

Santa Ana Regional Water Quality Control Board

October 28, 2019

Mr. Chung Phun
S and A Auto Dismantling
4015 East State Street
Montclair, California 91763

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

SETTLEMENT OFFER NO. R8-2019-0080: EXPEDITED PAYMENT PROGRAM FOR VIOLATION OF WATER CODE SECTION 13399.33(C). WDID NO. 8 361023894

Dear Mr. Phun,

This letter is to notify S and A Auto Dismantling (hereinafter "Permittee or "you") of alleged violations of the California Water Code (Water Code). The violation is a failure to submit the 2018-19 Annual Report by July 15, 2019 for the industrial facility located at 4015 East State Street in the City of Montclair (Site).

This is an invitation to participate in the Santa Ana Regional Water Quality Control Board's (Regional Board) Expedited Payment Program to address mandatory minimum penalties that must be assessed pursuant to California Water Code sections 13385 and 13385.1.

ALLEGED VIOLATION:

Regional Board staff alleges that the Permittee has violated provisions of the National Pollutant Discharge Elimination System (NPDES) Statewide General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 2014-0057-DWQ (Order).

Provision XVI.A. of the Order requires that the Permittee submit Annual Reports via SMARTS by **July 15th of each year.**

Regional Board staff requested that the Permittee submit the 2018-19 Annual Report in the Notices of Noncompliance (NNC) issued on August 8, 2019 and September 12, 2019. Based on information in the Storm Water Multiple Application & Report Tracking System (SMARTS), on October 16, 2019, the Annual Report was submitted, after the 2nd NNC due date of October 7, 2019.

WILLIAM RUH, CHAIR | HOPE SMYTHE, EXECUTIVE OFFICER

Pursuant to Water Code section 13399.33(c), the Permittee is subject to a minimum penalty of not less than one thousand dollars (\$1,000) plus staff costs for failing to submit the Annual Report within sixty (60) days after the first NNC was sent. The Permittee is also subject to discretionary administrative civil liabilities of up to ten thousand dollars (\$10,000) for each day in which the violation occurs.

The minimum penalty and discretionary administrative civil liabilities may be assessed by the Regional Board beginning with the date that the violations first occurred. The formal enforcement action that the Regional Board uses to assess such liability is an administrative civil liability complaint. The Regional Board may instead refer such matters to the Attorney General's Office for prosecution. If referred to the Attorney General for prosecution, the Superior Court may assess up to twenty-five thousand dollars (\$25,000) per violation.

PERMITTEE'S OPTIONS FOR RESPONSE TO CONDITIONAL OFFER:

You have two options to respond as outlined below.

1. **Accept the Expedited Payment Program Conditional Offer.** If the permittee chooses to accept this Conditional Offer, they must agree to pay a settlement of **\$1,534.00**. This settlement Conditional Offer is based on Water Code section 13399.33(c) which requires \$1,000 per missing report plus staff costs. Staff costs in this matter are \$534.00.

This is a Conditional Offer subject to certain terms and conditions set forth below. If you choose this option, **you must sign and submit the enclosed Acceptance and Waiver form by November 28, 2019**. The form provides submittal instructions. Final closure on this action is only possible after ultimate submission of the settlement amount.

To accept this Conditional Offer, please submit an original signed (blue ink) Acceptance and Wavier form to:

Keith Elliott, Inland Stormwater Unit
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348

In response to the Conditional Offer and payment in settlement of this enforcement action, the Regional Board will forego issuance of a formal administrative complaint, will not refer the violation to the Attorney General, and will waive its right to seek additional discretionary civil liabilities for the violations identified in the NNCs.

2. **Contest the violation.** To contest the violation, the Permittee must submit in writing the basis of your challenge with supporting evidence. For example, you may have evidence that you previously submitted your Annual Report(s) prior to July 15, 2019 or you are no longer in business. If you choose this option, you must **submit your written documentation by November 11, 2019**. We will review your submission and, if we agree, we will notify you in writing that you are no longer considered in violation of the permit and that our enforcement action has been withdrawn. All responses should be directed to Keith Elliott at the address listed in the above paragraph.

If you do not respond in a manner described in the above options, Regional Board staff will prepare an administrative civil liability complaint for the violations cited in the NNC. The liability amount sought in the administrative civil liability complaint and/or imposed by the Regional Board may be higher than the liability amount set forth in this Conditional Offer. Moreover, additional staff costs may be considered in the recommended liability amount in an administrative civil liability complaint.

CONDITIONS FOR REGIONAL BOARD ACCEPTANCE OF RESOLUTION:

This Conditional Offer to participate in the Expedited Payment Program is conditioned upon the Regional Board's receipt of confirmation that the Permittee has submitted the Annual Reports in SMARTS on or before **November 28, 2019**. If you choose not to or fail to submit the Annual Reports on or before that date, this Conditional Offer will be deemed withdrawn and a formal enforcement action will be pursued.

Federal regulations require the Regional Board to publish notice and provide at least thirty (30) days for public comment on any settlement of an enforcement action addressing NPDES permit violations (40 C.F.R. section 123.27(d)(2)(iii)).

If you accept the Expedited Payment Program Conditional Offer, the settlement will be published in the following manner:

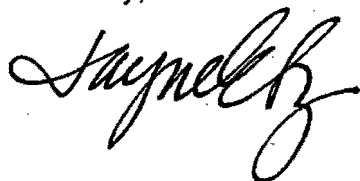
1. Upon receipt of the Permittee's Acceptance and Waiver, and other requested technical reports on or before **November 28, 2019**, Regional Board staff will publish a notice of the proposed resolution of the alleged violations.
2. If Regional Board staff receives no comments within the notice period, the Regional Board Executive Officer will execute the Acceptance and Waiver as a stipulated order assessing the uncontested penalty amount pursuant to Water Code section 13399.33. You will then be notified that payment is due within 30 days. Failure to pay the penalty within that time frame may result in further liability, referral of the matter to the Attorney General, and may void the Conditional Offer to participate in this Expedited Payment Program.

3. If Regional Board staff receives significant comments in opposition to the settlement, this Conditional Offer may be withdrawn. In that case, the Permittee's waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn. In that case, the violations will be addressed through a formal enforcement action.

This Expedited Payment Program Conditional Offer does not address or resolve liability for any violation that is not specifically identified in the attached NNC. The Regional Board reserves the right to pursue formal enforcement of any violations not specifically cited in the attached NNCs.

Should you have any questions about this Expedited Payment Program or Notice of Noncompliance, please contact Keith Elliott at (951) 782-4925 or at keith.elliott@waterboards.ca.gov regarding this matter.

Sincerely,



Jayne Joy
Assistant Executive Officer

Enclosures:

- Notice of Noncompliance dated August 8, 2019
- Notice of Noncompliance dated September 12, 2019
- Acceptance of Conditional Resolution and Waiver of Right to Hearing

cc: (via email)

Catherine Hawe, Office of Enforcement, State Water Resources Control Board

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Chung Phun
 S and A Auto Dismantling
 4015 East State Street
 Montclair, California 91763



9590 9402 4592 8278 6085 93

2. Article Number (Transfer from service label)

7019 1120 0002 2919 2743

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Chung Phun

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Mail
- Mail Restricted Delivery (00)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postmark Here

Postage

\$

Total Price

\$

Sent To

Street

City, State

Mr. Chung Phun
 S and A Auto Dismantling
 4015 East State Street
 Montclair, California 91763

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7019 1120 0002 2919 2743

USPS TRACKING #



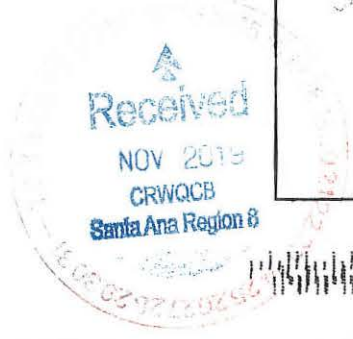
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 4592 8278 6085 93

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

CA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION
173 MAIN STREET, SUITE 600
DIVERSIDE, CA 92621-0308





GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Santa Ana Regional Water Quality Control Board

October 7, 2019

Ms. Charisse Mccoy
McCoy Estate Holdings Company, Inc.
6777 Di Carlo Place
Rancho Cucamonga, California, 91739

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOTICE OF NON-COMPLIANCE: 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. CAS00002 (GENERAL PERMIT) WDID NO. 8 36C382742

Dear Ms. Mccoy:

Regional Board records indicate that McCoy Estate Holdings Company, Inc. is operating a construction site identified as Tract 16279 1, located at 6777 Dicarolo Place, in the City of Rancho Cucamonga. This site is regulated under the Construction General Permit and is identified by WDID **8 36C382742**. Section XVI.A. of the Construction General Permit requires that an Annual Report be submitted by September 1st each year via the online SMARTS database.

Our records show that McCoy Estate Holdings Company, Inc's annual report for the July 1, 2018 to June 30, 2019 reporting period has not been submitted. McCoy Estate Holdings Company Inc is consequently in violation of Section XVI.A. of the Construction General Permit for failure to submit a complete 2018-2019 Annual Report.

We request that you submit a complete **2018-2019 Annual Report** via the online SMARTS database no later than **November 7, 2019**.

The online SMARTS database is available at:

<https://smarts.waterboards.ca.gov>

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.

WILLIAM RUH, CHAIR | HOPE SMYTHE, EXECUTIVE OFFICER



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Santa Ana Regional Water Quality Control Board

August 8, 2019

Mr. Chung Phun
S and A Auto Dismantling
4015 East State Street
Montclair, California 91763

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. 2014-0057-DWQ, NPDES NO. CAS000001 (General Permit), Waste Discharge Identification (WDID) 8 361023894

Dear Mr. Phun:

Your facility located at 4015 E State Street in the City of Montclair, is regulated under the General Permit and is identified by WDID 8 361023894. Section XVI of the General Permit requires that an Annual Report be submitted by July 15 of each year via the online SMARTS database. Our records show that your annual report for the July 1, 2018 to June 30, 2019 reporting period has not been submitted.

S and A Auto Dismantling is consequently in violation of provisions of Section XVI of the General Permit for failure to submit a complete 2018-2019 Annual Report. We request that you submit a complete 2018-2019 Annual Report via the online SMARTS database no later than **September 9, 2019**.

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/industrial/indst_help_guides.html

How to submit an Annual Report guide:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/industrial/annual_report1819_smarts_helpguide.pdf

WILLIAM RUH, CHAIR | HOPE SMYTHE, EXECUTIVE OFFICER

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

How to submit an Ad Hoc (storm water sample) Report guide:

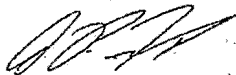
https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/dischargers_guide_adhocreport.pdf

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 July 15 deadline and the measures you have taken to ensure timely submittals in the future.

Failure to submit the 2018-2019 Annual Report via the online SMARTS database 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 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

7019 1120 0002 2919 0374

| U.S. Postal Service CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i> | |
|--|--------|
| For delivery information, visit our website at www.usps.com | |
| OFFICIAL USE | |
| Certified Mail Fee | \$3.45 |
| Extra Services & Fees (check box, add fee as appropriate) | |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$2.75 |
| <input type="checkbox"/> Return Receipt (electronic) | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |
| Postage | \$47 |
| Total Postage and Fees | \$6.67 |
| Postmark Here 8/8/2019 1st-NNC 8 36I023894 432369 | |
| Sent To Mr. Chung Phun S and A Auto Dismantling 4015 East State Street Montclair, California 91763 | |

PS Form 3800, April 2013 Edition, PSN 7530-02-000-9001-9001 See Reverse for Instructions

| SENDER - COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|--|
| <p><input checked="" type="checkbox"/> Complete items 1, 2, and 3.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> | <p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> |
| <p>1. Article Addressed to:</p> <p>Mr. Chung Phun S and A Auto Dismantling 4015 East State Street Montclair, California 91763 WDID: 8361023894 AppID: 432369 8/8/2019</p>  <p>9590 9402 4592 8278 6080 29</p> | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> |
| <p>7019 1120 0002 2959 0974</p> | <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery (over \$500)</p> |
| <p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p> | |

USPS TRACKING#



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USPS
Permit No. G-10

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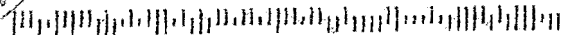
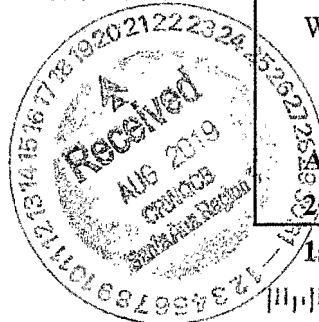
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SANTA ANA REGIONAL
WATER QUALITY CONTROL BOARD
3737 MAIN STREET, SUITE 500
RIVERSIDE, CA 92501-3348

ATTN: INLAND STORM WATER
2018-2019 Industrial General Permit

1st-NNC (KLE)





GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Santa Ana Regional Water Quality Control Board

September 12, 2019

Chung Phun
S and A Auto Dismantling
4015 East State Street
Montclair, California 91763

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FINAL NOTICE OF NON-COMPLIANCE WITH THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES, ORDER NUMBER 2014-0057-DWQ, NPDES PERMIT NUMBER CAS000001 (GENERAL PERMIT) WDID NO. 8 361023894

Dear Mr. Phun:

Your facility, located at 4015 East State Street in the City of Montclair, is regulated under the General Permit and is identified by WDID 8 361023894. Section XVI of the General Permit requires that an Annual Report be submitted by July 15 of each year via the online SMARTS database. Our records show that your Annual Report for the July 1, 2018 to June 30, 2019 reporting period has not been submitted.

S and A Auto Dismantling is consequently in violation of provisions of Section XVI of the General Permit for failure to submit a complete 2018-2019 Annual Report. We request that you submit a complete 2018-2019 Annual Report via the online SMARTS database no later than **October 7, 2019**.

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/industrial/in_dst_help_guides.html

WILLIAM RUH, CHAIR | HOPE SMYTHE, EXECUTIVE OFFICER

3737 Main St., Suite 300, Riverside, CA 92501 | www.waterboards.ca.gov/santaana

How to submit an Annual Report guide:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/industrial/annual_report1819_smarts_helpguide.pdf

How to submit an Ad Hoc (storm water sample) Report guide:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/dischargers_guide_adhocreport.pdf

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 July 15 deadline and the measures you have taken to ensure timely submittals in the future.

This is your second and final notice. The first notice sent to you on August 8, 2019. Failure to submit the 2018-2019 Annual Report via the online SMARTS database by **October 7, 2019** 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 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 Storm Water Unit

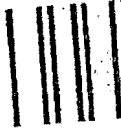
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| U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <small>(Domestic Mail Only)</small> | |
|---|--------|
| For delivery information, visit our website at www.usps.com | |
| OFFICIAL USE | |
| Certified Mail Fee | \$3.45 |
| Extra Services & Fees (check box, add fee as appropriate) | \$2.75 |
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ |
| <input type="checkbox"/> Return Receipt (electronic) | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |
| Postage | \$4.7 |
| Total Postage and Fees | \$6.67 |
| 9/12/2019 | |
| Postmark Here | |
| 2nd NNC | |
| 8 361023894 | |
| 432369 | |
| Sent To | |
| Mr. Chung Phun | |
| S and A Auto Dismantling | |
| 4015 East State Street | |
| Montclair, California 91763 | |
| PS Form 3800, April 2013 PSN 7530-02-000-9001 See Reverse for Instructions | |

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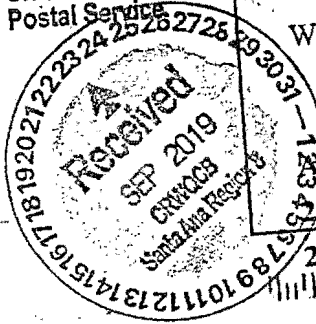


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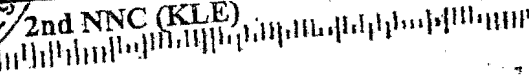
United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box*

SANTA ANA REGIONAL
WATER QUALITY CONTROL BOARD
3737 MAIN STREET, SUITE 500
RIVERSIDE, CA 92501-3348



ATTN: INLAND STORM WATER
2018-2019 Industrial General Permit
2nd NNC (KLE)

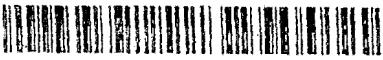


SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Mr. Chung Phun
S and A Auto Dismantling
4015 East State Street
Montclair, California 91763
WDID: 8 361023894 AppID: 432369
9/12/2019



9590 9402 2001 6123 9496 85

Article Number (Transfer from service label)

7016 2070 0000 6806 4726

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
 Addressee
- B. Received By (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

- 3 Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

**ACCEPTANCE OF CONDITIONAL RESOLUTION
AND WAIVER OF RIGHT TO HEARING: (Proposed) ORDER**

S and A Auto Dismantling
Settlement Offer No. R8-2019-0080

WDID No. 8 361023894

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the Santa Ana Regional Water Quality Control Board (Regional Board), S and A Auto Dismantling (Permittee) hereby accepts the "Offer to Participate in Expedited Payment Program" and waives the right to a hearing before the Regional Board to dispute the violations described in the Notices of Noncompliance (NNC) which are attached and incorporated herein by reference.

The Permittee agrees that the Expedited Payment Program Offer shall serve as a complaint pursuant to Article 2.5 of the California Water Code and that no separate complaint is required for the Regional Board to assert jurisdiction over the alleged violations through its Chief Prosecutor. The Permittee agrees to pay the administrative civil liability authorized by California Water Code section 13399.30, in the sum of **\$1,534.00** (Expedited Payment Amount) which shall be deemed payment in full of any civil liability pursuant to California Water Code section 13399.30 that otherwise might be assessed for the violations described in the NNCs.

The Permittee understands that this Acceptance and Waiver waives its right to contest the allegations in the NNCs and the amount of civil liability for such violations. The Permittee understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the NNCs.

Upon execution by the Permittee, the completed Acceptance and Waiver shall be returned to:

Keith Elliott, Enforcement Unit
Expedited Payment Program
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, California 92501

The Permittee understands that federal regulations set forth at title 40, Code of Federal Regulations, section 123.27(d)(2)(iii) require the Regional Board to publish notice and provide at least thirty (30) days for public comment on any proposed resolution of an enforcement action addressing NPDES permit violations. Accordingly, this Acceptance and Waiver, prior to execution by the Regional Board Executive Officer, will be published as required by law for public comment.

If no comments are received within the notice period that causes the Regional Board Executive Officer to question the Expedited Payment Amount, the Regional Board Executive Officer will execute the Acceptance and Waiver.

The Permittee understands that if significant comments are received in opposition to the Expedited Payment Amount, the offer on behalf of the Regional Board to resolve the violations set forth in the NOV's may be withdrawn. In that circumstance, the Permittee will be advised of

Settlement Offer No. R8-2018-00XX
WDID No. 8 361023894

that withdrawal. An administrative civil liability complaint may be issued, and the matter may be set for a hearing before the Regional Board. In the event that this matter proceeds to hearing, the Permittee understands that this Acceptance and Waiver executed by the Permittee will be treated as a settlement communication and will not be used as evidence in that hearing.

The Permittee further understands that once this Acceptance and Waiver is executed by the Regional Board Executive Officer, the full payment required by the deadline set forth below is a condition of this Acceptance and Waiver. In accordance with California Water Code section 13399.37(a), funds collected for violations pursuant to sections 13399.33(c) and 13399.33(d) shall be deposited in the Waste Discharge Permit Fund. Accordingly, the **\$1,534.00** liability including staff costs shall be paid by a cashiers or certified check made out to the "State Water Resources Control Board" referencing this Order number for deposit into the Waste Discharge Permit Fund. The payment must be submitted to the State Water Resources Control Board no later than thirty (30) calendar days after the date the Acceptance and Waiver is executed by the Regional Board Executive Officer.

Please mail check to:

State Water Resources Control Board
Re: Order No. R8-2019-0080, WDID No. 8 361023894
Division of Administrative Services, Accounting Branch
1001 I Street, 18th Floor, 95814
P.O. Box 1888
Sacramento, California 95812-1888

I hereby affirm that I am duly authorized to act on behalf of and to bind the Permittee in the making and giving of this Acceptance and Waiver.

S and A Auto Dismantling

By: *David Trac*
(Signed Name)

Feb 18 - 2025
(Date)

DAVID TRAC
(Printed or Typed name)

MANAGER
(Title)

IT IS SO ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTION 13399.30

Date: _____

By: _____
Hope Smythe
Executive Officer

