



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

April 9, 2012

In reply refer to:
CIWQS Place 769449: WGHoram
WDID No. 9 000002314

Mr. Steve Donlon, Owners Representative
Ariel Suites, L.P.
850 East Desert Inn Road
Las Vegas, Nevada, 89109

SUBJECT: REVIEW OF SELF MONITORING REPORTS; ORDER NO. R9-2007-0034; NPDES NO. CAG919001

FACILITY: ARIEL SUITES CONSTRUCTION DEWATERING PROJECT, 735 WEST BEECH STREET, SAN DIEGO, CALIFORNIA

Mr. Donlon:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has reviewed the following report:

MONITORING REPORTS REVIEWED FOR ORDER NO R9-2007-0034			
FREQUENCY	PERIOD	REPORT DATE	DATE RECEIVED
Monthly	March 2012	March 28, 2012	April 2, 2012

Based upon our review of the information contained in the March 2012 monthly monitoring report, the San Diego Water Board has the following comments:

Copper exceeded effluent limitations with concentrations of 36.2, 12.8, 29.9 and 5.44 ug/L vs. the 2.9 ug/L AMEL and 5.8 ug/L MDEL effluent limitations.

Nickel exceeded effluent limitations with concentrations of 14.5 and 7.07 ug/L vs. the 6.8 ug/L AMEL effluent limitation.

Tetrachloroethylene exceeded effluent limitations with concentrations of 17.8, 19.5, and 35.2 ug/L vs. the 2.0 ug/L AMEL effluent limitation.

GRANT DESTACHE, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

9174 Sky Park Court, Suite 100, San Diego, CA 92123 | (858) 467-2952 | www.waterboards.ca.gov/sandiego



Total Suspended Solids exceeded effluent limitations with concentrations of 52.0, 38.0 and 44.0 mg/L vs. the 30.0 mg/L AMEL and 50.0 mg/L instantaneous maximum effluent limitations.

Acute Toxicity exceeded the effluent limitation with concentrations of 0.53 TUa vs. the MDEL of 0.3 TUa.

Chronic Toxicity exceeded the effluent limitation with concentrations of <1.65 TUc for the kelp and sea urchin portions of the test vs. the MDEL of 1.0 TUc.

NOTE: AMEL= average monthly effluent limitation, MDEL= maximum daily effluent limitation.

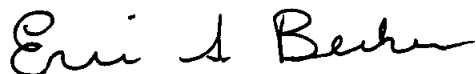
These exceedances are violations of Order No. R9-2007-0034. Please take immediate corrective actions to reduce the concentrations of these constituents and prevent additional effluent limitation violations and enforcement action.

The California Water Code (CWC) includes provisions for a variety of enforcement actions for violations of the terms and conditions of Order No. R9-2007-0034, the CWC, and the Clean Water Act. Violations of Order No. R9-2007-0034 may subject Ariel Suites, L.P. to further enforcement including Cleanup and Abatement Orders, Cease and Desist Orders, Administrative Assessment of Liability, and/or termination of enrollment under Order No. R9-2007-0034. Liability could be administratively imposed to a maximum of \$10,000 per violation plus \$10 per gallon of waste discharged. In addition, pursuant to the CWC sections 13385 (h) and (i), some violations of effluent limitations may be subject to Mandatory Minimum Penalties (MMP) of \$3,000 for each violation. The San Diego Water Board will notify you of any violations that are determined to be subject to MMPs.

Please review the monitoring and reporting schedule of Order No. R9-2007-0034 and ensure that monitoring reports are received at the San Diego Water Board office by the due dates indicated in the Order.

In the subject line of any response, please include the requested "In reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Ms. Whitney Ghoram by e-mail at WGhoram@waterboards.ca.gov, or by phone at (858) 467-2967.

Respectfully,



ERIC S. BECKER, P.E
Senior Water Resource Control Engineer
Southern Watershed Unit

Cc: Mr. Donald Sturgeon, Whitson CM Contracting & Management, Inc., 11021 Via Frontera, Suite E, San Diego, CA 92127

Ms. Nida Saleem, CPESC, QSD, Storm Water Compliance Manager, Whitson CM Contracting & Management, Inc., 11021 Via Frontera, Suite E, San Diego, CA 92127

Mr. Daniel Lottermoser, City of San Diego, Transportation & Storm Water Department, Storm Water Division, 9370 Chesapeake Drive, Suite 100, MS 1900, San Diego, CA 92123

Tech Staff Info & Use	
Order No.	R9-2007-034
Party ID	528287
Place ID	769449
Global ID / GeoTracker Case ID	NA
File No.	14-2314.01
WDID	9 000002314
NPDES No.	CAG919001
Reg. Measure ID	380682
Person ID	NA
Inspection ID	NA
Violation ID	922643 922945 922647 922648 922650 922651 922653 922655 922656 922659 922660 922661 922662 922664