

**CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD
SAN DIEGO REGION**

**REVISED NOTICE OF OPPORTUNITY TO COMMENT FOR
TENTATIVE CEASE AND DESIST ORDER NO. R9-2023-0129**

**PINE HILL EGG RANCH AND
DEMLER BROTHERS' PULLET FARM**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will consider the adoption of Tentative Cease and Desist Order No. R9-2023-0129 (Tentative CDO) issued to Demler Brothers LLC, Kevin Demler, and Alex Demler (collectively, Dischargers). If adopted, the Tentative CDO directs the Dischargers to immediately cease and desist from discharging and threatening to discharge wastes from the Pine Hill Egg Ranch (Facility) located at 25818 State Route 78, Ramona, San Diego County, and the Demler Brothers' Pullet Farm (Pullet Farm) located at 24555 Old Julian Highway in Ramona, San Diego County. A public hearing and a date for consideration of the Tentative CDO is forthcoming and will be announced separately.

Based on the facts presented in the Tentative CDO, the Prosecution Team finds that the Dischargers' waste-generating activities at the Facility and Pullet Farm, including confined animal feeding operations, egg washing, and onsite composting, pose a significant and ongoing threat to Santa Teresa Valley Creek, Hatfield Creek, and the Santa Maria Groundwater Basin. The waste discharges from these activities are in violation of Title 40 of the Code of Federal Regulations, the California Water Code, discharge prohibitions of the Water Quality Control Plan for the San Diego Basin, and the Industrial General Stormwater Permit.

If adopted, the Tentative CDO would, in accordance with California Water Code sections 13267, 13301, and 13303, require the Dischargers to immediately cease and desist from discharging and threatening to discharge waste until the Dischargers complete corrective actions related to waste management and disposal according to a time schedule. Finally, the Tentative Order requires the Dischargers to seek the necessary regulatory coverage for the waste discharges. Failure to comply with the deadlines specified in the CDO would be subject to administrative civil liability.

Document Availability and Submission of Written Comments

A copy of the Tentative CDO and attachments is available for download and review from the San Diego Water Board's website at:

https://www.waterboards.ca.gov/sandiego/board_decisions/tentative_orders/

The San Diego Water Board is accepting written comments on the Tentative CDO on or before 5:00 pm on ~~August 28, 2023~~ September 4, 2023. Interested persons may submit

written comments by e-mail to the attention of Christina Arias at SanDiego@waterboards.ca.gov. Please indicate in the subject line of all written comments "PIN: 864333: CArias." San Diego Water Board staff will respond to all comments timely received and comments and responses will be provided to the San Diego Water Board, or its delegate, for consideration as part of the adoption process. The San Diego Water Board may refuse to accept written comments received after the deadline.

Contact Information

For questions or comments, please contact Christina Arias by:

Email: Christina.Arias@waterboards.ca.gov

Telephone: (619) 521-3361

Date of Notice: ~~July 25, 2023~~ August 23, 2023