



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**Santa Ana Regional Water Quality Control Board**

July 16, 2012

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Mr. and Mrs. Steve Vermeer  
Vermeer Family Farms  
541 North Warren Road  
San Jacinto, CA 92582

**MANDATORY PENALTY COMPLAINT ORDER NO. R8-2012-0042**

Mr. and Mrs. Vermeer:

On June 6, 2012, you signed an Acceptance of Conditional Resolution and Waiver of Right to Hearing regarding mandatory minimum penalty assessment for the violation of reporting requirements for your Concentrated Animal Feeding Operation. The settlement has been posted on our website for 30 days to provide the public an opportunity to comment on the proposed penalty assessment. We did not receive any public comment.

I have signed the acceptance on behalf of the Santa Ana Regional Water Quality Control Board, and it now serves as Mandatory Penalty Complaint Order No. R8-2012-0042. Please retain the enclosed copy for your records. Payment of the penalty assessments would have been due within 30 days. However, on May 31, 2012, you submitted a check for \$3,000, made payable to the "State Water Pollution Cleanup and Abatement Account." This satisfies the mandatory minimum penalty assessment.

If you have any questions about this letter, please contact Stephen D. Mayville of my staff at (951) 782-4992 or ([smayville@waterboards.ca.gov](mailto:smayville@waterboards.ca.gov)).

Sincerely,

Kurt Berchtold, Executive Officer  
Santa Ana Regional Water Quality Control Board

Enclosure: Order No. R8-2012-0042

cc: w\enclosures (by electronic mail only):

Board Members  
State Water Resources Control Board, Office of Chief Counsel – David Rice  
State Water Resources Control Board, Office of Enforcement – Reed Sato  
U.S. Environmental Protection Agency, Region 9 (WTR-7) – Ken Greenberg  
Robert Vandenheuvel, Milk Producers Council  
Pat Boldt, Milk Producers Council  
Jim Griffin, Western United Dairyman

CAROLE H. BESWICK, CHAIR | KURT V. BERCHTOLD, EXECUTIVE OFFICER

3737 Main St., Suite 500, Riverside, CA 92501 | [www.waterboards.ca.gov/santaana](http://www.waterboards.ca.gov/santaana)

**Santa Ana Regional Water Quality Control Board**

**Attachment 1**

**ACCEPTANCE OF CONDITIONAL RESOLUTION AND WAIVER OF RIGHT  
TO HEARING**

**Vermeer Family Farms  
Order No. R8-2012-0042**

By signing and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Order), Vermeer Family Farms hereby accepts the resolution of the mandatory minimum penalty assessments for the violations cited in the Expedited Payment Option Notice, violations of NPDES Permit No. CAG018001, for which mandatory minimum penalties shall be assessed by the Regional Board. By signing the Acceptance and Order, Vermeer Family Farms also waives its right to a hearing before the Regional Board.

Vermeer Family Farms agrees that the Expedited Payment Option Notice and Attachment 1 together will serve as a Complaint pursuant to Article 2.5 of the California Water Code (CWC) and that no separate Complaint is required by the Regional Board to assert jurisdiction over the alleged violations. Vermeer Family Farms agrees to pay the mandatory minimum penalty of \$3,000 as shown in the Expedited Payment Option Notice dated May 4, 2012, which shall be deemed payment in full for the violations listed in the Notice, pursuant to CWC Section 13385.

Vermeer Family Farms understands that pursuant to 40 CFR Section 123.27(d)(2)(iii), the Regional Board is required to provide public notice for at least 30 days and seek comments of any settlement agreement with the Vermeer Family Farms related to the NPDES permit violations, prior to the Executive Officer executing any settlement agreements such as this Acceptance and Order. Vermeer Family Farms understands that if significant comments are received, this Acceptance and Order may not be executed and the offer for expedited payment and settlement may be withdrawn and the Regional Board may choose to take formal enforcement action.

Vermeer Family Farms understands that once this Acceptance and Order is executed by the Executive Officer of the Regional Board, payment is due within 30 days and a check for \$3,000 made payable to the State Water Resources Control Board, for deposit in the State Water Pollution Cleanup and Abatement account, shall be submitted to the Regional Board office.

Vermeer Family Farms understands that this Acceptance and Order only addresses the violations cited in the Expedited Payment Option Notice.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Vermeer Family Farms in the making and execution of this Acceptance and Order.

Chastity Vermeer co-Owner  
Name and Title of the Person Signing on behalf of Vermeer Family Farms (Print)

Chastity Vermeer                      6/6/12  
Signature    Date

IT IS SO ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTION 13385

K.V. Berchtold                      7/16/12  
Signature    Date  
Kurt V. Berchtold, Executive Officer  
Santa Ana Regional Water Quality Control Board

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLDED AT DOTTED LINE

**CERTIFIED MAIL™**



7011 2970 0003 2495 3258  
 7011 2970 0003 2495 3258

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage ?		

**MR & MRS. STEVE VERMEER**  
**VERMEER FAMILY FARMS**  
**541 N. WARREN RD.**  
**SAN JACINTO, CA 92582**

Sent To  
 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+4