



California Regional Water Quality Control Board, San Diego Region

July 9, 2013

Certified Mail – Return Receipt Requested
Article Number: 7011 0470 0002 8961 7944

Mr. Charles Tayrouz
Temecula Recycling and Promethean Biofuels
27365 Diaz Road
Temecula, CA 92590

In reply refer to:
WDID 9 371023411:Dquach

Mr. Todd Ryan Gregory Hill
Promethean Biofuels Cooperative Corp.
27635 Diaz Road
Temecula, CA 92590

Subject: Notice of Violation No. R9-2013-0121, Temecula Recycling and Promethean Biofuels, General NPDES Permit No. CAS000001, Order No. 97-03-DWQ, for Discharges of Storm Water Associated With Industrial Activities

Mr. Tayrouz and Mr. Hill:

Enclosed is Notice of Violation (NOV) No. R9-2013-0121 issued to Temecula Recycling and Promethean Biofuels for violations of Order No. 97-03-DWQ, *General NPDES Permit and Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities* adopted by the State Water Resources Control Board, and enforced by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). As described in the NOV, the violations are subject to further enforcement pursuant to the California Water Code. The San Diego Water Board reserves the right to take any enforcement action authorized by law.

Please provide a written response by **August 9, 2013** that confirms the violations have been corrected and identifies a date by which the violations were corrected.

In making the determination of whether and how to proceed with further enforcement action, the San Diego Water Board will consider the severity and effect of the violation, the level of cooperation, the time it takes to correct the identified violations, and the sufficiency of the corrections.

July 9, 2013

In the subject line of any response, please include the information located in the heading of this letter: "in reply refer to." For questions pertaining to the subject matter, please contact Mr. Dat Quach at (858) 467-2978 or Dquach@waterboards.ca.gov.

Respectfully,

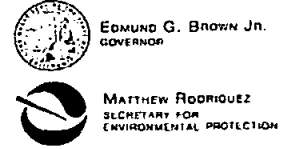


Eric Becker, P.E.
Senior Water Resource Control Engineer
Surface Water Basins Branch

Esb:wjg
Enclosures (2): NOV Order No. R9-2013-0121
Inspection Report w/ photos

cc: Mr. Aldo Licitra, City of Temecula, 41000 Main Street, Temecula, CA 92589-9033

Tech Staff Info & Use	
WDID	933I023411
NPDES No.	CAS0108466
Inspection ID	2019235
Violation ID	851341
Enforcement ID	412552



California Regional Water Quality Control Board, San Diego Region

In Reply Refer to: WDID 9 331023411:Dquach

July 9, 2013

NOTICE OF VIOLATION
No. R9-2013-0121

Temecula Recycling and Promethean
Biofuels
WDID: 9 371023411
27365 Diaz Road,
Temecula, CA 92590

Violations of Order No. 97-03-DWQ

Temecula Recycling and Promethean Biofuels is hereby notified that the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) reserves the right to take any enforcement action authorized by law for the violations described herein.

Temecula Recycling and Promethean Biofuels is in violation of State Water Resources Control Board (State Water Board) Order No. 97-03-DWQ, *General NPDES Permit and Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*.

A. Summary of Violations

1. Failure to Implement Structural and Non Structural Best Management Practices (BMPs)

Violation of Order No. 97-03-DWQ, B. 3. Facility operators covered by this General Permit must reduce or prevent pollutants associated with industrial activity in storm water discharges and authorized non-storm water discharges through implementation of BAT for toxic and nonconventional pollutants and BCT for conventional pollutants. Development and implementation of an SWPPP that complies with the requirements in Section A of the General Permit and that includes BMPs that achieve BAT/BCT constitutes compliance with this requirement.

2. Inspection Observations

On June 17, 2013, the San Diego Water Board conducted an inspection of Temecula Recycling and Promethean Biofuels in Temecula, Riverside County. During the inspection, the site lacked adequate housekeeping BMPs, Structural and Non-Structural BMPs. The outside storage area is not protected (covered, berm, and hard surface slab) and has exposure to storm water. Oil containers and barrels are on the ground without berms and secondary containment to prevent exposure to storm water. Multiple areas of the site have soil soaked with oil and grease. The San Diego Water Board inspector requested immediate cleanup and proper disposal of these areas of oil and grease soaked soil. The San Diego Water Board inspector also requested implementation of adequate BMPs, good housekeeping, and employee training necessary to prevent additional discharges of pollutants to the ground and/or to surface waters. All corrective actions were required to be completed by August 9, 2013. Discharges of process waste and pollutants commingled with storm water from Temecula Recycling and Promethean Biofuels re prohibited.

B. Summary of Potential Enforcement Options

These violations may subject you to additional enforcement by the San Diego Water Board or State Water Board, including a potential civil liability assessment of \$10,000 per day of violation (Water Code section 13385) and/or any of the following enforcement actions:

Other Potential Enforcement Options	Applicable Water Code Section
Technical or Investigative Order	Sections 13267 or 13383
Cleanup and Abatement Order	Section 13304
Cease and Desist Order	Sections 13301-13303
Time Schedule Order	Sections 13300, 13308

In addition, the San Diego Water Board may consider revising or rescinding applicable waste discharge requirements, if any, referring the matter to other resource agencies, referring the matter to the State Attorney General for injunctive relief, and referral to the municipal or District Attorney for criminal prosecution.

Mr. Charles Tayrouz
Temecula Recycling
and Promethean Biofuels

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July 9, 2013
Notice of Violation Order No. R9-2013-0121

In the subject line of any response, please include the information located in the heading of this letter: "in reply refer to." Questions pertaining to this Notice of Violation should be directed to Mr. Dat Quach at 858-467-2978 or Dquach@waterboards.ca.gov.

Respectfully,



Eric Becker, P.E.
Senior Water Resource Control Engineer
Surface Water Basins Branch

esb:dtq

Enclosures (1): Inspection Report w/photos

cc: Mr. Aldo Licitra, City of Temecula, 41000 Main Street, Temecula, CA 92589-9033

Tech Staff Info & Use	
Order No.	97-03-DWQ
WDID	9 33I023411
NPDES No.	CAS0108466
Inspection ID	2019235
Violation ID	851341
Enforcement ID	412552

Storm Water Industrial General Permit Inspection Report

Insp. Date & Time:	June 17, 2013	Inspected By:	Dat Quach
WDID #	9 331023411	SMARTS Inspection #2019235	
Operator Name:	Mr. Charles Tayrouz and Mr. Todd Ryan Gregory Hill		
Facility Name:	Temecula Recycling and Promethean Biofuels		
Facility Address:	27365 Diaz Road, Temecula, CA 92590		
Facility Contact:	Ikenna Nedosa and Oliver Garth		

Inspection Type: Complaint			
SWPPP on site?	Yes	SWPPP Implemented/Updated?	No
Photos Taken?	Yes	Appropriate Monitoring Program?	Yes
Weather: sunny, 80 degrees		Evidence of Non-SW Discharge?	No

The San Diego Water Board conducted a complaint inspection of Promethean Biofuels, Temecula, Riverside County.

During the inspection, the site was found in extremely poor condition, lacking adequate Structural BMP's and Non Structural BMPs, and having a poor housekeeping practice. There is evidence that the site discharged non-stormwater to MS4 system at the south boundary of the facility (Photo1). The site owner stated that the non-stormwater discharges were from fire fighting activities on the previous day. The outside storage area of material is not protected (covered, berm, and hard surface slab) and has exposure to storm water (Photo 2). Oil containers and barrels are on the ground (Photo 3) with no secondary containment. Multiple areas of the site have soil soaked with oil and grease. (Photos 4, 5, and 6). The San Diego Water Board inspector requested immediate cleanup and proper disposal of the oil/grease soaked soil. The San Diego Water Board inspector also requested implementation of adequate BMPs, improved housekeeping, and employee training necessary to prevent discharges of pollutants to the ground and/or to surface waters. All corrective actions were required to be completed by August 9, 2013. Discharges of process waste and pollutants commingled with storm water from Temecula Recycling and Promethean Biofuels are prohibited.

Promethean Biofuels and Temecula Recycling share a same NOI and SWPPP, even though each one has a complete different ownership, operation, and facility.

Recommendation:

Issue a Notice of Violation to Temecula Recycling and Promethean Biofuels for threatening of discharging non-stormwater to MS4 system, lack of structural and non-structural BMP's to prevent the discharge of pollutants to MS4 system, and having a poor housekeeping BMPs.. Request Temecula Recycling and Promethean Biofuels to stop threatening of discharging non-stormwater to MS4 system, to install structural BMPs, and to clean up the site.

Signature <u><i>[Handwritten Signature]</i></u> Date <u>3/18/13</u>	Date Entered: 03/18/13 Entered By: D Quach Senior Review: _____
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Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6

