



California Regional Water Quality Control Board San Diego Region



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[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

November 5, 2010

Certified Mail – Return Receipt Requested
Article Number: 7010 1060 0000 4952 7075

Mr. Rob Agnew
Rainbow Vending Inc.
5515 Market Street
San Diego, CA 92114

In reply refer to:
Application ID: 409136: carias

Dear Mr. Agnew:

**Subject: Requirement to Enroll Under Industrial Storm Water General Permit,
Rainbow Vending Inc.**

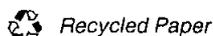
Pursuant to California Water Code (CWC) Section 13399.30, you are hereby notified that Rainbow Vending Inc. is required to enroll under Order No. 97-03-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001, *Waste Discharge Requirements (WDRs) For Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*. Order No. 97-03-DWQ (Industrial Storm Water General Permit) was issued by the State Water Resources Control Board on April 17, 1997 and is enforced locally by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). Our records indicate that coverage under the Industrial Storm Water General Permit for your facility located at 5515 Market Street in San Diego is mandatory, and that you were notified of your requirement to enroll by the City of San Diego on July 27, 2010.

The Industrial Storm Water General Permit is an NPDES permit that regulates discharges associated with 10 broad categories of industrial activities. This permit requires the implementation of management measures that will achieve the performance standard of best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT). The Industrial Storm Water General Permit also requires the development of a Storm Water Pollution Prevention Plan (SWPPP) and a water quality monitoring plan. Through the SWPPP, sources of pollutants are to be identified and the means to manage the sources to reduce storm water pollution are described. The permit requires that an annual report be submitted each July 1.

For more information regarding the Industrial Storm Water General Permit, please see our website:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml

California Environmental Protection Agency



CHON/O/LL

Enclosed with this letter please find a copy of the Industrial Storm Water General Permit and associated forms. To apply for coverage under the permit, you must submit a Notice of Intent (NOI), which is included in the packet. Within thirty days, please submit a completed NOI, a site map of the facility, and the application fee of \$1008 made payable to "State Water Resources Control Board." All materials must be sent to the following address:

State Water Resources Control Board
Division of Water Quality
Attn: Storm Water Section
P.O. Box 1977
Sacramento, CA 95812-1977

Failure to seek coverage could result in a mandatory minimum penalty of not less than \$5000 per year of noncompliance pursuant to CWC sections 13399.30 and 13399.33.

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 Christina Arias at (858) 627-3931 or carias@waterboards.ca.gov.

Respectfully,



DAVID T. BARKER, P.E.
Supervising Water Resource Control Engineer
Surface Waters Basins Branch

DTB:esb:cma

Enclosures:

1. Order No. 97-03-DWQ (Industrial Storm Water General Permit)
2. City of San Diego Inspection Report dated July 27, 2010

Cc via email: (w/o encl.)

Joan Brackin, City of San Diego

SMARTS Entries:

| Tech Staff Info & Use | |
|-----------------------|-----------|
| Application ID | 409136 |
| NPDES No | CAS000001 |



Re: Industrial and Commercial Storm Water Compliance Inspection of RAINBOW VENDING INC

| | | |
|--------------------------------------|------------------------|-------------------------|
| Inspector Name: Brian Nemerow | Date: 7/27/2010 | Time: 2:30:00 PM |
|--------------------------------------|------------------------|-------------------------|

Business Name: RAINBOW VENDING INC

Address: 5515 MARKET ST
SAN DIEGO, CA 92114

Telephone: (619) 527-1900

Responsible Person: Rob Agnew

Principal Activity: Food Ware, Loc Trck W/ Maint

SIC Code(s): 4212, 5962

NAICS Code(s): 484110, 454210

Receiving Water Body: Chollas Creek,S

Watershed: San Diego Bay: Pueblo, which drains to San Diego Bay

Subjectivity to the General Industrial Permit: Mandatory **WDID#:** No WDID, see notes

Inspection Result: Full Inspection

Business Corrective Actions

- Keep site free of litter, debris, and sediment using dry methods (Inspector comment: trash & sediment, front area)
- Keep outdoor areas free of spills and leaks (Inspector comment: oil & soda stains)
- Protect trash area from contact with storm water (Inspector comment: dumpster lid open)
- Keep trash area free of litter and debris, liquids, powders, and sediment (Inspector comment: litter & debris)
- Adequately cover materials stored outside (Inspector comment: tires)
- Prevent run-on from contacting materials stored outdoors (Inspector comment: tires)
- Equip liquid storage containers with secondary containment (Inspector comment: waste oil drums)
- Properly store and dispose of hazardous materials (Inspector comment: waste oil & chem drum sec cont)
- Provide storm water training for appropriate employees
- Develop a written plan for identifying appropriate best management practices (BMPs) and describing proper implementation, including a written spill prevention and response plan. This should also include an inventory of hazardous materials if any are stored on site.
 - You can find the City's minimum BMPs at <http://www.sandiego.gov/stormwater/pdf/jurmpapp10.pdf> -Printing this document and signifying which BMPs are applicable to your site will successfully meet the "identify and describe appropriate BMPs" requirement.

Specific Action(s) Required by the Business to Comply with the Requirements of the General Industrial Permit

This facility was observed to be in violation of the State of California Industrial Storm Water General Permit. Implement the following corrective action(s) to comply:

- File a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) to obtain coverage under the Industrial Permit.
- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP).
- Develop and implement a storm water monitoring program.

Follow Up Inspection Priority: Priority 2, which is a medium priority for follow up

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

CERTIFIED MAIL™



7010 1060 0000 4952 7075
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PS Form 3800, August 2006
 Sent to: _____
 Street, Apt. No., or PO Box No. _____
 City, State, ZIP+4® _____

PS Form 3800, August 2006
 Sent to: *Rob Agnew / Rainbow Bending*
 Street, Apt. No., or PO Box No. *5515 Market St.*
 City, State, ZIP+4® *San Diego CA 92114*

| | |
|--|----|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |

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COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

B. Received by (Printed Name) Date of Delivery

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 Restricted Delivery? (Extra Fee) Yes No

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
*Mr. Rob Agnew
 Rainbow Bending Inc.
 5515 Market St.
 San Diego, CA 92114*

2. Article Number (Transfer from service label)
 7010 1060 0000 4952 7075

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

11/9/2004