

First Notice of Noncompliance



Santa Ana Regional Water Quality Control Board

November 23, 2021

George Cardenas
Highland Hospitality LLC
7426 Cherry Avenue, Suite 210 535
Fontana, California 92336

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Notice of Noncompliance: Failure to Comply with the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ, NPDES NO. CAS000002 (General Permit), WDID No. 8 36C392193

Dear George:

Regional Board records indicate that Highland Hospitality LLC is operating a construction site identified as 16757 Slover Avenue, located at 16757 Slover Avenue, in the City of Fontana. This site is identified in our records by WDID: 8 36C392193. Section XVI.A of the Construction General Permit requires that an Annual Report be submitted by September 1st of each year via the online SMARTS database.

Over 90% of regulated facilities comply with this requirement. Our records show that your annual report for the July 1, 2020 to June 30, 2021 reporting period is one of the few that have not been submitted. We request that you submit a complete 2020-2021 Annual Report via the online SMARTS database no later than **December 27, 2021**.

The online SMARTS database is available at: <https://smarts.waterboards.ca.gov>

The following links are to assist you with the online SMARTS database system:

Main page for the SMARTS guides:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/smarts/construction/const_help_guides.html

How to submit an Annual Report guide:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/smarts/construction/docs/cqp_ar_helpguide.pdf

LANA ONG PETERSON, CHAIR | JAYNE JOY, EXECUTIVE OFFICER

3737 Main St., Suite 500, Riverside, CA 92501 | www.waterboards.ca.gov/santaana

You must also provide a statement along with the Annual Report as an Attachment. The statement must explain why the Annual Report was not submitted by the September 1st deadline and the measures you have taken to ensure timely submittals in the future.

Failure to submit the 2020-2021 Annual Report via the online SMARTS database may result in an 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 minimum penalty of \$1,000 to those permittees that do not submit their annual reports after notification.

Should you need assistance in completing the Annual Report or have any questions relating to SMARTS, please contact the SMARTS Helpdesk at stormwater@waterboards.ca.gov; or Keith Elliott at keith.elliott@waterboards.ca.gov or 951-782-4925.

Sincerely,



Adam Fischer, Chief
Inland Stormwater Unit

7016 2070 0000 6806 0353

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Highland Hospitality LLC.	
7426 Cherry Ave. Suite 210 535	
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Street	WDID No: 8 36C392193
City, St	
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Second Notice of Noncompliance



Santa Ana Regional Water Quality Control Board

January 13, 2022

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

George Cardenas
Highland Hospitality LLC
7426 Cherry Avenue, Suites 210-535
Fontana, California 92336

FINAL NOTICE OF NON-COMPLIANCE - GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION AND LAND DISTURBANCE ACTIVITIES, ORDER NO. 2009-0009-DWQ, NPDES NO. CAS000002 WDID NO. 8 36C392193

Dear George:

Regional Board records indicate that Highland Hospitality LLC is operating a construction site identified as 16757 Slover Avenue, located at 16757 Slover Avenue in the City of Fontana. This site is regulated under the Construction General Permit and is identified by WDID 8 36C392193-Application ID:529094. Section XVI.A. of the General Permit requires that an Annual Report be submitted by September 1st each year via the online SMARTS database.

The first Notice of Non-compliance (NNC) was sent to you on November 23, 2021. In the November 23, 2021 NNC, we requested that you submit the 2020-21 Annual Report via the online SMARTS database no later than December 27, 2021.

Our records show that Highland Hospitality LLC's annual report for the July 1, 2020 to June 30, 2021 reporting period was not submitted by September 1, 2021. Highland Hospitality LLC is consequently in violation of Section XVI.A. of the General Permit for failure to submit a complete 2020-2021 Annual Report. Highland Hospitality LLC has also not submitted the late annual report by December 27, 2021 as requested in the November 23, 2021 NNC.

The online SMARTS database is available at: <https://smarts.waterboards.ca.gov>

The following link may assist you with submitting the Annual Report and if applicable, a Notice of Termination:

KRISTINE MURRAY, ACTING CHAIR | JAYNE JOY, EXECUTIVE OFFICER

https://www.waterboards.ca.gov/water_issues/programs/stormwater/smarts/construction/const_help_guides.shtml

Please submit the annual report via SMARTS by January 24, 2022. You must also provide a statement explaining why the annual report was not submitted by the September 1 deadline, propose the measures you will take to ensure timely submittals in the future, and upload the statement as part of SMARTS annual report Attachments.

This is your second and final notice. Failure to submit the 2020-2021 Annual Report via the online SMARTS database by **January 24, 2022**, may result in an 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 minimum penalty of \$1,000 to those permittees that do not submit their annual reports after notification.

Should you need assistance in completing the Annual Report or have any questions relating to SMARTS, please contact the SMARTS Helpdesk at stormwater@waterboards.ca.gov. You may also contact Keith Elliott at 951-782-4925 or keith.elliott@waterboards.ca.gov.

Sincerely,



Adam Fischer, Chief
Inland Storm Water Unit

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\$	Sen	Highland Hospitality LLC
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		Fontana, California 92336
City		8 36C392193 2020-21 AR 2 nd NNC

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