

**San Francisco Bay Regional Water Quality Control Board**

*Certified Mail No.  
Return Receipt Requested*

June 14, 2013  
WDID 2 28I019243 (LMM)

Napa Valley Cast Stone, LLC  
Agent for Service of Process  
Attn: Mr. Bruce Meyers  
1000 Main Street 3rd Floor  
Napa, CA 94559

**Subject: Transmittal of Settlement Agreement and Stipulation for Administrative Civil Liability Order No. R2-2013-1019, Napa Valley Cast Stone, LLC, Napa County**

Dear Mr. Meyers:

Attached is Order No. R2-2013-1019 (Order) requiring Napa Valley Cast Stone, LLC to pay \$5,200 by July 15, 2013. While California Water Code (Water Code) section 13323(d) requires payment no later than 30 days from the date upon which the order becomes final (i.e., 30 days after the Order is signed), we are amendable to Napa Valley Cast Stone, LLC, making five separate payments in accordance with the following payment schedule (totaling \$5,200) based on information provided by Napa Valley Cast Stone, LLC, about its ability to pay this liability in full. We will not enforce the 30-day payment requirement in the Order as long as Napa Valley Cast Stone, LLC, makes payments in accordance with the payment schedule:

<b>Payment Schedule</b>
<ul style="list-style-type: none"><li>• An initial (first) payment of \$2,000 shall be made not later than July 15, 2013</li><li>• A second payment of \$800 is due no later than August 13, 2013</li><li>• A third payment of \$800 is due no later than September 13, 2013</li><li>• A fourth payment of \$800 is due no later than October 14, 2013</li><li>• The fifth (final) payment of \$800 is due no later than November 13, 2013</li></ul>

If the payment deadlines set forth herein are not met, we may allow for a grace period no longer than 15 days to receive payment. If payment is not received within this timeframe, we will seek to enforce payment in full pursuant to the Order. Alternatively, we may refer the matter to the California Attorney General's Office to obtain payment in compliance with the terms of the Order or take other appropriate action.

While we will endeavor to notify Napa Valley Cast Stone, LLC, about pending payments, it is Napa Valley Cast Stone, LLC's, obligation to make the payments according to the payment schedule and not rely on further notification. We have attached payment invoices to assist Napa Valley Cast Stone, LLC, with payments. Please note that Napa Valley Cast Stone, LLC, may receive invoices for scheduled payments directly from the State Water Resources Control Board, Division of Financial Assistance, when it starts an automated billing process.

If you have any questions, please contact Laurent Meillier of my staff at (510) 622-3277 or by email at [LMeillier@waterboards.ca.gov](mailto:LMeillier@waterboards.ca.gov).

Sincerely,



Thomas E. Mumley  
Assistant Executive Officer

Enclosures: Order No. R2-2013-1019  
Administrative Civil Liability Invoices

Copy to (via U.S. Certified Mail, Return  
Receipt Requested):

Napa Valley Cast Stone, LLC  
Attn: Mr. Mark Akey  
1111 Green Island Road  
American Canyon, CA 94503  
email to: [MAkey@nvcssystems.com](mailto:MAkey@nvcssystems.com)

Ms. Cathy Daniels  
c/o Marshall Hatch  
1301 Spring Street Unit19G  
Seattle, WA 98104-1353

USEPA  
Attn.: Mr. David Wampler  
CWA Compliance Office  
USEPA Region IX (WTR-7)  
75 Hawthorne Street, Mail Stop WTR-7  
San Francisco, CA 94105  
[Wampler.David@epamail.epa.gov](mailto:Wampler.David@epamail.epa.gov)

Copy to (via electronic mail):  
City of American Canyon Staff:  
Ms.Lou Leet:  
[LLeet@cityofamericancanyon.org](mailto:LLeet@cityofamericancanyon.org)

Regional Water Board Lyris Enforcement  
Email List  
Regional Water Board Advisory and  
Prosecution Teams

Copy to (via U.S. mail and electronic mail):

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

In the matter of: )  
)  
**Napa Valley Cast Stone, LLC** )  
)  
**1111 Green Island Road** )  
**American Canyon, California** )  
)  
)  
)  
\_\_\_\_\_ )

**ADMINISTRATIVE CIVIL LIABILITY  
ORDER**

**No. R2-2013-1019**

**Section I: INTRODUCTION**

This Administrative Civil Liability Order (Order) resolves the violations described herein by the imposition of administrative civil liability against Napa Valley Cast Stone, LLC (Napa Valley Cast Stone), in the amount of \$5,200.

**Section II: FINDINGS**

1. Napa Valley Cast Stone, at all times relevant to this matter, was the operator of the facility located at 1111 Green Island Road, American Canyon, Napa County (Facility). The Facility has individual coverage under the State Water Resources Control Board (State Water Board) Water Quality Order No. 97-03-DWQ, National Pollutant Discharge Elimination System General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities (Industrial Storm Water General Permit)
2. On April 11, 2013, the Assistant Executive Officer of the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) issued Complaint No. R2-2013-1004 (see Exhibit A, attached hereto and incorporated herein by this reference) alleging that Napa Valley Cast Stone violated the requirements of the Industrial Storm Water General Permit by failing to implement acceptable best management practices at the Facility. The Prosecution Team's allegations are described in Exhibit A. The Complaint proposes an administrative civil liability of \$5,200 for the alleged violation, which also recovers the costs incurred by the staff of the Regional Water Board for this matter as a "matter that justice may require." The Complaint was noticed for a 30 day public comment period when it was issued.

3. Napa Valley Cast Stone has been made aware of its right to a hearing before the Regional Water Board under Water Code section 13323(b), and has signed and submitted on May 13, 2013, a waiver to its right to a hearing and agreed to pay the proposed liability in full.
4. Party Contacts for Communications related to this Order:

**For the Regional Water Board:**

Laurent Meillier  
San Francisco Bay Regional Water  
Quality Control Board  
1515 Clay Street, 14th Floor  
Oakland, CA 94612  
[LMeillier@waterboards.ca.gov](mailto:LMeillier@waterboards.ca.gov)

**For Napa Valley Cast Stone**

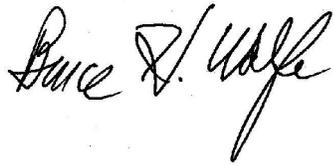
Napa Valley Cast Stone, LLC  
Attn: Mr. Mark Akey  
1111 Green Island Road  
American Canyon, CA 94503  
email: [MAkey@nvcssystem.com](mailto:MAkey@nvcssystem.com)

Copy to:  
Agent for Service of Process  
Attn: Mr. Bruce Meyers  
1000 Main Street 3rd Floor  
Napa, CA 94559

5. This is an action to enforce the laws and regulations administered by the Regional Water Board. The Regional Water Board finds that issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code § 21000 et seq.), in accordance with section 15321, subdivision (a)(2), Chapter 3, title 14, of the California Code of Regulations.
6. The Executive Officer of the Regional Water Board is authorized to refer this matter directly to the Attorney General for enforcement if Napa Valley Cast Stone fails to perform any of its obligations under the Order.
7. Fulfillment of Napa Valley Cast Stone's obligations under this Order constitutes full and final satisfaction of any and all liability for the violations described in this Order.
8. Compliance with this Order is not a substitute for compliance with all applicable laws. Future violations of the type described in this Order may subject Napa Valley Cast Stone to further enforcement, including additional administrative civil liability.

IT IS HEREBY ORDERED on behalf of the California San Francisco Bay Regional Water Quality Control Board, pursuant to California Water Code section 13323 and California Government Code section 11415.60, that civil liability be imposed upon Napa Valley Cast Stone in the amount of \$5,200 for the failure to implement adequate best management practices in compliance with the requirements of the Industrial Storm Water General Permit.

No later than 30 days following the Regional Water Board's, or its delegee's, execution of this Order, Napa Valley Cast Stone shall submit \$5,200 by check made payable to the "State Water Resources Control Board" to be deposited into the State Water Pollution Cleanup and Abatement Account. The check shall reference the Order number listed on page one. The original signed check shall be sent to the San Francisco Bay Regional Water Quality Control Board, 1515 Clay Street, Suite 1400, Oakland, CA 94612, with a copy to: James Ralph, Office of Enforcement, P.O. Box 100, Sacramento, CA 95812, and Laurent Meillier, San Francisco Bay Regional Water Quality Control Board, 1515 Clay Street, Suite 1400, Oakland, CA 94612.



Digitally signed by  
Bruce H. Wolfe  
Date: 2013.06.13  
20:57:31 -07'00'

---

Bruce H. Wolfe  
Executive Officer

Attachment: Exhibit A

Napa Valley Cast Stone, LLC  
Administrative Civil Liability Order No. R2-2013-1019

**EXHIBIT A**

Administrative Civil Liability Complaint R2-2013-1004

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

COMPLAINT NO. R2-2013-1004

ADMINISTRATIVE CIVIL LIABILITY  
IN THE MATTER OF  
NAPA VALLEY CAST STONE, LLC  
1111 GREEN ISLAND ROAD  
AMERICAN CANYON, NAPA COUNTY

This Complaint is issued to Napa Valley Cast Stone, LLC (Napa Valley Cast Stone) pursuant to California Water Code (Water Code) section 13385, subdivision (c)(1), which authorizes the California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board) to impose administrative civil liability, and Water Code section 13323, which authorizes the Executive Officer to issue this complaint. Alleged in the complaint is Napa Valley Cast Stone's failure to implement best management practices (BMPs), in violation of a general National Pollutant Discharge Elimination System (NPDES) permit. For this alleged violation, we assess a \$5,200 penalty.

The Assistant Executive Officer of the Regional Water Board hereby gives notice that:

1. Cathy Daniels owns the property located at 1111 Green Island Road, American Canyon, Napa County (Facility). Ms. Daniels assumed ownership of the property in 2003. The property is zoned General Industrial and Napa Valley Cast Stone uses Facility for manufacturing concrete cast products. Napa Valley Cast Stone works with architects, designers, builders and masons to offer a diversified portfolio of cast products. Napa Valley Cast Stone operates under the Standard Industrial Classification Codes 3271 defined as industrial activities concrete block and brick, and 3272 defined as concrete products (except block and brick).
2. Napa Valley Cast Stone is the owner and operator of the Facility and is the responsible party for this matter.
3. Napa Valley Cast Stone has individual coverage under the State Water Resources Control Board (State Water Board) Water Quality Order No. 97-03-DWQ NPDES General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities (Industrial Storm Water General Permit).
4. Regional and State Water Boards staff members responsible for prosecuting this matter (Prosecution Team) allege that Napa Valley Cast Stone violated the Industrial Storm Water General Permit by failing to implement acceptable BMPs at its Facility. The Prosecution Team's allegations are described in Exhibit A, attached hereto, and incorporated herein by this reference.
5. Napa Valley Cast Stone is alleged to have violated provisions of the law for which the Regional Water Board may impose civil liability pursuant to Water Code section 13385, subdivision (c)(1). The proposed liability of \$5,200 for the violations cited is consistent with the penalty factors cited under this section of the Water Code and with the State Water Board

Water Quality Enforcement Policy (Enforcement Policy), as discussed in Exhibit A. The Prosecution Team intends to seek additional liability for staff costs incurred, as necessary, to bring this matter to settlement or hearing.

6. Unless waived, the Regional Water Board will hold a hearing on this matter on July 10, 2013, in the Elihu M. Harris State Building, First Floor Auditorium, 1515 Clay Street, Oakland. The Hearing Procedure included with this complaint provides important information on the hearing process and procedural deadlines (dates by which parties must take specific actions and/or submit information).

## **STATEMENT OF PROHIBITIONS AND REQUIREMENTS**

7. Federal regulations for storm water discharges were issued by the U.S. EPA on November 16, 1990 (40 Code of Federal Regulations [CFR] Parts 122, 123, and 124). The regulations require operators of specific categories of facilities, where storm water comes in contact with industrial operations and discharges to the environment, to obtain an NPDES permit. The permit requires implementation of Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or prevent pollutants from discharging in storm water and authorized (non-storm) discharges.
8. The U.S. EPA regulations allow authorized states, such as California, to issue general permits to regulate storm water discharges (e.g., the Industrial Storm Water General Permit). Provision E (1) of the Industrial Storm Water General Permit requires that all facility operators seeking coverage under the Industrial Storm Water General Permit to file a notice of intent (NOI) for the facility they operate. On December 27, 2004, Napa Valley Cast Stone submitted an NOI to the State Water Board to obtain coverage under the Industrial Storm Water General Permit. The Waste Discharge Identification number for Napa Valley Cast Stone is 2 28I019243. By filing the NOI, Napa Valley Cast Stone demonstrated its knowledge of and intent to comply with the Industrial Storm Water General Permit requirements.
9. Section 11 of the Industrial Storm Water General Permit requires BMPs to reduce or prevent pollutants associated with industrial activity in storm water discharges and authorized non-storm water discharges. BMPs are appropriate where numeric effluent limitations are infeasible, and the implementation of BMPs is adequate to achieve compliance with BAT/BCT and with water quality standards.
10. The Regional Water Board shall enforce the provisions of the Industrial Storm Water General Permit.

## **ALLEGED VIOLATIONS OF PROHIBITIONS AND REQUIREMENTS APPLICABLE TO NAPA VALLEY CAST STONE**

11. On January 23, 2013, Regional Water Board staff conducted a compliance inspection at the Facility. Regional Water Board staff recorded inadequate BMPs (Exhibit B; attached hereto, and incorporated herein by this reference).

12. Based on the inadequate BMPs described above, Napa Valley Cast Stone violated the terms and conditions of the industrial Storm Water General Permit, which implements the Federal Water Pollution Control Act (Clean Water Act). Section 402(p) of the Clean Water Act establishes a framework for regulating municipal and industrial storm water discharges under the NPDES program that is applicable to all specified industrial sites on a nationwide basis.
13. The Regional Water Board staff's January 23, 2013, inspection was prompted by the following circumstances:
  - a) Napa Valley Cast Stone failed to submit its 2010/2011 annual report by the July 1, 2011, deadline in the Industrial Storm Water General Permit. Section B—Monitoring and Reporting Requirements, Item 14 of the Industrial Storm Water General Permit requires all facility operators to submit an annual report documenting its sampling and analyses, observations, and an annual comprehensive site compliance evaluation, by July 1 of each year. Regional Water Board staff received Napa Valley Cast Stone annual report on September 27, 2011, 88 days late.
  - b) On September 22, 2011, Regional Water Board staff conducted a compliance inspection at the Facility and observed inadequate BMPs and discharges of pollutants to the storm water drain system. Staff reported these observations in an inspection report and provided notification of the violations to Napa Valley Cast Stone on October 17, 2011 (Exhibit C, attached hereto, and incorporated herein by this reference).
  - c) The Assistance Executive Officer sought a monetary penalty for the late annual report violation consistent with what other industrial operators paid for their late reports. However, on June 29, 2012, the Assistant Executive Officer agreed not to pursue the monetary penalty after Napa Valley Cast Stone submitted evidence of financial hardship, conditioned upon Napa Valley Cast Stone improving BMPs at the Facility and documenting those improvements by September 1, 2012 (Exhibit D; incorporated by this reference as if fully set forth therein). Napa Valley Cast Stone submitted documents after this deadline, and only after reminders and prompting by Regional Water Board staff. On October 26, 2012, Regional Water Board staff received an updated Storm Water Pollution Prevention Plan, and on October 29, 2012, received photographic evidence of BMP improvements at the Facility. Based on this evidence, Regional Water Board staff determined that deficiencies noted in its inspection of September 22, 2011, and letter of June 29, 2012, did not appear to have been adequately addressed. For example, industrial chemicals were not adequately stored, sediments were observed in the vicinity of storm water drop inlets, process water containers did not include mechanisms to prevent overflow, trash and concrete-related materials were observed unsecured at the Facility (Exhibit B).

**WATER CODE SECTIONS UPON WHICH LIABILITY IS BEING ASSESSED DUE TO NONCOMPLIANCE WITH INDUSTRIAL STORM WATER GENERAL PERMIT**

14. Pursuant to Water Code section 13385, subdivision (a)(2), any person who violates any requirements established pursuant to Water Code section 13160 (Industrial Storm Water

General Permit requirements established by the State Water Board) is liable under Water Code section 13385, subdivision (c)(1), wherein administrative civil liability may be imposed by the Regional Water Board in an amount not to exceed ten thousand dollars (\$10,000) for each day in which the violation occurs.

### **PROPOSED CIVIL LIABILITY**

15. The Prosecution Team used the penalty methodology in the Enforcement Policy to calculate a proposed administrative civil liability, as presented in Exhibit A.
16. The Assistant Executive Officer of the Regional Water Board proposes administrative civil liability in the amount of \$5,200, of which \$3,000 is for the recovery of staff costs incurred thus far.

This proposed liability is more than the required minimum and less than the required maximum liabilities. The minimum liability according to the Enforcement Policy is 10 percent more than the economic benefit gained by Napa Valley Cast Stone as a result of the alleged violations (estimated to be \$4,700; Exhibit A). The maximum liability under Water Code section 13385(c)(1) is \$10,000 for one day of violation.

17. If this matter proceeds to hearing, the Assistant Executive Officer reserves the right to amend the proposed amount of civil liability to conform to the evidence presented, including, but not limited to, increasing the proposed amount to account for the costs of enforcement (including staff, legal, and expert witness costs) incurred after the date of the issuance of this complaint through completion of the hearing.
18. Issuance of this Complaint is an enforcement action, and is therefore exempt from the provisions of the California Environmental Quality Act (Pub. Res. Code § 21000 et seq.) in accordance with Title 14, California Code of Regulations, section 15321, subdivision (a)(2).



\_\_\_\_\_  
Thomas E. Mumley  
Assistant Executive Officer

April 11, 2013  
Date

**Exhibit A:** Factors Considered in Determining Administrative Civil Liability

**Exhibit B:** Industrial Storm Water Inspection Report, January 23, 2013

**Exhibit C:** Notice of Violation and Required Corrective Actions for Failure to Protect Stormwater at Industrial Facility, October 17, 2011.

**Exhibit D:** Late Annual Report Violation of Industrial Stormwater Permit and Requirement to Improve BMPs, June 29, 2012.

**EXHIBIT A**

Factors Considered in Determining Administrative Civil Liability

## EXHIBIT A

### Factors Considered in Determining Administrative Civil Liability

The specific required factors in Water Code section 13385, subdivision (e), are the nature, circumstances, extent, and gravity of the violation or violations, whether the discharge is susceptible to cleanup or abatement, and the degree of toxicity of the discharge and, with respect to the violator, the required factors are the ability to pay, the effect on the violator's ability to continue its business, any voluntary cleanup efforts undertaken, any prior history of the violation, the degree of culpability, economic benefit or saving, if any, resulting from the violation and other matters that justice may require.

On November 17, 2009, the State Water Board adopted Resolution No. 2009-0083 amending the Water Quality Enforcement Policy. The Enforcement Policy was approved by the Officer of Administrative Law and became effective on May 20, 2010. The entire Enforcement Policy can be found at:

[http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/docs/enf\\_policy\\_final111709.pdf](http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/enf_policy_final111709.pdf). The Enforcement Policy establishes a methodology for assessing administrative civil liability. The use of this methodology addresses the factors that are required to be considered when imposing a civil liability as outlined in Water Code section 13327. The civil liability is assessed at \$5,200.

The Enforcement Policy sets forth an approach to determine liability using a methodology that considers the following: the potential harm to beneficial uses; the violation's deviation from requirements; and economic benefit from the avoidance or delay of implementing requirements. These factors address the statute-required factors and are used to calculate penalties consistent with both the Water Code and the Enforcement Policy.

Each factor in the Enforcement Policy methodology and its corresponding category, adjustment, and/or amount for the non-discharge violation alleged in Administrative Civil Liability (ACL) Complaint No. R2-2013-1004 (Complaint) is presented below:

#### **Alleged Violation: Failure to implement Best Management Practices (BMPs) according to Water Quality Order No. 97-03-DWQ National Pollutant Discharge Elimination System General Permit No. CAS000001 (Industrial Storm Water General Permit)**

Napa Valley Cast Stone, LLC (Napa Valley Cast Stone) failed to implement BMPs in compliance with the Industrial Storm Water General Permit. Regional Water Board staff documented the following types of BMP violations during an inspection of the Facility on January 23, 2013:

- outside storage of industrial materials (cement, aggregate, volcanic aggregate, sand) and chemicals (concrete admixtures) without cover or secondary containment;
- materials spilled on the ground and not cleaned up;
- storm water protection measures placed around drop inlets to storm drains and over material stockpiles not maintained; and
- debris and materials present around the site not consistent with good "housekeeping"

## **ENFORCEMENT POLICY METHODOLOGY**

### **Steps 1 and 2: Potential for Harm for Discharge Violations and Assessments for Discharge Violations**

These steps only apply to cases involving a discharge. This is a non-discharge violation, which starts with Step 3, as described below.

### **Step 3 - Per Day Assessment for Non-Discharge Violations**

For non-discharge violations, the Regional Water Board determines an initial liability amount on a per-day basis by considering the Potential for Harm and the Deviation from Requirement. One day of violation for the day Regional Water Board staff observed the inadequate BMPs at the Facility during the inspection. The Potential for Harm is minor, and the Deviation from Requirement is moderate, resulting in a factor of 0.2 (from Table 3 of the Enforcement Policy).

The Potential for Harm to beneficial uses is minor because Napa Valley Cast Stone has implemented some BMPs to protect storm water. However, additional BMPs are needed. On January 23, 2013, Regional Water Board staff observed inadequate protection of storm water in the following ways: storm water mixing with industrial materials spilled on the ground; storm water with an oily sheen; and storm water contacting stored materials and chemicals which did not have protective cover or secondary containment. With no secondary containment, there is also a higher potential for unauthorized, non-storm water, discharges of the following chemicals from the site: cement, muriatic acid, sypol, Pozzoloth, MBAE 90.

The Deviation from Requirement is moderate because Napa Valley Cast Stone conducts much of the industrial activity work under cover (i.e., protected from rainfall), and it had implemented some BMPs (storm water drain inlet filtration, outdoor covers installed over concrete-related materials) to reduce pollution of runoff. However, the intended effectiveness of the BMPs requirements in the Industrial Storm Water General Permit has been partially compromised. Napa Valley Cast Stone did not adequately store and contain chemicals and concrete-related materials, and Napa Valley Cast Stone did not appropriately maintain BMPs to prevent non-storm water discharges.

The maximum \$10,000 per day statutory requirement is multiplied by the number of days—1 day—to calculate a new starting liability of \$10,000 for the penalty methodology. Considering the specific factors above, the \$10,000 liability is multiplied by a factor of 0.2 to determine an initial liability of \$2,000.

### **Step 4 - Adjustment Factors**

The Enforcement Policy describes three additional factors to be considered for modification of the amount of initial liability: the violator's culpability, efforts to clean up or cooperate with regulatory authority, and the violator's compliance history.

### Culpability

Higher liabilities should result from intentional or negligent violations as opposed to accidental violations. A multiplier between 0.5 and 1.5 is to be used, with a higher multiplier for negligent behavior. For the alleged violation the culpability multiplier is 1.1. The Industrial Storm Water General Permit requires Napa Valley Cast Stone to implement BMPs at its Facility. According to the June 29, 2012, letter, Regional Water Board staff required the Facility to submit evidence that the following improvements were implemented:

- Prevent overflow of process water from the settlement basins. This could include a structural control, such as automated overflow protection systems, or a non-structural control, such as consistent inspections at appropriate intervals.
- Prevent storm water from mixing with the materials stored in open-air bins.
- Implement measures to control the discharge of non-storm water to waters of the United States;
- Maintain an orderly site such as removing debris, maintain the storm water drop inlets, and regularly sweep the Facility's grounds.

Regional Water Board staff made these recommendations to help the Facility come into compliance with the Industrial Storm Water General Permit. Regional Water Board staff conducted a follow-up inspection on January 23, 2013, to check on compliance status. During this inspection Regional Water Board staff observed persistent violations with the Industrial Storm Water General Permit. Regional Water Board staff observed storm water mixing with industrial materials and observed BMPs that were not installed or maintained.

### Cleanup and Cooperation

This factor reflects the extent to which a discharger voluntarily cooperated in returning to compliance and correcting environmental damage. A multiplier between 0.75 and 1.5 is to be used, with a higher multiplier when there is a lack of cooperation. The cooperation factor is 1 because according to a telephone conversation between Regional Water Board staff and a representative of Napa Valley Cast Stone following the January 23, 2013, inspection, the representative did commit to updating and maintaining BMPs at the Facility.

### Prior History of Violations

This factor is used to increase the liability when there is a history of repeat violations, using a minimum multiplier of 1.1.

The history multiplier is 1. There is no increase in the penalty for prior history of violations because the Regional Water Board has not previously taken enforcement action against Napa Valley Cast Stone prior to this Complaint.

### **Step 5 - Determination of Total Base Liability Amount**

The Total Base Liability is determined by applying the adjustment factors from Step 4 to the Initial Liability Amount determined in Step 3.

**Total Base Liability Amount**

\$2,000 (initial liability) x 1.1 (Culpability Multiplier) x 1 (Cleanup and Cooperation Multiplier) x 1 (History of Violations Multiplier) = Total Base Liability

Total Base Liability = **\$2,200**

**Step 6: Ability to Pay and Ability to Continue in Business**

The Enforcement Policy provides that if the Regional Water Board has sufficient financial information to assess the violator's ability to pay the Total Base Liability, or to assess the effect of the Total Base Liability on the violator's ability to continue in business, then the Total Base Liability amount may be adjusted downward.

Current evidence suggests that Napa Valley Cast Stone can pay the proposed liability set forth in this Complaint without causing undue financial hardship. This was not the case in 2012 when we considered a penalty, but agreed not to pursue the penalty based on evidence of financial hardship from Napa Valley Cast Stone (2008-2010 personal and business federal income tax returns) and an agreement with Napa Valley Cast Stone that it would comply with the Industrial General Storm Water Permit annual reporting and BMP requirements (Exhibit D of this Complaint). At this time, Napa Valley Cast Stone has not demonstrated compliance with the Industrial General Storm water and, according to [Manta.com](http://Manta.com) online business records, Napa Valley Cast Stone has an annual revenue of \$15,300,000 and 100 employees. Therefore, the Regional Water Board staff did not adjust the proposed liability.

**Step 7: Other Factors as Justice May Require**

The proposed penalty is increased by \$3,000 to account for staff costs. Regional Water Board staff members have spent approximately 20 hours prosecuting this matter thus far. Based on an average cost to the State of \$150 per hour, the total staff cost is estimated to be \$3,000. The Assistant Executive Officer intends to seek additional liability for staff costs incurred in bringing the matter to settlement or hearing.

**Total Base Liability Amount + Staff Costs:**

**\$2,200** (Total Base Liability) + \$3,000 (staff costs) = **\$5,200**

### **Step 8: Economic Benefit**

The Enforcement Policy directs the Regional Water Board to determine any economic benefit associated with the violation. The total economic benefit incurred for non-compliance with the General Industrial Storm Water Permit between September 22, 2011, and July 10, 2013, is estimated to be \$4,300 for delayed and avoided costs.

- **Delayed Costs** - It is estimated that Napa Valley Cast Stone delayed the investment of \$7,700 at its Facility for neglecting to provide secondary containment, as considered by the General Industrial Storm Water Permit (section 8.b.iv). This is based on the delayed economic benefit for a one-time expenditure of approximately \$7,650 in capital costs for secondary containment, plus approximately \$50 in labor cost to install the BMPs. According to the U.S. Environmental Protection Agency BEN model<sup>1</sup>, Napa Valley Cast Stone obtained \$1,300 in economic benefit for delaying the installation of secondary containment at the Facility between September 22, 2011, and July 10, 2013.
- **Avoided Costs** - It is estimated that Napa Valley Cast Stone avoided labor costs associated with maintaining BMPs over the same period of time. The labor cost to inspect and maintain or replace BMPs at the Facility is estimated based on a \$10 per hour labor rate and an average of one hour of work required each business week (five working days). According to the U.S. Environmental Protection Agency BEN model, the economic benefit gained by the avoided labor costs is \$3,000.

### **Step 9: Maximum and Minimum Liability Amounts**

The maximum liability that may be imposed under Water Code section 13385, subdivision (c)(1) is \$10,000. This is based on the maximum liability of \$10,000 per day for one day of violation, on January 23, 2013 (the day that Regional Water Board staff inspected the Facility).

**Total Maximum Liability = \$10,000**

Pursuant to Water Code section 13385, subdivision (e), the Regional Water Board shall recover, at a minimum, the economic benefits, if any, derived from the acts that constitute the violation. Further, the Enforcement Policy states that the Total Base Liability shall be at least 10 percent higher than the Economic Benefit Amount so that liabilities are not construed as the cost of doing business and that the assessed liability provides a meaningful deterrent to future violations. Napa Valley Cast Stone's estimated economic benefit plus 10 percent is \$4,700, and this amount is lower than the adjusted Total Base Liability of \$5,200.

### **Step 10: Final Liability Amount**

The final liability proposed for the late report is **\$5,200** based on consideration of the factors above.

<sup>1</sup> [http://cfpub.epa.gov/crem/knowledge\\_base/crem\\_report.cfm?deid=74997](http://cfpub.epa.gov/crem/knowledge_base/crem_report.cfm?deid=74997)

**EXHIBIT B**

January 23, 2013, Industrial Storm Water Inspection Report

**State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region**

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**FACILITY INFORMATION**

2 281019243	12/30/2004	3271, 3272	Concrete Block and Brick, Concrete Products	
<small>WDID NUMBER</small>	<small>NOI PROCESSING DATE</small>	<small>SIC CODE(S)</small>	<small>TYPE(S) OF INDUSTRIAL ACTIVITY</small>	
Napa Valley Cast Stone, LLC	1111 Green Island Road		American Canyon	95043
<small>FACILITY NAME</small>	<small>ADDRESS</small>		<small>CITY</small>	<small>ZIP</small>
Jeff Latreille Project Manager		707-253-2304	JLatreille@nvcssystems.com	
<small>OWNER OF SITE REPRESENTATIVE PRESENT DURING INSPECTION &amp; TITLE</small>		<small>PHONE NUMBER</small>	<small>EMAIL</small>	

**INSPECTION LOGISTICS**

1/23/2013	1345	1530	Rain (heavy at times)
<small>DATE</small>	<small>ARRIVAL TIME</small>	<small>DEPARTURE TIME</small>	<small>WEATHER CONDITIONS</small>

INSPECTION PRE-ANNOUNCED:  YES  NO    PICTURES TAKEN:  YES  NO    SAMPLES COLLECTED:  YES  NO

**PURPOSE OF INSPECTION**

<input checked="" type="checkbox"/> ROUTINE COMPLIANCE ASSESSMENT  <input type="checkbox"/> NOTICE OF TERMINATION REQUESTED <input type="checkbox"/> Facility Closed (date _____) and completely cleaned <input type="checkbox"/> Light industry (SIC code(s) _____) and no exposure (see checklist in Attachment A) <input type="checkbox"/> No storm water discharge because site <input type="checkbox"/> drains to sanitary <input type="checkbox"/> drains to treatment/etc. <input type="checkbox"/> Permit not required for this industry (SIC code(s) _____) <input type="checkbox"/> Regulated by another NPDES permit that covers Stormwater discharge <input type="checkbox"/> New Facility Operator	<input type="checkbox"/> COMPLAINT/REFERRAL FOLLOW-UP  <input type="checkbox"/> MONITORING REDUCTION REQUESTED <input type="checkbox"/> No Exposure Certification <input type="checkbox"/> Sampling and Analysis Reduction  <input type="checkbox"/> PREVIOUS INSPECTION/ENFORCEMENT FOLLOW-UP Compliance due date _____  <input type="checkbox"/> OTHER REASON (PLEASE SPECIFY):
--	--

**INSPECTOR'S FINDINGS**

<b>Outcome of inspection</b> <input type="checkbox"/> ISSUE NOTICE TO COMPLY <input checked="" type="checkbox"/> ISSUE NOTICE OF VIOLATION <input type="checkbox"/> APPROVE NOTICE OF TERMINATION <input type="checkbox"/> APPROVE MONITORING REDUCTION <input type="checkbox"/> SITE IN COMPLIANCE <b>Recommendation for follow up or reinspection</b> <input type="checkbox"/> REINSPECT ON: date _____ <input type="checkbox"/> REFER TO LOCAL AGENCY FOR FOLLOW UP <input checked="" type="checkbox"/> OTHER (describe in notes section)	<b>NOTES:</b> This site inspection was conducted by Regional Water Board staff: Cecil Felix and Laurent Meillier. This inspection report notes a number of deficiencies that will need correction by the facility operator.
---	---

Laurent Meillier	 SIGNATURE	3/13/13
<small>INSPECTOR NAME</small>		<small>REPORT DATE</small>

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**

Line Number	“V” if in violation	FILE REVIEW (FR) Questions	(Y/N)	Notes
FR 1		<b>Does the facility have a site map?</b> (Request a copy) <i>If no map, draw one on provided page to be used for the site walk.</i>	Y	
FR 2		Does the site map identify the following:		
FR 3		Drainage paths, storm drains, discharge points	Y Site Map	Drainage basins, discharge locations are mapped.  <b>CORRECTIVE ACTIONS REQUIRED:</b> Include site topography, the vegetated swale and elevation data. This site specific information clarifies how storm water is moving through the facility. The 1997 Industrial Storm Water General Permit (97-03-DWQ or General Permit), section A.4. requires the Storm Water Pollution Prevention Plan (SWPPP) to include a site map with notes, legends, and other data as appropriate.
FR 4		Impervious areas	Y	75 % impervious.
FR 5		Locations with direct exposure, leaks, or spills	Y	Outdoor storage, loading and unloading, wash area and wastewater treatment, roll-offs and washouts, outdoor work area.
FR 6		Industrial activity areas	Y	The purpose of the paved area east of the batch and indoor production plant is not indicated on the site map.  <b>CORRECTIVE ACTION REQUIRED:</b> Include on the site map legend the purpose of this paved industrial area. The General Permit, section A.4.e requires the SWPPP to include a site map with locations of all storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and rinsing areas, and other areas of industrial

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**

Line Number	“V” if in violation	FILE REVIEW (FR) Questions	(Y/N)	Notes
FR 6 (cont'd)				activity which are potential pollutant sources.
FR 7		<i>Additional specific comments regarding the map</i>		
FR 8		<b>Does the facility have a SWPPP?</b>	Y	
FR 9		Is the SWPPP site-specific and coordinated with the site map?	Y	
FR 10		Does the SWPPP identify the specific members (and responsibilities) of the Pollution Prevention Team?	Y	The SWPPP is not certified by the Manufacturing Manager (Tom Brown), who is identified as the supervisor for the industrial storm water program at the facility.  <b>CORRECTIVE ACTION REQUIRED:</b> The SWPPP must be signed. The General Permit, section C.9.b. orders all reports, certifications, or other information required by the General Permit or requested by the Regional Water Board, the State Water Board, U.S. EPA, or local storm water management agency to be signed by a duly authorized representative.
FR 11		Does the SWPPP discuss Industrial Processes, Material Handling and Storage Areas, Dust and Particulate Generating Activities, Significant Spills and Leaks, Non-Storm Water Discharges, and Soil Erosion?	Y	
FR 12		<i>Additional specific comments regarding the SWPPP</i>	Photo A	Regional Water Board staff inspected the wash and wastewater areas. Above-ground storage tanks were contained within a berm to dispense chemicals to wash products and to neutralize process water for reuse. Neither the segregation of process water from storm water nor the neutralization of process water prior to reuse is sufficiently explained in the SWPPP.

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**

Line Number	“V” if in violation	FILE REVIEW (FR) Questions	(Y/N)	Notes
FR 12 (cont'd)				<b>CORRECTIVE ACTION REQUIRED:</b> Submit technical information about these process and applicable engineering specifications for design of the wastewater treatment and containment system located at the facility. The General Permit, section A.6.a.i. requires the description of each industrial process, manufacturing, cleaning, rinsing, recycling, disposal, or other activities related to the process. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.
FR 13		Does the facility have <b>readily available monitoring records</b> for the past five years?	NE	The five years monitoring record was not evaluated (NE) during this Regional Water Board staff site inspection.
FR 14		Spot check the 12 months of monitoring records:	Y	The 2011-2012 Annual Storm Water Report was reviewed upon return from the facility inspection.
FR 15		Has the discharger visually inspected, <b>quarterly</b> , for unauthorized non-storm water discharges?	Y	
FR 16		Has the discharger visually inspected storm water discharges in <b>one storm event per month</b> during the wet season?	Y	
FR 17		Do the above records indicate person conducting the sampling, date and time, observation and corrective actions if needed?	Y	
FR 18		Has the discharger collected storm water samples during the first storm event of the year and one other storm event after?	N	According to the 2011-2012 annual industrial storm water report, the Napa Valley Cast Stone states: “We did not have an opportunity to perform our samples because light rain produced insufficient discharge to perform sampling, there was not three dry working days between rain events, rain events occurred during non- business hours, or there was no qualifying rain event for the month.” As of February 2013, it is unknown if the Napa Valley Cast Stone sampled and analyzed storm water during the 2012-2013 season.

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**

Line Number	“V” if in violation	FILE REVIEW (FR) Questions	(Y/N)	Notes
FR 18 (cont'd)				<b>CORRECTIVE ACTION REQUIRED:</b> Sample and analyze storm water samples from the earliest rain event available. The General Permit, section B.5. requires facility operators to collect storm water samples during the first hour of discharge from (1) the first storm event of the wet season, and (2) at least one other storm event in the wet season. All storm water discharge locations shall be sampled. The inspection was conducted during a rain qualifying event <sup>1</sup> .
FR 19		Which constituents were sampled and analyzed?	None	No storm event sampling during the 2011-2012 reporting period. See comment in FR 18 above.  <b>CORRECTIVE ACTION REQUIRED:</b> Analyze the storm water sample for pH, Total Suspended Solids, Total Organic Carbon, Specific Conductance, Iron, Oil and Grease and other pollutants likely to be present in storm water discharges in significant quantities. Table D (Sector E4 page 42) of the General Permit lists additional applicable parameters specific to this industry.
FR 20		Are any on-site monitoring devices used? If yes,	N	
FR 21		➤ For which constituents?		
FR 22		➤ Does the discharger have calibration and maintenance records for each on-site monitoring device used?		
FR 23		<i>Additional specific comments regarding the monitoring records</i>		

<sup>1</sup> <http://www.frogenv.com/ca-stormwater-rain-information>

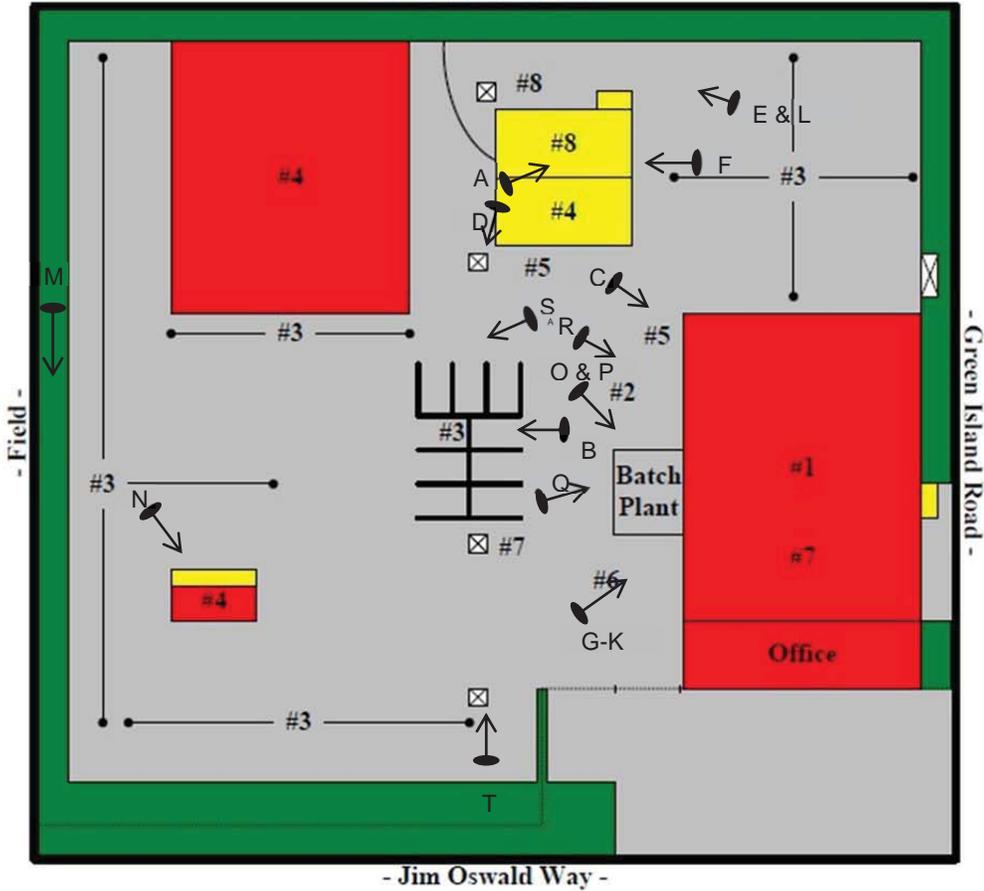
**INDUSTRIAL STORM WATER INSPECTION REPORT**

WDID No. 2 281019243

Original Site Map from Napa Valley Cast Stone SWPPP  
 Frog Environmental, LLC 2012

1111 Green Island Road, American Canyon, CA 94503

- Green Island Road -



- #1 - Batch Plant and Indoor Production
- #2 - Outdoor Work Areas
- #3 - Outdoor Storage
- #4 - Covered Storage
- #5 - Roll-offs and Washouts
- #6 - Loading and Unloading
- #7 - Operational Equipment
- #8 - Wash Area and Wastewater Treatment Area

- Building
- Covered Area
- Landscaped/Grassy Swale
- Paved Area
- Drop Inlets
- Fencing



Photographer's Position. ●→

Photograph's Direction

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**

**Prohibited Non-Storm Water Discharges** (Anything other than fire hydrant flushing; potable water sources; drinking fountain water; atmospheric condensates; irrigation drainage; landscape watering; springs; ground water; foundation or footing drainage; and sea water infiltration where the sea waters are discharged back into the sea water source.) *Use additional page(s) as needed.*

Row Number	Mark "V" if in violation	Observed prohibited non-storm water discharge (Yes or No)	Evidence of prohibited non-storm water discharge (Yes or No)	Photo(s) taken (Yes or No)	Location and Description (mark site map with row number)
NS - 1	V	Yes	Yes	Yes Photos B, C & D	Storage bins were discharging concrete-related materials (cement, aggregate, volcanic aggregate, sand) to storm water. Sand and gravel were observed near a drop inlet.  <b>CORRECTIVE ACTION REQUIRED:</b> Implement best management practices to control the discharge of non-storm water to waters of the United States. The General Permit, section A.1. states that materials other than storm water (non-storm water discharges) discharging either directly or indirectly to waters of the United States are prohibited (except in special conditions).
NS - 2	V	N	N	Y Photos E, F, G, H, I, J, K, L	Barrels of muriatic acid and other chemicals (Stypol, Pozzolith, MBAE 90) were stored without cover and secondary containment.  <b>CORRECTIVE ACTION REQUIRED:</b> Implement best management practices to control a chemical leak or spill from discharging and polluting storm water. Secure all chemical containers and store this material under cover within a secondary containment system designed. The General Permit, section 8.b.iv. lists secondary containment structures for the purpose of collecting any leaks or spills.
Row Number	Mark "V" if in violation	Observed prohibited non-storm water discharge (Yes or No)	Evidence of prohibited non-storm water discharge (Yes or No)	Photo(s) taken (Yes or No)	Location and Description (mark site map with row number)

State of California – Environmental Protection Agency  
 California Regional Water Quality Control Board – San Francisco Bay Region

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**

NS – 3	V	Y	Y	Y Photos M & N	<p>Industrial refuse was observed throughout the facility during the Water Board staff inspection. The refuse consisted of Styrofoam, plastics, wooden parts, packaging, degraded cover, metal and plastic pipes, cement and gravel. The Napa Valley Cast Stone’s representative stated that the facility is swept on a weekly basis. What we observed was not sufficient to prevent refuse from mixing with storm water or accumulating in the vegetated swale.</p> <p><b>CORRECTIVE ACTION REQUIRED:</b> Implement procedures to control refuse from polluting storm water and impacting beneficial uses. The General Permit, section 8.a.i. requires procedures to maintain a clean and orderly facility.</p>
--------	---	---	---	----------------------	--

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**

**Implementation of Inadequate SWPPP and BMPs** (Reduction or Prevention of Pollutants in Storm Water by Achieving “Best Available Technology/Best Conventional Technology”) *Use additional page(s) as needed.*

In the Row Number Column, please mark the number with one of the following prefixes: <b>Material Handling, Storage (MH,S)</b> <b>Dust and Particulate Generating Activities (D,P)</b>	<b>Industrial Processes (IP)</b> <b>Soil Erosion (SE)</b> <b>Other (O)</b>
--	---

Row Number	Mark “V” if in violation	Pollutant description and location	Isolated from storm water (Y/N)	Captured/ contained (Y/N)	Treated and/or routed to sanitary (Y/N)	General House-keeping and Maintenance (Good/Bad)	Photo(s) taken (Y/N)	Notes
MH, S, D, P	V	Storm water with sediment	N	N	N	Bad	Y Photo O	Vehicle tracking of sediment and concrete-related materials mixing with storm water was observed during the site inspection.  <b>CORRECTIVE ACTION REQUIRED:</b> Implement best management practices at the facility to control tracking and mixing of concrete-related materials and sediments with storm water. The General Permit, section 8.b.iii., requires the implementation of structural BMPs to channel or route run-on and runoff away from pollutant sources.

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**

Row Number	Mark "V" if in violation	Pollutant description and location	Isolated from storm water (Y/N)	Captured/contained (Y/N)	Treated and/or routed to sanitary (Y/N)	General House-keeping and Maintenance (Good/Bad)	Photo(s) taken (Y/N)	Notes
S	V	Storm water with concrete-related materials	N	N	N	Bad	Y Photos P, Q, R, S	<p>Storage bins containing concrete-related materials were insufficiently maintained. Cement spilled from a hopper was observed mixing with storm water. The material spilled was not removed or cleaned up during our inspection. A process water settlement basin did not include an overflow control mechanism. Protective cover placed over the waste pile was not secured at all points and observed fluttering in the weather.</p> <p><b>CORRECTIVE ACTION REQUIRED:</b> Remove concrete-related and other materials inadvertently spilled or discharged at the facility property. The General Permit, section 6.ii. requires procedures including the following: a description of each handling and storage area; the type, characteristics, and quantity of significant materials that are handled or stored; a description of the shipping, receiving, and loading procedures; and spill or leak prevention and response procedures. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described. Section 6.iv of the Storm Water General Permit, requires the description of materials that have spilled or leaked in significant quantities in storm water discharges or non-storm water discharges since April 17, 1994, and this list shall be updated as appropriate during the term of this General Permit.</p>

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**

Row Number	Mark "V" if in violation	Pollutant description and location	Isolated from storm water (Y/N)	Captured/ contained (Y/N)	Treated and/or routed to sanitary (Y/N)	General House-keeping and Maintenance (Good/Bad)	Photo(s) taken (Y/N)	Notes
O	V	Storm water with sediment and pollutants	N	N	N	Bad	Y Photo T	<p>A fiber roll was incorrectly maintained allowing some storm water to reach the drop inlet without filtration through the wattle. A sheen of unknown origin was observed besides the fiber roll.</p> <p><b>CORRECTIVE ACTION REQUIRED:</b> Inspect the facility on a regular basis and promptly maintain deficient pollution prevention controls and engineered storm water pollution control systems. The General Permit, section C.5. requires the facility operator to properly operate and maintain any facilities and systems of treatment and control (and related appurtenances) which are installed or used by the facility operator to achieve compliance with the conditions of this General Permit and with the SWPPPs.</p>

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

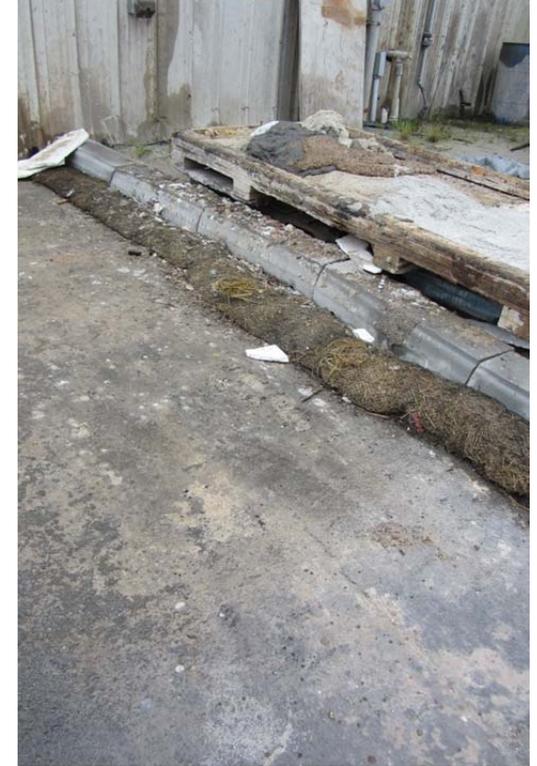
WDID No.: 2 28I019243



**Photo A:** Wastewater Treatment Area with liquid of Unknown origins in containment



**Photo B:** Outdoor Aggregate Materials Storage



**Photo C:** Accumulated concrete related materials near worn wattle



**Photo D:** Storm Water Drop Inlet w/ Accumulated Sand



**Photo E:** Outdoor Storage of Muriatic Acid (hydrochloric acid)

State of California – Environmental Protection Agency  
 California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

WDID No.: 2 28I019243



**Photo F:** Outdoor Chemical Storage  
 Muriatic Acid Barrel located in Wastewater Area



**Photo G:** Outdoor Chemical Storage of Stypol C112-002



**Photo H:** Unsecured Outdoor Chemical (Pozzolith) Storage Without Secondary Containment



**Photo I:** Stypol C112-002 Resin Additive Container Label



**Photo J:** Pozzolith Concrete Admixture Label



**Photo K:** MBE 90 Concrete Admixture

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

WDID No.: 2 28I019243



Photo L: Muriatic Acid Label



Photo M: Trash at the Facility Property



Photo N: Deteriorating Cover



Photo O: Inadequate Industrial Material (aggregates and sand) Storage with Tracking



Photo P: Aggregate mixing with Storm Water



Photo Q: Aggregate Spill

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID No.: 2 28I019243**



**Photo R:** Process Water Settlement basin without Overflow Control



**Photo S:** Unsecured Cover in place over Concrete-related Materials



**Photo T:** Unmaintained Fiber Roll and Oily Sheen

**EXHIBIT C**

October 17, 2011, Notice of Violation



**Matthew Rodriguez**  
Secretary for  
Environmental Protection

## California Regional Water Quality Control Board San Francisco Bay Region

---

1515 Clay Street, Suite 1400, Oakland, California 94612  
(510) 622-2300 • FAX (510) 622-2460  
<http://www.waterboards.ca.gov/sanfranciscobay>



**Edmund G. Brown Jr.**  
Governor

October 17, 2011

Napa Valley Cast Stone  
Attn: Mark Akey  
1111 Green Island Rd  
American Canyon, CA 94503  
(via [makey@nvessystems.com](mailto:makey@nvessystems.com))

**Subject: NOTICE OF VIOLATION and required corrective actions for failure to protect stormwater at industrial facility**

**Facility: Napa Valley Cast Stone  
1111 Green Island Rd  
American Canyon, CA 94503  
WDID No. 2 28I019243**

Dear Mark Akey:

Water Board staff recently inspected the industrial facility indicated above and found violations of the Industrial General Storm Water Permit, Order No. 97-03-DWQ<sup>1</sup>. The details of the violations, as well as other inspection findings, are spelled out in the attached inspection form and photographs. You are required to correct the violations and send us photographs and a brief written description of your corrective actions.

Our inspection form is broken into four components:

- File review,
- Site map (for the purpose of noting where observations were made and photos taken),
- Prohibited non-stormwater discharge observations, and
- Stormwater Pollution Prevention Plan (SWPPP) implementation / Best Management Practice (BMP) observations.

Violations are noted with a “V” in the second column of each table; also noted there is a reference to the permit requirement violated.

### **Consequences for not correcting violations of the Permit**

Because you are currently in violation of the above-referenced requirements, you are subject to monetary administrative civil liabilities. Be advised that the Water Board staff considers both implementation speed and the effectiveness of corrective measures when deciding whether to take formal enforcement actions, including whether to assess administrative civil liabilities.

---

<sup>1</sup> Permit: [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/industrial.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml)

Failure to return to compliance with the Permit is a violation of CWC Section 13385(a)(2), for which the Board may impose civil liability in the amount not to exceed \$10,000 per day of each violation, plus \$10 per gallon in excess of 1,000 gallons per discharge. The days of violation count starts with the date of the inspection unless we have other substantiating evidence for an earlier start date.

**Additional notes**

If you need guidance, the California Stormwater Quality Association (CASQA) publishes a handbook for Industrial Stormwater Best Management Practices<sup>2</sup>. The CASQA handbook is one of many online resources that describe industry standard BMPs. Please note that the Regional Water Board can not specify means of compliance. It is your responsibility to select and correctly implement an appropriate suite of BMPs. Use of the CASQA handbook or other similar guidance documents may help you achieve compliance, but it does not guarantee compliance.

If you have any questions regarding this letter, please contact Cecil Felix at (510) 622-2343 or by email at [cfelix@waterboards.ca.gov](mailto:cfelix@waterboards.ca.gov).

Please respond by e-mail to [r2stormwater@waterboards.ca.gov](mailto:r2stormwater@waterboards.ca.gov) to let us know that you received this document.

Sincerely,



Digitally signed by  
Christine Boschen  
Date: 2011.10.17 15:00:41  
-07'00'

Christine Boschen  
Section Leader,  
Watershed Management Division

Encl.: 9/22/2011 Inspection Report  
9/22/2011 Inspection Photo Log

cc: Lou Leet, City of American Canyon via [lleet@cityofamericancanyon.org](mailto:lleet@cityofamericancanyon.org)

---

<sup>2</sup> CASQA BMP Handbook: <http://www.cabmphandbooks.com/Industrial.asp>

**State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region**

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**SITE INFORMATION**

2 281019243 12/30/04 3271, 3272 concrete block and brick, concrete products  
WDID NUMBER NOI PROCESSING DATE SIC CODE(S) TYPE(S) OF INDUSTRIAL ACTIVITY

Napa Valley Cast Stone 1111 Green Island Rd. American Canyon 95403 4 acres  
FACILITY NAME ADDRESS CITY ZIP FACILITY SIZE

Mark Akey facility manager 707-373-0999 makey@nvessystems.com  
OWNER OF SITE REPRESENTATIVE PRESENT DURING INSPECTION TITLE PHONE NUMBER EMAIL

**INSPECTION LOGISTICS**

9/22/11 0930 1130 clear  
DATE ARRIVAL TIME DEPARTURE TIME WEATHER CONDITIONS

INSPECTION PRE-ANNOUNCED:  YES  NO      PICTURES TAKEN:  YES  NO      SAMPLES COLLECTED:  YES  NO

**PURPOSE OF INSPECTION**

ROUTINE COMPLIANCE ASSESSMENT

COMPLAINT/REFERRAL FOLLOW-UP

NOTICE OF TERMINATION REQUESTED

MONITORING REDUCTION REQUESTED

Facility Closed (date \_\_\_\_\_)  
and completely cleaned

No Exposure Certification

Light industry (SIC code(s) \_\_\_\_\_)  
and no exposure (see checklist in Attachment A)

Sampling and Analysis Reduction

No stormwater discharge because site  
 drains to sanitary  drains to treatment pond

PREVIOUS INSPECTION/ENFORCEMENT FOLLOW-UP

Permit not required for this industry  
(SIC code(s) \_\_\_\_\_)

Compliance due date \_\_\_\_\_

Regulated by another NPDES permit that covers  
Stormwater discharge

OTHER REASON FOR INSPECTION (PLEASE SPECIFY): Did not submit 2010-11 Annual Report. Did not respond to NOV-Early Settlement Offer

New Facility Operator

**INSPECTOR'S RECOMMENDATION / INTERNAL TRACKING**

**Outcome of inspection**

ISSUE NOTICE TO COMPLY

ISSUE NOTICE OF VIOLATION

APPROVE NOTICE OF TERMINATION

APPROVE MONITORING REDUCTION

SITE IN COMPLIANCE

**Recommendation for follow up or reinspection**

REINSPECT ON: date : within next 2 months \_\_\_\_\_

REFER TO LOCAL AGENCY FOR FOLLOW UP

OTHER (describe in notes section)

**NOTES:**

Discharger rep acknowledged late report, indicating that he believed that the report was submitted by his consultant. He indicated that he did not check with his consultant that the report was submitted. See attached communication summary for additional detail.

Significant violations noted, including inadequate BMPs and ongoing discharges of pollutants to the storm drain system.

Cecilio Felix and Michelle Rembaum-Fox  
INSPECTOR NAME

\_\_\_\_\_  
SIGNATURE

10/4/11  
REPORT DATE

**State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region**

**INDUSTRIAL STORM WATER INSPECTION REPORT**

WDID: 2 28I019243

Line Number	“V” if in violation	File Review (FR) Questions	(Y/N)	Notes
FR 1		<b>Does the facility have a site map?</b> (Request a copy) <i>If no map, draw one on provided page to be used for the site walk.</i>	Y	See Photo 1
FR 2		Does the site map identify the following:		
FR 3		Drainage paths, storm drains, discharge points	Y	
FR 4		Impervious areas	Y	
FR 5	V	Locations with direct exposure, leaks, or spills	N	Need to identify each area on map
FR 6	V	Industrial activity areas	N	Need to identify all mixing, product storage, waste storage areas on map
FR 7	V	<i>Additional specific comments regarding the map</i>		Need to identify BMPs for each pollutant source area on map
FR 8		<b>Does the facility have a SWPPP?</b>	Y	
FR 9		Is the SWPPP site-specific and coordinated with the site map?	Y	
FR 10		Does the SWPPP identify the specific members (and responsibilities) of the Pollution Prevention Team?	Y	
FR 11	V	Does the SWPPP discuss Industrial Processes, Material Handling and Storage Areas, Dust and Particulate Generating Activities, Significant Spills and Leaks, Non-Storm Water Discharges, and Soil Erosion?	N	Need to provide more detailed descriptions of pollutant sources, associated activities, and BMPs to address pollutants.
FR 12		<i>Additional specific comments regarding the SWPPP</i>		

**State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region**

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID: 2 281019243**

<b>Line Number</b>	<b>“V” if in violation</b>	<b>File Review (FR) Questions</b>	<b>(Y/N)</b>	<b>Notes</b>
FR 13	V	Does the facility have <b>readily available monitoring records</b> for the past five years?	N	Only one record provided with current SWPPP. See Photo 2. Others records were on-site, but not kept with the SWPPP, these other records were not reviewed.
FR 14		Spot check the 12 months of monitoring records:		
FR 15		Has the discharger visually inspected, <b>quarterly</b> , for unauthorized non-storm water discharges?	NE	
FR 16		Has the discharger visually inspected storm water discharges in <b>one storm event per month</b> during the wet season?	NE	
FR 17		Do the above records indicate person conducting the sampling, date and time, observation and corrective actions if needed?	NE	
FR 18		Has the discharger collected storm water samples during the first storm event of the year and one other storm event after?	NE	
FR 19		Which constituents were sampled and analyzed?	NE	
FR 20		Are any on-site monitoring devices used? If yes,	NE	
FR 21		➤ For which constituents?		
FR 22		➤ Does the discharger have calibration and maintenance records for each on-site monitoring device used?		
FR 23		<i>Additional specific comments regarding the monitoring records</i>		

**State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region**

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID: 2 28I019243**

**Site Map** – Remember to take photographs as you walk the site and mark the location on the map: take wide shots that depict general area as well as specific shots of discharges, pollutants, or BMPs. If raining, take shots showing flow of storm water through the site. Also, mark on site map area corresponding to each line completed in the inspection form.

See attached site map.

**State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region**

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID: 2 28I019243**

**Prohibited Non-Storm Water Discharges** (\*anything other than fire hydrant flushing; potable water sources; drinking fountain water; atmospheric condensates; irrigation drainage; landscape watering; springs; ground water; foundation or footing drainage; and sea water infiltration where the sea waters are discharged back into the sea water source) ***Use additional page(s) as needed.***

Row Number	Mark "V" if in violation	Directly observed prohibited non-storm water discharge (Yes or No)	Evidence present of prohibited non-storm water discharge (Yes or No)	Photo(s) taken (Yes or No)	Location and Description (mark site map with row number)
NS - 1	V	Y	Y	Y	Discharge of water, cement, and sediment related to concrete mixing operations into storm drain. Overflow of open water container. Discharge shown in Photos 13, 14, 15. Source of discharge is mixing area shown in Photo 12.
NS -					
NS -					
NS -					

**State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region**

**INDUSTRIAL STORM WATER INSPECTION REPORT**

**WDID: 2 28I019243**

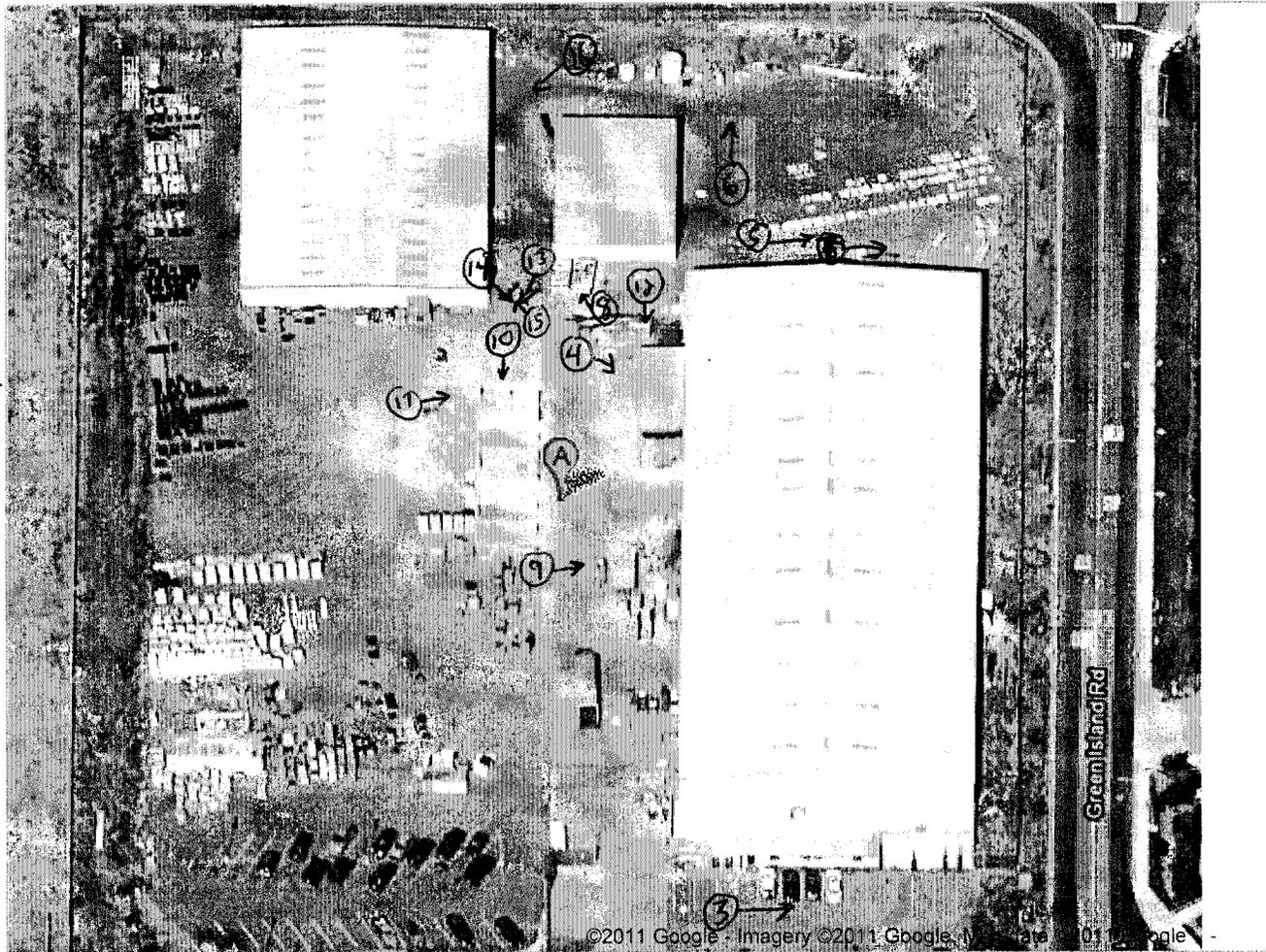
Reduction or Prevention of Pollutants in Storm Water by Achieving “Best Available Technology/Best Conventional Technology”;  
**Implementation of adequate SWPPP and BMPs –**

In the Row Number Column, please mark the number with one of the following prefixes:								
Material Handling, Storage (MH,S)		Dust and Particulate Generating Activities (D,P)			Industrial Processes (IP) Soil Erosion (SE)		Other (O)	
Row Number	Mark “V” if in violation	Pollutant description and location	Isolated from storm water (Y/N)	Captured/ contained (Y/N)	Treated and/or routed to sanitary (Y/N)	General House-keeping and Maintenance (Good/Bad)	Photo(s) taken (Y/N)	Notes
MH,S - 1 Area E/5-6	V	Concrete-related sediment and cement	N	N	N	bad	Y	Accumulation of sediment and cement in parking areas. See Photo 3
MH,S- 2 Area A-C/3-6	V	Concrete-related sediment and cement	N	N	N	bad	Y	Accumulation of sediment and cement on pavement throughout mixing and handling areas. Stormwater washes the material into the storm drains. See Photos 3-16.
MH,S - 3 Area B-C/4	V	Concrete-related sediment and cement	N	N	N	bad	Y	Accumulation of sediment and cement around outdoor mixing area. No sedimentation controls preventing migration beyond area. See Photo 9
MHS - 4 Area B-C/3-4	V	Concrete waste; liquid waste	N	N	N	bad	Y	No containment of waste materials. See Photo 10, 11.
MH, S - 5 Area B-4-6	V	General refuse	N	N	N	bad	Y	Accumulation of litter at north end of main building. See Photo 7.  Accumulation of debris around dumpster. See Photo 8.

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.

SITE MAP - NAPA VALLEY CAST STONE



A  
B  
C  
D  
E

1 | 2 | 3 | 4 | 5 | 6 | 7

N  
↑

④ LOCATION / DIRECTION OF INSPECTION PASTUS

INSPECTION MADE ON 9/22/11

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

INDUSTRIAL STORM WATER INSPECTION REPORT

COMMUNICATION SUMMARY

WDID: 2281019243 Date: 9/22/11

Water Board Staff (WB) Present  
Name: Cecilia Felix  
Michelle Rembaum - Signed: [Signature] *Michelle Rembaum*

Facility Representative (FR) Present  
Name: Mark Akey Signed: [Signature]

Title: Managing partner / facility mgr.

Phone: (707) 373-0999

Email: makey@~~ab~~nvessystems.com

- CSF ✓ WB left contact information with Facility Representative.
- CSF ✓ WB provided copies of previously sent enforcement documents.  
List items: \_\_\_\_\_
- CSF ✓ WB explained purpose of inspection and enforcement documents.
- CSF ✓ WB verified responsible party and/or duly authorized representative.  
(WB) (FR)

Send Follow-up Correspondence to:  
 Above Named Facility Representative, and/or  
 Other Responsible Party or Duly Authorized Representative Listed Below:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address, if different than facility address:  
\_\_\_\_\_  
\_\_\_\_\_

State of California – Environmental Protection Agency  
California Regional Water Quality Control Board – San Francisco Bay Region

## INDUSTRIAL STORM WATER INSPECTION REPORT

Facility Name Napa Valley Cast Stone Date 9/22/11

Inspector Name Cecilia Felix Facility Contact Name Mark Akey  
Michelle Kumbourgos

Facility representative's explanation for why the Annual Report was late/not submitted;  
person to contact if rep did not know explanation:

Mark Akey (owner) cited slowdown in economy: 2100 employees  
reduced to 20 in past year. Didn't single in past  
year: "didn't have time". Napa Env Health Dept. visited,  
advised on stormwater permit, what's needed. E

County notified Mark of violations, Mark is currently  
following up with ~~documentation~~ req'd reporting.

County did not identify any discharge violations,  
BMP issues. ~~At~~ Frog<sup>Env.</sup> is consultant, does

sampling. Mark is not sure if report was turned in  
by Frog. I indicated that we have no record of  
submitted. As we met Mark called Frog to see if

report was submitted. He indicated the report would  
be submitted <sup>following</sup> on 1/15. Mark said they didn't pay  
Frog's bills, thus ~~that~~ Frog did not generate report  
for submittal. Mark indicated the company is financially  
strapped, thus the ~~to~~ non-payment to Frog.

**Napa Valley Cast Stone  
1111 Green Island Rd  
American Canyon, CA 94503**

WDID No.: 2 28I019243

Inspected 9/22/2011

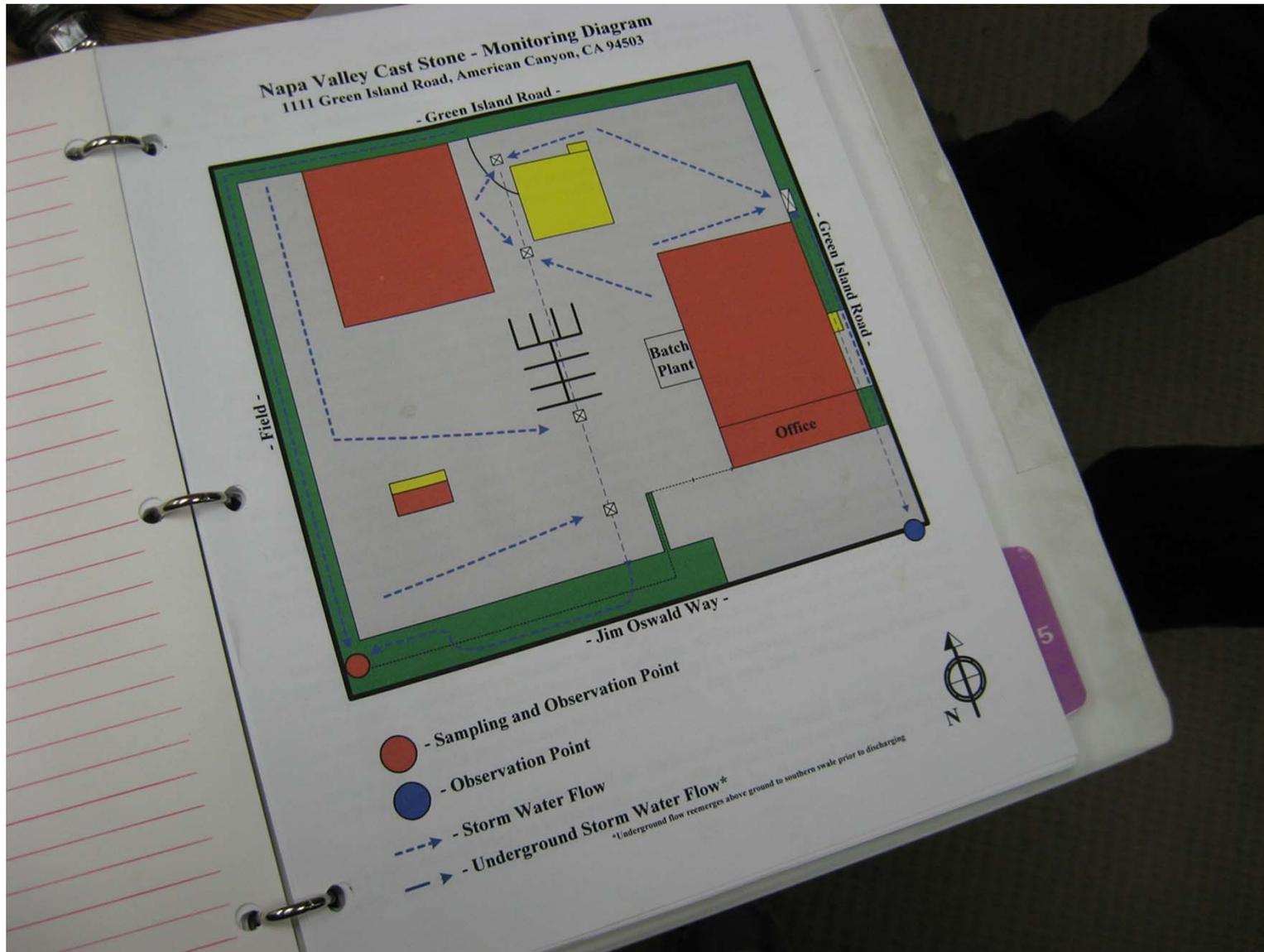


Photo 1

**BMP Inspection Report for Prevention of Storm Water Pollution**

AREA INSPECTED	POLLUTION IN EXPOSED AREAS	DESCRIPTION OF POLLUTANTS (I.E. METAL CHIPS, OIL SPOTS, TRACKING, RESIDUES, ETC.)	CORRECTIVE ACTION NEEDED (I.E. INCREASE SWEEPING, CLEAN UP, COVER, ETC.)																						
Indoor Production and Batch Plant	Yes / No / NA	Scattered sediment @ batch plant	Increase sweeping																						
Outdoor Work Area	Yes / No / NA	Scattered debris, sediment	Increase sweeping, use wheel wash																						
Outdoor Storage	Yes / No / NA	Scattered sediment	Increase sweeping																						
Covered Storage	Yes / No / NA	Scattered sediment	Increase sweeping																						
Roll-Offs and Washouts	Yes / No / NA																								
Loading / Unloading	Yes / No / NA																								
Operational Equipment	Yes / No / NA																								
Product Wash and Wastewater Treatment	Yes / No / NA																								
Miscellaneous Storage	Yes / No / NA	Scattered debris	Increase sweeping																						
<b>Corrective action needed</b>																									
<b>Discharge Points</b>	<b>Discharge or evidence of a discharge?</b>																								
Southwest (Sample Point)	Yes / No / NA																								
Southeast Office	Yes / No / NA																								
Observe All Drop Inlets On Site	Yes / No / NA																								
Monitoring Plan Available?	Records Complete?																								
Yes / No	Yes / No / NA	<table border="1"> <thead> <tr> <th colspan="6">Monthly Observations (Dates Completed)</th> </tr> <tr> <th>OCT</th> <th>NOV</th> <th>DEC</th> <th>JAN</th> <th>FEB</th> <th>MAR</th> <th>APR</th> <th>MAY</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Monthly Observations (Dates Completed)						OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY								
Monthly Observations (Dates Completed)																									
OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY																		
Inspector, Title		Date																							
Napa Valley Cast Stone		2/2/11																							
Additional Comments: Mark, be sure to complete Oct-Jan monthly observations in 2010-11 Monitor binder (p.21-22) Thank!																									

Napa Valley Cast Stone  
 1111 Green Island Rd  
 American Canyon, CA 945  
 WDID# - 2 281019243  
 Initial plan by:  
 Frog Environmental  
 PO Box 1368  
 San Pedro, CA 90733  
 1-877-FROG-ENV



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10



Photo 11



Photo 12



Photo 13



Photo 14



Photo 15



Photo 16

**EXHIBIT D**

June 29, 2012, Late Annual Report Violation of Industrial Stormwater Permit  
And Requirement to Improve BMPs

---

## San Francisco Bay Regional Water Quality Control Board

*Certified Mail No.  
Confirmation of Receipt Requested*

June 29, 2012  
WDID 2 28I019243

Napa Valley Cast Stone  
Attn: Mr. Mark Akey  
1111 Green Island Road  
American Canyon, CA 94503

Also sent via email: [MAkey@nvcssystem.com](mailto:MAkey@nvcssystem.com)

**Subject: Late Annual Report Violation of Industrial Stormwater Permit and Requirement to Improve BMPs, Napa Valley Cast Stone, American Canyon, Napa County**

Dear Mr. Akey:

We reviewed the information on financial hardship you provided in response to our offer to settle the late 2010/11 annual report violation. Based on this information, we will not pursue penalty enforcement for this late report as long as Napa Valley Cast Stone submits future annual reports in a timely fashion, and improves, and maintains improvements to, its best management practices (BMPs). Please submit evidence that the improvements described below have been implemented at the Napa Valley Cast Stone facility to the attention of Cecil Felix of my staff by September 1, 2012.

Required BMP improvements include the following:

- Prevent overflow of process water from the settlement basins. This could include a structural control, such as automated overflow protection systems, or a non-structural control, such as consistent inspections at appropriate intervals.
- Relocate the industrial process debris containers away from the stormwater drain inlet.
- Install permanent waterproof fencing (such as a Jersey Barrier) or some equivalent improvement around the debris piles. The current approach of covering the pile with a tarp and installing a fiber roll around the debris storage area is not sufficient to minimize contact of stormwater with the debris.
- Prevent stormwater from mixing with the materials stored in open-air bins.
- Install stormwater filtration mechanisms or otherwise protect all drop inlets
- Ensure pavement at the facility is regularly swept to limit dust and particulates from mixing with stormwater and migrating offsite.

Evidence of these improvements must include, at a minimum, a copy of an updated Stormwater Pollution Prevention Plan and photographic documentation of the required BMP improvements.

We will continue to evaluate Napa Valley Cast Stone for compliance with the Industrial Stormwater Permit based on annual reports and future inspections. Please be advised that violation of the Industrial Stormwater Permit may subject you to enforcement action including fines under the California Water Code.

Please contact Cecil Felix at (510) 622-2343 or [CFelix@waterboards.ca.gov](mailto:CFelix@waterboards.ca.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Mumley', written in a cursive style.

Thomas E. Mumley  
Assistant Executive Officer

Copy via email:

Ms. Christine Boschen: [CBoschen@waterboards.ca.gov](mailto:CBoschen@waterboards.ca.gov)

Mr. Cecil Felix: [CFelix@waterboards.ca.gov](mailto:CFelix@waterboards.ca.gov)

Mr. Brian Thompson: [BRThompson@waterboards.ca.gov](mailto:BRThompson@waterboards.ca.gov)

# California Regional Water Quality Control Board

## San Francisco Bay Region

1515 Clay Street, Suite 1400, Oakland, California 94612  
(510) 622-2300 • Fax (510) 622-2460 • <http://www.waterboards.ca.gov/sanfranciscobay>

### ADMINISTRATIVE CIVIL LIABILITY PAYMENT INVOICE

Invoice Date:	June 13, 2013	<b>Total Amount Due: \$5,200</b>
SMARTS ID:	276868	Initial (first) Payment Due: July 15, 2013
Enforcement Measure ID:	412141	Second Installment Due: August 13, 2013
		Third Installment Due: September 13, 2013
		Fourth Installment Due: October 14, 2013
		Final Installment Due: November 13, 2013

Invoice To: Napa Valley Cast Stone, LLC  
Attn: Mr. Mark Akey  
1111 Green Island Road  
American Canyon, CA 94503  
email to: [MAkey@nvcssystem.com](mailto:MAkey@nvcssystem.com)

This payment is required pursuant to Regional Water Board Order No. R2-2013-1019.

- Please remit your payments on or before the due dates shown above.
- Please make the checks or money orders payable to the “**State Water Resources Control Board,**” and send to:

San Francisco Bay Regional Water Board  
1515 Clay Street, Suite 1400  
Oakland, CA 94612

- Please record on the checks or money orders both of the following:  
**Regulatory Measure ID 412141** and **Order No. R2-2013-1019.**

Late payment could result in penalties under the California Water Code, and could include additional penalties to those invoiced here, or other actions deemed appropriate by the Regional Water Board. If you have any questions about this invoice, please contact Laurent Meillier at (510) 622-3277 or by email at [LMeillier@waterboards.ca.gov](mailto:LMeillier@waterboards.ca.gov)

**Payment Receipts**

**ADMINISTRATIVE CIVIL LIABILITY INVOICE**

**Order No. R2-2013-1019 Payment Receipts**

**Page A2 of 6**

-----  
Please return the lower portion with your payment to the address shown

**JUNE 13, 2013 INVOICE RECEIPT**

**ADMINISTRATIVE CIVIL LIABILITY PAYMENT (PAYMENT 1 OF 5)**

SAN FRANCISCO BAY REGIONAL WATER BOARD

FACILITY NAME: Napa Valley Cast Stone,  
LLC

ATTN: ACCOUNTING

INVOICE DATE: June 13, 2013

1515 CLAY STREET, SUITE 1400

DUE DATE: July 15, 2013

OAKLAND, CALIFORNIA 94612

AMOUNT DUE: **\$2,000**

ENFORCEMENT MEASURE ID: 412141

**ADMINISTRATIVE CIVIL LIABILITY INVOICE**

**Order No. R2-2013-1019 Payment Receipts**

**Page A3 of 6**

-----  
Please return the lower portion with your payment to the address shown

**JUNE 13, 2013 INVOICE RECEIPT**

**ADMINISTRATIVE CIVIL LIABILITY PAYMENT (PAYMENT 2 OF 5)**

SAN FRANCISCO BAY REGIONAL WATER BOARD

FACILITY NAME: Napa Valley Cast Stone,  
LLC

ATTN: ACCOUNTING

INVOICE DATE: June 13, 2013

1515 CLAY STREET, SUITE 1400

DUE DATE: August 13, 2013

OAKLAND, CALIFORNIA 94612

AMOUNT DUE: **\$800**

ENFORCEMENT MEASURE ID: 412141

**ADMINISTRATIVE CIVIL LIABILITY INVOICE**

**Order No. R2-2013-1019 Payment Receipts**

**Page A4 of 6**

-----  
Please return the lower portion with your payment to the address shown

**JUNE 13, 2013 INVOICE RECEIPT**

**ADMINISTRATIVE CIVIL LIABILITY PAYMENT (PAYMENT 3 OF 5)**

SAN FRANCISCO BAY REGIONAL WATER BOARD

FACILITY NAME: Napa Valley Cast Stone,  
LLC

ATTN: ACCOUNTING

INVOICE DATE: June 13, 2013

1515 CLAY STREET, SUITE 1400

DUE DATE: September 13, 2013

OAKLAND, CALIFORNIA 94612

AMOUNT DUE: **\$800**

ENFORCEMENT MEASURE ID: 412141

**ADMINISTRATIVE CIVIL LIABILITY INVOICE**

**Order No. R2-2013-1019 Payment Receipts**

**Page A5 of 6**

-----  
Please return the lower portion with your payment to the address shown

**JUNE 13, 2013 INVOICE RECEIPT**

**ADMINISTRATIVE CIVIL LIABILITY PAYMENT (PAYMENT 4 OF 5)**

SAN FRANCISCO BAY REGIONAL WATER BOARD

FACILITY NAME: Napa Valley Cast Stone,  
LLC

ATTN: ACCOUNTING

INVOICE DATE: June 13, 2013

1515 CLAY STREET, SUITE 1400

DUE DATE: October 14, 2013

OAKLAND, CALIFORNIA 94612

AMOUNT DUE: **\$800**

ENFORCEMENT MEASURE ID: 412141

**ADMINISTRATIVE CIVIL LIABILITY INVOICE**

**Order No. R2-2013-1019 Payment Receipts**

**Page A6 of 6**

-----  
Please return the lower portion with your payment to the address shown

**JUNE 13, 2013 INVOICE RECEIPT**

**ADMINISTRATIVE CIVIL LIABILITY PAYMENT (PAYMENT 5 OF 5)**

SAN FRANCISCO BAY REGIONAL WATER BOARD

FACILITY NAME: Napa Valley Cast Stone,  
LLC

ATTN: ACCOUNTING

INVOICE DATE: June 13, 2013

1515 CLAY STREET, SUITE 1400

DUE DATE: November 13, 2013

OAKLAND, CALIFORNIA 94612

AMOUNT DUE: **\$800**

ENFORCEMENT MEASURE ID: 412141