



North Coast Regional Water Quality Control Board

December 30, 2021

Mr. Phillips Louis Vivuvos
48 Johnson Lane
Bridgeville, CA, 95526

Certified Mail 7021 0950 0001 6499 5776

Mr. Bobby Marks
Thrifty Auto
46280 Highway 36
Bridgeville, CA 95526
bobmarks203@gmail.com

Certified Mail 7021 0950 0001 6499 5769

Attention: Phillips Louis Vivuvos (Property Owner), and Bobby Marks (Operator)

Subject: Notice of Noncompliance and Notice of Violation for Failure to Submit Annual Reports and make annual payments as required by the General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 2014-0057-DWQ, NPDES No. CAS000001 (Industrial Permit or IGP) and Directive to Submit Information per Water Code 13399.31

File: Thrifty Auto, WDID# 1 05I018957

Your facility, located at 46280 Highway 36 in Bridgeville, is regulated under the subject General Permit, and identified by WDID No. 1 05I018957. Section XVI.A of the Industrial Permit requires enrollees to submit an annual report by July 15 of each year. According to our records, we have not received your annual reports for fiscal years 2017-18, 2018-19, 2019-20, and 2020-21. Failure to submit annual reports for these reporting years violates requirements of the Industrial Permit, the California Water Code, and the Federal Clean Water Act.

According to records in the State Water Board's Stormwater Multiple Report and Tracking System (SMARTS) database, you have also failed to pay your annual permit fee for the years 2019, 2020, and 2021, violating IGP Attachment D, Subsection C.

GREGORY A. GIUSTI , CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

Alleged Violations

As discussed above, and summarized below, the Regional Water Quality Control Board finds that Thrifty Auto is in violation of the following requirements and regulations of the California State Water Resources Control Board WQ Order No. 2014-0057-DWQ (Industrial General Permit).

IGP Section XVI. Annual Report, Subsection A.	Dischargers shall certify and submit via SMARTS an Annual Report no later than July 15 following each reporting year using the standardized format and checklists in SMARTS. The Discharger shall include in the Annual report: 1. A Compliance Checklist that indicates whether a Discharger complies with, and has addressed all applicable requirements of this General Permit; 2. An explanation for any non-compliance of requirements within the reporting year, as indicated in the Compliance Checklist; 3. An identification, including page numbers and/or sections, of all revisions made to the SWPPP within the reporting year; and, 4. The date(s) of the Annual Evaluation.
IGP Attachment D Subsection C.	Annual Fees for NOI and NEC coverage are established through regulations adopted by the State Water Board and are subject to change (see California Code of Regulations, title 23, section 2200 et seq.).

Directive to submit missing reports

You must submit your annual reports for fiscal years 2017-18, 2018-19, 2019-20 and 2020-21 within 60 calendar days of the date of this notice to avoid a penalty. In addition, you must pay your outstanding permit fees for the fiscal years 2019, 2020 and 2021 within 60 calendar days of this notice to avoid a penalty.

Additional Potential Liabilities

The Regional Water Board is in the process of considering whether these violations of the IGP warrant further enforcement. We encourage you to take steps to correct these violations as soon as possible.

Please note that correcting the conditions of non-compliance by submitting your past due reports and fees does not preclude enforcement for the violations alleged in this notice. Failure to timely submit annual reports is a violation of section 13399.31 of the Water Code and may subject you to a monetary penalty (Administrative Civil Liability) of not less than \$1,000 pursuant to California Water Code Section 13399.33, plus costs incurred by the Regional Water Board for each annual report not submitted.

Future correspondence regarding this matter will be sent to you at this address unless an alternative address is provided to the Regional Water Board. Failure to accept mail from the Regional Water Board is not a valid excuse for non-compliance with any future enforcement orders, and a failure to respond or otherwise appear at a future enforcement proceeding could subject you to a default order and the imposition of administrative civil liability.

If you have questions about what is required of you to correct the violations and water quality concerns associated with the facility, please contact Regional Water Board staff Farzad Kasmaei at Farzad.Kasmaei@waterboards.ca.gov.

You may also contact me at Heaven.Moore@waterboards.ca.gov. Additionally, we are available to meet with you if you wish to discuss this letter or the IGP requirements in further detail.

Sincerely,

Heaven Moore, P.E.
NPDES Unit

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Certified Mail – Return Receipt requested

cc: North Coast Regional Water Quality Control Board
Charles Reed, Charles.Reed@Waterboards.ca.gov
Heaven Moore, Heaven.Moore@waterboards.ca.gov
Diana Henriouille, Diana.Henriouille@waterboards.ca.gov
Farzad Kasmaei, Farzad.Kasmaei@Waterboards.ca.gov