



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

San Francisco Bay Regional Water Quality Control Board

*Certified Mail No.
Return Receipt Requested*

June 18, 2012
Geotracker 07S0183 (LM)

Mayhew Center, LLC
Attn: Mr. Dean Dunivan
3317 Vincent Road
Pleasant Hill, CA 94523

Also sent via email: RDDunivan@yahoo.com

Subject: Administrative Civil Liability Complaint No. R2-2012-0022 for a Late Technical Report, 3301-3341 Vincent Road, Contra Costa County

Dear Mr. Dunivan:

Complaint No R2-2012-0022 (Complaint) enclosed with this letter issues an administrative civil liability (ACL) against Mayhew Center, LLC (Mayhew Center) in the amount of \$16,942. This liability is based on allegations that Mayhew Center violated Water Code section 13267 by submitting a technical report 253 days late.

Mayhew Center can respond to the Complaint by appearing before the Regional Water Board at a public hearing to contest the matter or by signing a waiver to pursue other options.

1. The Complaint can be contested before the Regional Water Board at the following meeting:

Date/Time: September 12, 2012, commencing at 9:00 a.m.
Place: First Floor Auditorium, Elihu Harris State Building
1515 Clay Street, Oakland

At this meeting, the Regional Water Board will consider whether to impose administrative civil liability (as proposed in the Complaint or for a different amount), decline the administrative civil liability, or refer the matter to the Attorney General for judicial enforcement at a public hearing.

Please refer to the enclosed Public Notice and Hearing Procedure for the Complaint and the ACL Fact Sheet for additional information about the Regional Water Board's process, hearing procedure, and important deadlines (for submitting comments or

evidence, obtaining designated party status, waiving or postponing a hearing, making objections or rebuttals to evidence, etc.).

2. The public hearing that has been scheduled (above) can be waived to pursue one of the following options:
 - a. Pay the liability as proposed in the Complaint;
 - b. Request more time and postpone the date of the public hearing;
 - c. Promptly engage in settlement discussions with the Regional Water Board Prosecution Team;

The Waiver, attached to the Complaint, describes these options in further detail. To pursue one of these options, **the Waiver must be signed, dated, and received by Yuri Won of the Regional Water Board Advisory Team with a copy to the Prosecution Team contact listed below no later than 5:00 p.m. on July 18, 2012. It is at the discretion of the Regional Water Board Advisory Team to either accept or deny a waiver request.**

If you wish to communicate directly with the Prosecution Team regarding the Complaint, please contact Laurent Meillier at (510) 622-3277 or LMeillier@waterboards.ca.gov.

Our mailing address is 1515 Clay Street Suite 1400, Oakland, CA 94612 and our fax number is 510-622-2460.

Sincerely,

Dyan C. Whyte
Assistant Executive Officer

Enclosures: ACL Complaint No. R2-2012-0022
Waiver Form, ACL Complaint No. R2-2012-0022
Public Notice and Hearing Procedure, ACL Complaint No. R2-2012-0022
Administrative Civil Liability Fact Sheet

cc: Regional Water Board Lyris Enforcement email list
Regional Water Board Advisory and Prosecution Teams
Cris Carrigan, State Water Board, Office of Enforcement

Cc via email:

Walnut Creek Manor, LLC,
Attn: Mr. Milt Eberle
Wgidinc@aol.com

Attn: Mr. Dan Helix
DanHelix@att.net

CCCHSD
Attn: Mr. Paul Andrews
PAAndrews@hsd.co.contra-costa.ca.us

DuaneMorris
Attn: Mr. Brian Kelly
BaKelly@duanemorris.com

Farella Braun
Attn: Mr. John Gregory
JGregory@fbm.com

Union Pacific Railroad Company
Attn: Mr. James Diel
JeDiel@up.com

Burnham Brown
Burnham Brown
Attn: Mr. Eric Hass
EHass@burnhambrown.com

AMEC Geomatrix
Attn: Mr. Scott D. Warner,
SWarner@AMEC.com

Schutze & Assoc.
Attn: Mr. Jan Schutze,
JS@schutze-inc.com

Contra Costa County Redevelopment
Agency
Attn: Mr. Jim Kennedy,
JKenn@cd.cccounty.us