

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

**NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT
FOR ADMINISTRATIVE CIVIL LIABILITY COMPLAINT
NO. R9-2023-0013**

**IN THE MATTER OF
QUALITY INVESTORS 1 2016 LLC AND DAVID G. EPSTEIN
COUNTY OF SAN DIEGO**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) is considering the adoption of an Administrative Civil Liability Order (ACL Order) against Quality Investors 1 2016 LLC and David G. Epstein (collectively, Respondents) for alleged violations of water quality requirements as set forth in Administrative Civil Liability (ACL) Complaint No. R9-2023-0013.

Based on consideration of the facts stated in ACL Complaint No. R9-2023-0013, the applicable law, and after applying the penalty calculation methodology in section VI of the [Enforcement Policy](#), the Prosecution Team recommended that the San Diego Water Board impose civil liability against the Respondents in the amount of \$411,475 for the violations alleged in the ACL Complaint and set forth in full in Attachment A to Administrative Civil Liability Complaint No. R9-2023-0013: Liability Methodology.

Document Availability

A copy of the ACL Complaint is available for download and review from the San Diego WaterBoard's website at:

https://www.waterboards.ca.gov/sandiego/water_issues/programs/compliance/acl_complaints.html

Notice of Public Hearing

A hearing before the San Diego Water Board is scheduled for the following date, time, and location:

Wednesday, February 8, 2023 at 9:00 a.m.
San Diego Regional Water Quality Control Board
Board Meeting Room
2375 Northside Drive, Suite 108
San Diego, California 92108
And via Video and Teleconference

During the hearing the San Diego Water Board will accept testimony, public comment, and consider whether to impose the proposed civil liability, impose a higher or lower amount, or decline to impose any liability. Any changes to the hearing schedule or format will be noticed on the [Active Administrative Civil Liabilities webpage](#).

Notice of Opportunity for Public Comment

Pursuant to the Enforcement Policy, a 30-day public comment period shall be posted on the San Diego Water Board's website prior to the imposition of any ACL Order. Interested persons may submit written non-evidentiary policy statements regarding ACL Complaint No. R9-2023-0013, but may not submit evidence (e.g., photographs, eye-witness testimony, and monitoring data). Written non-evidentiary policy statements from interested persons shall be submitted as early as possible, but no later than **5:00 p.m. on December 18, 2022**, to Vincent Vu, Senior Staff Counsel, by email at Vincent.Vu@waterboards.ca.gov, or by mail at the address indicated below. Please indicate in the subject line of all written comments "Comment - ACL Complaint No. R9-2023-0013". The San Diego Water Board may refuse to accept written comments received after the deadline.

The deadline for written comments and policy statements only applies to interested parties. Designated parties, including the Respondents, have separate deadlines for submission of evidence and argument. Designed parties, including the Discharger, should refer to the hearing procedures for additional information about important deadlines.

Contact Information

For questions or comments, please contact Vincent Vu, Senior Staff Counsel by:

Email: Vincent.Vu@waterboards.ca.gov

Telephone: (916) 323-5669

U.S. Mail: California Regional Water Quality Control Board, San Diego Region, 2375 Northside Drive, Suite 100, San Diego, CA 92108-0002

Date of Notice: November 17, 2022

Issued By: Vincent Vu, Senior Staff Counsel