CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

May 15, 2015

Larry Good
T&S Die Cutting
13301 Alondra Boulevard
Santa Fe Springs, CA 90670

Certified Mail
Return Receipt Requested
Claim No. 7014 2120 0003 7814 2943

SETTLEMENT OFFER NO. R4-2015-0088: OFFER TO PARTICIPATE IN THE EXPEDITED PAYMENT PROGRAM RELATING TO VIOLATIONS OF THE STATE WATER RESOURCES CONTROL BOARD GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES FOR T&S DIE CUTTING, 13301 ALONDRA BOULEVARD, SANTA FE SPRINGS, CA (ORDER NO. 97-03-DWQ, NPDES NO. CAS000001, WDID NO. 4 19I021670)

Dear Larry Good:

This letter is to notify T&S Die Cutting (hereinafter "Permittee" or "you") of alleged violations of the California Water Code identified in the State Water Resources Control Board's water quality data system and to allow the Permittee to participate in the Los Angeles Regional Water Quality Control Board's (Regional Board) Expedited Payment Program to address liabilities that may be assessed pursuant to California Water Code section 13399.33.

NOTICE OF VIOLATION:

Based on information in the Storm Water Multiple Application & Report Tracking System (SMARTS) as of May 15, 2015, the Regional Board alleges that the Permittee is in violation of the Statewide General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ (General Permit) for failure to submit the **Fiscal Year 2013-2014** Annual Report. The Annual Report was due to the Regional Board by **July 1, 2014** as required by Section B.14 of the General Permit. As of **May 15, 2015**, the Permittee has failed to submit the Annual Report requested in the Notice of Non-Compliance (NNC) and Notice of Violation (NOV) issued on December 15, 2014 and April 2, 2015, respectively. The Permittee will have the opportunity to address the alleged violation as discussed below.

STATUTORY LIABILITY:

Pursuant to California 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 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. These minimum 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, although 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 OFFER:

You have two options to respond as outlined below. However, the Expedited Payment Program does not address or resolve liability for any violation that is not specifically identified in the corresponding NNC and NOV regardless of the date that the violation occurred.

1. **Accept the Expedited Payment Program offer** by complying with the General Permit and submitting the requested Annual Report and agreeing to pay a settlement of **$1,500**. The minimum administrative civil liability pursuant to California Water Code section 13399.33(c) is $1,000. Staff costs incurred in seeking compliance with California Water Code Chapter 5.9, the Storm Water Enforcement Act of 1998, is $500. 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 June 15, 2015.** The form provides submittal instructions. Final closure on this action is only possible after ultimate submission of the settlement amount.

   Please submit a hard copy of the Annual Report and the Acceptance and Waiver form to:

   Enrique Loera, Enforcement Unit
   Expedited Payment Program
   Los Angeles Regional Water Quality Control Board
   320 West 4th Street, Suite 200
   Los Angeles, California 90013

   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 NNC and NOV.

2. **Contest the non-filing violation** by submitting in writing, the basis of your challenge with supporting evidence. For example, you have evidence that you previously submitted your Annual Report or you are no longer in business. If you choose this option, you must **submit your written documentation by June 15, 2015.** We will

review your submission, and if we agree with you, we will notify you in writing that you are no longer considered in violation of the General Permit and that our enforcement action has been terminated.

If you do not respond in a manner described in the above options, the Regional Board will prepare an administrative civil liability complaint for the violations cited above in the Notice of Violation section. 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, staff costs associated with formal enforcement may be considered in the recommended liability amount.

CONDITIONS FOR REGIONAL BOARD ACCEPTANCE OF RESOLUTION:

This offer to participate in the Expedited Payment Program is conditional upon the Regional Board's receipt of confirmation that the Permittee has submitted the Annual Report to the Regional Board on or before **June 15, 2015**. If you choose not to or fail to submit the Annual Report on or before that date, this offer will be deemed withdrawn and a formal enforcement action will be pursued. After the offer is deemed withdrawn, Regional Board staff will notify you of the impending enforcement action and any associated deadlines.

Should you participate in the Expedited Payment Program, the settlement will be published in the following manner: Federal regulations require the Regional Board to publish notice of, and to 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)). Upon receipt of the Permittee's Acceptance and Waiver, the Annual Report, and other requested technical reports on or before **June 15, 2015**, Regional Board staff will publish a notice of the proposed resolution of the failure to submit the reports alleged in the NNC and NOV attached.

If no comments are received 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 as described under the heading "Statutory Liability" herein. 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/or may void the offer to participate in this Expedited Payment Program.

If, however, significant comments are received in opposition to the settlement, this offer may be withdrawn. In that case, the Permittee's waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn and the violations will be addressed in a liability assessment proceeding. At the liability assessment hearing the Permittee will be free to make arguments as to any of the alleged violations, and the Permittee's agreement to accept this conditional offer will not in any way be binding or used as evidence against the

Permittee. The Permittee will be provided with further information on the liability assessment proceeding.

Should you have any questions about this Conditional Offer or Notice of Violation, please contact Enforcement Unit staff Enrique Loera by phone at (213) 620-2111 or via email at Enrique.Loera@waterboards.ca.gov or Pavlova Vitale by phone at (213) 576-6751 or via email at Pavlova.Vitale@waterboards.ca.gov regarding this matter.

Sincerely,

Paula Rasmussen
Assistant Executive Officer

Enclosures:
Notice of Non-Compliance dated December 15, 2014
Notice of Violation dated April 2, 2015
Acceptance of Conditional Resolution and Waiver of Right to Hearing; (proposed) Order

cc: (via email)
Vanessa Young, Office of Enforcement, State Water Resources Control Board

Settlement Offer No. R4-2015-0088
WDID No. 4 19I021670

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

T&S Die Cutting
Settlement Offer No. R4-2015-0088
WDID No. 4 19I021670

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the Los Angeles Regional Water Quality Control Board (Regional Board),T&S Die Cutting (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 allegations of violations described in the Notice of Violation (NOV) and Notice of Noncompliance (NNCs), which are attached hereto as Exhibits 1 and 2 and incorporated herein by reference.

The Permittee agrees that the Conditional 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 $1,500 (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 NOV and NNC. The Permittee understands that this Acceptance and Waiver waives its right to contest the allegations in the NOV and NNC 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 NOV and NNC.

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

Enrique Loera, Enforcement Unit
Expedited Payment Program
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, California 90013

The Permittee understands that federal regulations set forth in Title 40, Code of Federal Regulations, section 123.27(d)(2)(iii) require the Regional Board to publish notice of 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 NOIs may be withdrawn. In that circumstance, the Permittee will be advised of that withdrawal, and an administrative civil liability complaint may be issued and the matter may be set for a hearing before the Regional Board. For such a liability 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 $1,500 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. R4-2015-0088
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.

T&S Die Cutting

By: _____ _____
(Signed Name) (Date)

_____ _____
(Printed or Typed name) (Title)

IT IS SO ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTION 13399.30

Date: _____

By: _____
Samuel Unger, P.E.
Executive Officer

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

April 2, 2015

Larry Good
T&S Die Cutting
13301 Alondra Boulevard
Santa Fe Springs, CA 90670

Certified Mail
Return Receipt Requested
Claim No. 7014 2120 0004 7561 6521

NOTICE OF VIOLATION: FAILURE TO SUBMIT AN ANNUAL REPORT REQUIRED BY THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES (GENERAL PERMIT, ORDER NO. 97-03-DWQ, NPDES NO. CAS 000001) WDID NO. 4 19I021670

Dear Larry Good:

T&S Die Cutting (hereinafter "Permittee") operates a facility located at 13301 Alondra Boulevard, in Santa Fe Springs (WDID No. 4 19I021670) and is subject to the requirements of NPDES General Permit (Order No. 97-03-DWQ; CAS000001) for Stormwater Discharges Associated with Industrial Activities (General Permit). Section B.14 of the General Permit requires the Permittee to submit an annual report to the Regional Board by July 1 of each year. On December 15, 2014, the Regional Board issued a Notice of Non-Compliance (attached) for failing to submit the 2013-2014 annual report, which was due on July 1, 2014. To date, the Los Angeles Regional Water Board (Regional Board) has not received your 2013-2014 annual report.

The Permittee is currently in violation of the General Permit, the California Water Code (CWC), and the Federal Clean Water Act for failing to submit the 2013-2014 annual report.

The Permittee is required to immediately submit a complete 2013-2014 annual report (refer to Section B.14 of the General Permit) to the Regional Board.

Annual Reports must be submitted electronically to the Regional Board either via email of to the Stormwater Multiple Application & Report Tracking System (SMARTS) database. For more information on email submittal, please refer to the following:

- Electronic Submittal Required for Correspondence and Reports to the Regional Water Board:
  http://www.waterboards.ca.gov/losangeles/resources/Paperless/

- SMARTS database link:
  https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp

Pursuant to California 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 days after the Notice of Non Compliance 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. These minimum and discretionary administrative civil liabilities may be assessed by the Regional Board beginning with the date that the violations first occurred. The Regional Board may also refer this matter to the Attorney General's Office for further enforcement. Please note that this Notice shall not be deemed to relieve you of liability for any penalties that may have already accrued. The Regional Board reserves its right to take any further enforcement action authorized by law.

If you need assistance or have any questions, please contact Enrique Loera of my staff at (213) 620-6361 via email at Enrique.Loera@waterboards.ca.gov or Pavlova Vitale at (213) 620-6751 via email at Pavlova.Vitale@waterboards.ca.gov.

Sincerely,

Paula Rasmussen
Assistant Executive Officer

Enclosure: Notice of Non-Compliance dated December 15, 2014

cc email only: Vanessa Young, State Water Resources Control Board, Office of Enforcement

December 15, 2014

Larry Good
T&S Die Cutting
13301 Alondra Boulevard
Santa Fe Springs, CA 90670

Certified Mail
Return Receipt Requested
Claim No. 7012 3460 0002 9485 8526

NOTICE OF NON-COMPLIANCE: Failure to Submit Annual Reports as Required by the General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS000001, WDID No. 4 19I021670

Dear Larry Good:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), is the public agency with the primary responsibility for the protection of ground and surface water quality within major portions of Los Angeles and Ventura Counties.

Your facility, located at 13301 Alondra Boulevard, in Santa Fe Springs is regulated under the General Permit for Storm Water Discharges Associated with Industrial Activities (General Permit) and identified by WDID No. 4 19I021670. Section B.14 of the General Permit requires you to submit an annual report by July 1st of each year. However, our records indicate that you have not submitted your 2013-2014 annual report that was due on July 1, 2014.

You are currently in violation of the General Permit, the California Water Code and the Federal Clean Water Act for failing to submit a complete 2013-2014 annual report. You are required to submit a complete 2013-2014 annual report (refer to section B.14 of the General Permit) to the Regional Board by January 15, 2015. Pursuant to section 13399.33 of the California Water Code, you may be subject to penalties of not less than one thousand dollars ($1,000) plus staff costs for failing to submit your annual report. A copy of the General Permit as well as a blank annual report form can be downloaded from the State Water Resources Control Board's website:

http://www.swrcb.ca.gov/water_issues/programs/stormwater/annualreport.shtml

Annual Reports must be submitted electronically to the Regional Board either via email or to the Stormwater Multiple Application & Report Tracking System (SMARTS) database. For more information on email submittal, please refer to the following:

- Electronic Submittal Required for Correspondence and Reports to the Regional Water Board:
  http://www.waterboards.ca.gov/losangeles/resources/Paperless/

- SMARTS database link:
  https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp

Along with the annual report, you must also provide a statement explaining the reason you did not submit the annual report by the July 1 deadline and the measures you have taken to ensure timely submittals in the future.

Failure to submit the annual report may also result in the assessment of administrative civil liabilities of up to ten thousand dollars ($10,000) for each day in which the violation occurs.

If you need assistance or have any questions, please contact Enrique Loera of my staff at (213) 620-2111 or via email at Enrique.Loera@waterboards.ca.gov or Pavlova Vitale at (213) 576-6751 or via email at Pavlova.Vitale@waterboards.ca.gov.

Sincerely,

Paula Rasmussen
Assistant Executive Officer

cc: Vanessa Young, State Water Resources Control Board, Office of Enforcement (via email only)