Linda S. Adams
Secretary for Environmental Protection

California Regional Water Quality Control Board
San Diego Region

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340
(858) 467-2952 • Fax (858) 571-6972
http://www.waterboards.ca.gov/sandiego

Arnold Schwarzenegger
Governor

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
7007 1490 0003 8753 5964

In The Matter Of:

Compliance with:
Investigative Order No. R9-2005-0214
Electronic Deliverable Format Reporting

NOTICE OF VIOLATION
No. R9-2008-0106

August 13, 2008

Mr. Ed Mahr
312 South Main Street
Fallbrook, CA 92028

In Reply Refer to:
ORCGWU:50-3522.05:spease

Dear Mr. Mahr:

SUBJECT: FORMER MAHR'S TEXACO, 312 SOUTH MAIN STREET, FALLBROOK, CA

YOU ARE HEREBY NOTIFIED OF THE FOLLOWING ALLEGED VIOLATION:

Failure to comply with Directive B.2. of Investigative Order No. R9-2005-0214:

BASIS FOR ALLEGED VIOLATION:

1. Directive B.2. of Order No. R9-2005-0214 states that you must: "Comply with the electronic reporting requirements of section 3890 et seq., Title 23, California Code of Regulations."

2. Section 3890 of the California Code of Regulations (CCR) requires all reports submitted pursuant to Title 23 CCR, Chapter 16, "Underground Storage Tank Regulations" to be submitted in Electronic Deliverable Format using the State Water Resources Control Board Geotracker database.

3. The 2nd Quarter 2008 Quarterly Groundwater Monitoring Report was not submitted in PDF format to the Geotracker database (GEO_RPT) by July 30, 2008.

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4. The 2nd Quarter 2008 Quarterly Groundwater Monitoring Report laboratory data was not submitted to the Geotracker database (EDF) by July 30, 2008.

5. The 2nd Quarter 2008 Quarterly Groundwater Monitoring Report well data was not submitted to the Geotracker database (GEO_WELL) by July 30, 2008.

The violations cited above are serious and may result in further enforcement action against you, including a civil liability being administratively implemented by the California Regional Water Quality Control Board, San Diego Region (Regional Board) under authority of Section 13350 of the California Water Code (CWC). Any person failing or refusing to furnish information required under the authority of CWC section 13267 or falsifying information submitted to the Regional Board pursuant to such a directive is guilty of a misdemeanor and may be subject to civil liability to $1,000 per day of the violation.

Questions pertaining to the issuance of this Notice of Violation should be directed to Ms. Susan Pease at (858) 637-5596. Written correspondence pertaining to this Notice of Violation should be directed to the following address:

Ms. Julie Chan
Supervising Engineering Geologist
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
Attn: Ms. Sue Pease, ORCGW Unit

In the heading portion of this notice after "In reply refer to:" a Regional Board code number is listed. 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 Regional Board pertaining to this matter.

Julie Chan

JULIE CHAN
Supervising Engineering Geologist

JC/rwm/sjp c:/mahr/EDF.NOV.Aug2008.doc

cc: Simon Loli, Kahl Environmental Services, 7125 El Cajon Blvd., Suite 5, San Diego, CA 92115

Mr. Ramesh Sundareswaran, UST Cleanup Fund, P. O. Box 944212 Sacramento, CA 94244-2120