 30, 2010. The return receipt showed it was received on August 2, 2010. When Board staff received no response to the first NNC, a second NNC was issued on August 30, 2010, again by certified mail. The return receipt showed that the second NNC was received on September 1, 2010. In both NNCs, Board staff requested submittal of the completed annual report and reminded OC Metal about the mandatory minimum penalty for late submittal of the annual report. The second NNC required OC Metal to submit the annual report by September 28, 2010 with a statement explaining why the annual report was not submitted by the July 1 deadline, and the measures that would be taken to ensure that future annual reports are submitted on time.
3. On September 27, 2010, Board staff spoke with Mr. Manuel Reynoso, OC Metal's contact, informing him of the mandatory minimum penalty if the annual report was not submitted by September 28, 2010. On September 28, 2010, during a telephone conversation with Board staff, Mr. Reynoso indicated that he would submit the 2009-2010 annual report by the end of the day. The annual report was received at the Regional Board office on October 13, 2010. This facility violated the General Permit, the Federal Clean Water Act and the California Water Code by failing to submit the 2009-2010 annual report by July 1, 2010.
4. Section 13385(a)(2) of the California Water Code provides that any person who violates waste discharge requirements issued pursuant to the Federal Clean Water Act shall be civilly liable.
5. Section 13399.33(c) of the California Water Code requires that the Regional Board impose a minimum penalty of \$1,000 for any person who fails to submit an annual report in

accordance with Section 13399.31 of the Water Code. Section 13399.33(d) of the California Water Code further requires that the Regional Board recover the costs incurred by the Regional Board with regard to those persons.

6. On December 15, 2010, the Division Chief issued Mandatory Minimum Penalty Complaint (MMP) No. R8-2020-0065 to OC Metal, proposing that the Regional Board impose the mandatory minimum penalty in the amount of \$1,000 for the violation cited above and that costs in the amount of \$750 be recovered from OC Metal. The total proposed mandatory minimum penalty and staff costs amount was \$1,750.
7. Notwithstanding the issuance of this Complaint, the Regional Board retains the authority to assess additional penalties for violations of the requirements of OC Metal's waste discharge requirements for which penalties have not yet been assessed or for violations that may subsequently occur.
8. Issuance of this Complaint is an enforcement action and is therefore exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.) pursuant to Title 14, California Code of Regulations sections 15308 and 15321 subsection (a) (2).

**IT IS HEREBY ORDERED** that, pursuant to California Water Code Section 13399, a penalty shall be imposed on Orange County Metal Processing in the amount of \$1,750, as proposed in Complaint No. R8-2010-0065 for the violations cited, payable as set forth below.

1. Orange County Metal Processing shall pay \$1,750 by February 21, 2011.

The Executive Officer is authorized to refer this matter to the Attorney General for enforcement.

Pursuant to Water Code Section 13320, you may petition the State Water Resources Control Board for review of this order. If you choose to do so, you must submit the petition to the State Board within 30 days of the Regional Board's adoption of this order.

I, Kurt V. Berchtold, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on January 21, 2011.

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Kurt V. Berchtold  
Executive Officer



# California Regional Water Quality Control Board Santa Ana Region



Linda S. Adams  
Secretary for  
Environmental Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348  
Phone (951) 782-4130 • FAX (951) 781-6288 • TDD (951) 782-3221  
[www.waterboards.ca.gov/santaana](http://www.waterboards.ca.gov/santaana)

Arnold Schwarzenegger  
Governor

December 15, 2010

Manuel Reynoso  
Orange County Metal Processing  
1711 East Kimberly Avenue  
Fullerton, CA 92634

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

## **TRANSMITTAL OF MANDATORY MINIMUM PENALTY (MMP) COMPLAINT NO. R8-2010-0065, ORANGE COUNTY METAL PROCESSING**

Dear Mr. Reynoso:

Enclosed is a certified copy of Mandatory Minimum Penalty Complaint No. R8-2010-0065 (hereinafter "Complaint"). The Complaint alleges that Orange County Metal Processing has violated the General Permit for Storm Water Discharges Associated with Industrial Activity, Order No. 97-03-DWQ by failing to submit the 2009-2010 annual report by July 1, 2010. Pursuant to California Water Code Section 13399.33, the Complaint proposes that the Regional Board impose one thousand seven hundred fifty dollars (\$1,750) in mandatory minimum penalties and staff costs.

A public hearing on this matter has been scheduled for the Regional Board meeting on January 21, 2011. The staff report regarding this Complaint and the meeting agenda will be mailed to you not less than 10 days prior to the hearing.

Pursuant to California Water Code Section 13323, Orange County Metal Processing has the option to waive its right to a hearing. Should Orange County Metal Processing waive its right to a hearing and pay the proposed assessment, the Regional Board may not hold a public hearing on this matter. If Orange County Metal Processing chooses to waive its right to a hearing, please sign and submit the enclosed Waiver Form with a check for one thousand seven hundred fifty dollars (\$1,750) made payable to the Waste Discharge Permit Fund. The Waiver Form, the check, and any other correspondence regarding this Complaint should be sent to the Regional Board office in the enclosed pre-printed envelope.

If Orange County Metal Processing does not wish to waive its right to a hearing, a pre-hearing meeting is recommended. Should you wish to schedule a pre-hearing meeting, please submit your request to Michelle Beckwith at (951) 782-4433 or [mbeckwith@waterboards.ca.gov](mailto:mbeckwith@waterboards.ca.gov) prior to January 03, 2011.

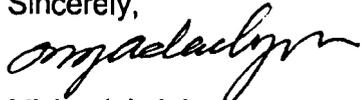
*California Environmental Protection Agency*



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If you have any questions about the Complaint or the enclosed documents, please contact Michelle Beckwith at (951) 782-4433 ([mbeckwith@waterboards.ca.gov](mailto:mbeckwith@waterboards.ca.gov)), Mark Smythe at (951) 782-4998 ([msmythe@waterboards.ca.gov](mailto:msmythe@waterboards.ca.gov)) or me at (951) 782-3238 ([madackapara@waterboards.ca.gov](mailto:madackapara@waterboards.ca.gov)). All legal questions should be directed to Reed Sato at (916) 341-5889 ([rsato@waterboards.ca.gov](mailto:rsato@waterboards.ca.gov)), Director, Office of Enforcement.

Sincerely,



Michael J. Adackapara  
Division Chief  
Regional Board Prosecution Team

Enclosures: Complaint No. R8-2010-0065  
Waiver Form  
Exhibit 1 (NNC dated July 30, 2010)  
Exhibit 2 (NNC dated August 30, 2010)  
Pre-printed envelope

cc: Regional Board  
Executive Officer – Kurt Berchtold (Regional Board Advisory Team)  
State Water Resources Control Board, Office of Chief Counsel – David Rice  
(Regional Board Advisory Team Attorney)  
State Water Resources Control Board, Division of Water Quality – Bruce Fujimoto  
State Water Resources Control Board, Office of Enforcement – Reed Sato  
(Regional Board Prosecution Team Attorney)  
U.S. Environmental Protection Agency, Region 9 (WTR-7) – Ken Greenberg  
Orange County, Public Works – Richard Boon  
City of Fullerton, NPDES Coordinator – Trung Chanh Phan



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**MANUEL REYNOSO**  
**ORANGE COUNTY METAL PROCESSING**  
**1711 E. KIMBERLY AVE.**  
**FULLERTON, CA 92634**

PS Form 3800, August 2006

See Reverse for Instructions

7009 2820 0001 6722 8224

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SANTA ANA REGION**

In the matter of:	)	Complaint No. R8-2010-0065
	)	for
Orange County Metal Processing	)	Mandatory Minimum Penalty and Staff Costs
1711 East Kimberly Avenue	)	
Fullerton, CA 92634	)	
Attention: Manuel Reynoso	)	

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**YOU ARE HEREBY GIVEN NOTICE THAT:**

1. You are alleged to have violated provisions of law for which the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), must impose liability under Section 13399.33 of the California Water Code.
2. A hearing concerning this Complaint will be held before the Board within ninety days of the date of issuance of this Complaint. The hearing in this matter has been scheduled for the Board's regular meeting on January 21, 2011, at the Loma Linda City Council Chambers, 25541 Barton Road, City of Loma Linda, California. You or your representative will have an opportunity to appear and be heard, and to contest the allegations in this Complaint and the imposition of a mandatory penalty and staff costs by the Board. An agenda for the meeting will be mailed to you not less than 10 days before the hearing date.
3. At the hearing, the Board will consider whether to affirm, reject or modify the proposed Mandatory Minimum Penalties and assessment of costs pursuant to Section 13399.33 of the Water Code, to assess discretionary penalties pursuant to Section 13385 of the Water Code, or to refer the matter to the Attorney General for recovery of judicial civil liability.
4. Orange County Metal Processing (hereinafter OC Metal), located at 1711 E. Kimberly Ave in Fullerton, is currently regulated under the State's General Permit for Storm Water Discharges Associated with Industrial Activities, Water Quality Order No. 97-03-DWQ, NPDES No. CAS000001 (General Permit). The facility's WQID Number is 8 30I002576. The General Permit requires submittal of an annual report by July 1 of each year.
5. OC Metal's 2009-2010 annual report was not received by Board staff by the July 1, 2010 deadline. Therefore a Notice of Non-Compliance (NNC) was issued to OC Metal, by certified mail, on July 30, 2010. The return receipt showed it was received on August 2, 2010. When Board staff received no response to the first NNC, a second NNC was issued on August 30, 2010, again by certified mail. The return receipt showed that the second NNC was received on September 1, 2010. In both NNCs, Board staff requested submittal of the completed annual report and reminded OC Metal about the mandatory minimum penalty for late submittal of the annual report. The second NNC required OC Metal to submit the annual report by September 28, 2010 with a statement explaining why the annual report was not submitted by the July 1 deadline, and the measures that would be

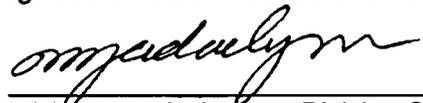
taken to ensure that future annual reports are submitted on time. The two NNCs are attached as Exhibits 1 and 2.

6. On September 27, 2010, Board staff spoke with Mr. Manuel Reynoso, OC Metal's contact, informing him of the mandatory minimum penalty if the annual report was not submitted by September 28, 2010. On September 28, 2010, during a telephone conversation with Board staff, Mr. Reynoso indicated that he would submit the 2009-2010 annual report by the end of the day. The annual report was received at the Regional Board office on October 13, 2010. This facility violated the General Permit, the Federal Clean Water Act and the California Water Code by failing to submit the 200-2010 annual report by July 1, 2010.
7. Section 13385(a)(2) of the California Water Code provides that any person who violates waste discharge requirements issued pursuant to the Federal Clean Water Act shall be civilly liable. Section 13385(c) provides that civil liability may be administratively imposed by a regional board in an amount not to exceed ten thousand dollars (\$10,000) for each day the violation occurs.
8. Based on non-submittal of the 2009-2010 annual report, the OC Metal is alleged to have violated the General Permit for 103 days (from July 2, 2010 to October 12, 2010). The total maximum liability for this violation pursuant to Section 13385 of the Water Code is \$1,030,000 (103 days of noncompliance x \$10,000/day).
9. Section 13399.33(c) of the California Water Code requires that the Regional Board impose a minimum penalty of \$1,000 for any person who fails to submit an annual report in accordance with Section 13399.31 of the Water Code. Section 13399.33(d) of the California Water Code further requires that the Regional Board recover the costs incurred by the Regional Board with regard to those persons.

#### **PROPOSED MANDATORY MINIMUM PENALTIES AND ASSESSMENT OF COSTS**

1. Pursuant to Section 13399.33(c) the Division Chief proposes that the mandatory minimum penalty of \$1,000 be imposed on OC Metal for the violation cited above. In addition, the Division Chief proposes that costs in the amount of \$750 be recovered from OC Metal. The total proposed mandatory minimum penalty and staff costs amount is \$1,750.
2. Notwithstanding the issuance of this Complaint, the Regional Board retains the authority to assess additional penalties for violations of the requirements of Orange County Metal Processing's waste discharge requirements for which penalties have not yet been assessed or for violations that may subsequently occur.
3. Issuance of this Complaint is an enforcement action and is therefore exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.) pursuant to title 14, California Code of Regulations sections 15308 and 15321 subsection (a) (2).

12/15/2010  
Date

  
\_\_\_\_\_  
Michael J. Adackapara, Division Chief



# California Regional Water Quality Control Board

## Santa Ana Region



**Linda S. Adams**  
Secretary for  
Environmental Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348  
Phone (951) 782-4130 • FAX (951) 781-6288 • TDD (951) 782-3221  
www.waterboards.ca.gov/santaana

**Arnold Schwarzenegger**  
Governor

### WAIVER FORM FOR MANDATORY MINIMUM PENALTY COMPLAINT

By signing this waiver, I affirm and acknowledge the following:

I am duly authorized to represent Orange County Metal Processing in connection with Mandatory Minimum Penalty Complaint No. R8-2010-0065 (hereinafter the "Complaint"). I am informed that California Water Code Section 13323, subdivision (b), states that, "a hearing before the Regional Board shall be conducted within 90 days after the party has been served [with the Complaint]. The person who has been issued a complaint may waive the right to a hearing."

**Check here and sign below if Orange County Metal Processing waives the hearing requirement and will pay the penalty in full.**

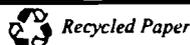
- a. I hereby waive any right Orange County Metal Processing may have to a hearing before the Regional Board.
- b. I certify that Orange County Metal Processing will remit payment for the proposed penalty in the full amount of one thousand seven hundred fifty dollars (\$1,750) by check that references "Complaint No. R8-2010-0065" made payable to the Waste Discharge Permit Fund. Payment must be received by the Regional Board office no later than **February 03, 2011** or the Regional Board may adopt an Order requiring payment.
- c. I understand the payment of the above amount constitutes a proposed settlement of the Complaint, and that any settlement will not become final until after the 30-day public notice and comment period. Should the Regional Board receive significant new information or comments from any source (excluding the Regional Board's Prosecution Team) during this comment period, the Regional Board's Division Chief may withdraw the Complaint, return payment, and issue a new Complaint. I understand that this proposed settlement is subject to approval by the Executive Officer of the Regional Board, and that the Regional Board may consider this proposed settlement in a public meeting or hearing. I also understand that approval of the settlement will result in Orange County Metal Processing having waived the right to contest the allegations in the Complaint and the imposition of civil liability.
- d. I understand that payment of the above amount is not a substitute for compliance with applicable laws and that continuing violations of the type alleged in the Complaint may subject Orange County Metal Processing to further enforcement, including additional civil liability.

\_\_\_\_\_  
(Print Name and Title)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

**California Environmental Protection Agency**





# California Regional Water Quality Control Board

## Santa Ana Region



Linda S. Adams  
Secretary for  
Environmental Protection

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Arnold Schwarzenegger  
Governor

July 30, 2010

Orange Cnty Metal Processing  
1711 E Kimberly Ave  
Fullerton, California 92634

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**NOTICE OF NONCOMPLIANCE: FAILURE TO COMPLY WITH THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES, ORDER NO. 97-03-DWQ, NPDES NO. CAS000001 (GENERAL PERMIT) WDID No. 8 301002576**

Dear Manuel Reynoso:

Your facility located at 1711 E Kimberly Ave, in the city of Fullerton, is regulated under the General Permit and is identified by WDID No. 8 301002576. Section B.16 of the General Permit requires you to submit an annual report by July 1 of each year. According to our records, we have not received your 2009-2010 annual report.

Currently you are in violation of the General Permit, the California Water Code and the federal Clean Water Act for failure to submit a complete 2009-2010 annual report. We request that you submit a complete 2009-2010 annual report to this office no later than 30 days from the date of this letter. (A blank copy of the report form can be downloaded at [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/annualreport.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/annualreport.shtml)). You can also submit your annual report electronically via SMARTS (Storm Water Multiple Application and Report Tracking System). To register for SMARTS, download the application form at [https://smarts.waterboards.ca.gov/smarts/faces/help/lrp\\_registration.pdf](https://smarts.waterboards.ca.gov/smarts/faces/help/lrp_registration.pdf).

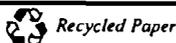
You must also provide a statement explaining why the annual report was not submitted by the July 1 deadline and the measures you have taken to insure timely submittals in the future. Failure to submit the requested information may result in enforcement action, including civil monetary penalties of up to \$10,000 for each day of violation. Please note that Section 13399.33 of the California Water Code stipulates a mandatory minimum penalty of \$1,000 to those permittees that do not submit their annual reports after notification.

If you need assistance in completing the annual report or if you have any questions, please contact Michelle Beckwith by phone at (951) 782-4433 or by e-mail at [mbeckwith@waterboards.ca.gov](mailto:mbeckwith@waterboards.ca.gov).

Sincerely,

Michael J. Adackapara  
Division Chief

*California Environmental Protection Agency*





California Regional Water Quality Control Board  
Santa Ana Region



Linda S. Adams  
Secretary for  
Environmental Protection

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Arnold Schwarzenegger  
Governor

August 30, 2010

Orange Cnty Metal Processing  
1711 E Kimberly Ave  
Fullerton, California 92634

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**NOTICE OF NON-COMPLIANCE: FAILURE TO COMPLY WITH THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES, ORDER NO. 97-03-DWQ, NPDES NO. CAS000001 (GENERAL PERMIT) WDID NO. 8 301002576 SECOND NOTICE**

Dear Manuel Reynoso:

Your facility located at 1711 E Kimberly Ave, in the city of Fullerton, is regulated under the General Permit and is identified by WDID No. **8 301002576**. Section B.16 of the General Permit requires you to submit an annual report by July 1 of each year. According to our records, we have not received your July 1, 2010 annual report.

Currently you are in violation of the General Permit, the California Water Code and the federal Clean Water Act for failure to submit a complete 2009-2010 annual report. We request that you submit a complete 2009-2010 annual report to this office no later than 30 days from the date of this letter. (A blank copy of the report form can be downloaded at [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/annualreport.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/annualreport.shtml)). You can also submit your annual report electronically via SMARTS (Storm Water Multiple Application and Report Tracking System). To register for SMARTS, download the application form at [https://smarts.waterboards.ca.gov/smarts/faces/help/lrp\\_registration.pdf](https://smarts.waterboards.ca.gov/smarts/faces/help/lrp_registration.pdf).

**This is your second notice.** The first notice was dated and sent on 7/30/10. To date, we have not received a response to that notice. Please note that Section 13399.31 of the California Water Code stipulates failure to submit the requested information by the September 28 due date will result in a mandatory minimum fine of \$1,000 to those permittees that do not submit their annual reports within 60 days of notification. Further enforcement action, including civil monetary penalties of up to \$10,000 for each day of violation, may result.

If you need assistance in completing the annual report or if you have any questions, please contact Michelle Beckwith by phone at (951) 782-4433 or by e-mail at [mbeckwith@waterboards.ca.gov](mailto:mbeckwith@waterboards.ca.gov).

Sincerely,

Michael J. Adackapara  
Division Chief

*California Environmental Protection Agency*

