



North Coast Regional Water Quality Control Board

July 26, 2022

Daniel Maldonado Suarez
3554 Princeton Drive
Santa Rosa, CA 95405

Certified Mail: 7021 0950 0001 6499 8159

Dear Mr. Suarez,

Subject: Notice of Violation for Failure to Comply with Cleanup and Abatement and Water Code Section 13267 Order No. R1-2022-0016 (Order) Required Action No. 1

File: Cannabis Enforcement, Mendocino County, 2021, APN 011-530-09-01, Daniel Maldonado Suarez, CIWQS Place ID No. 874450

The purpose of this letter is to notify you that you are in violation of Required Action No. 1 of the above-referenced Order, for failure to submit a complete and acceptable Cleanup, Restoration, and Monitoring Plan (CRMP) by May 1, 2022.

Background

On March 17, 2022, the Executive Officer of the North Coast Regional Water Quality Control Board (Regional Water Board), issued the Order to you. The Order pertains to the discharge and threatened discharge of waste to waters of the state on Mendocino County Assessor's Parcel Number 011-530-09-01 (Property), for which you own.

On April 12, 2022, your agent Mr. Severdia submitted a petition to the State Water Resources Control Board (State Water Board) requesting a review and stay of the Order, but the State Water Board did not stay the order and the deadline for action on the petition has passed. Therefore, the required actions remain in effect.

Required Action No. 1 of the Order requires you to submit a proposed CRMP by May 1, 2022, that is acceptable to the Regional Water Board or its delegated officer. The Regional Water Board has not received any submittals from you or your agents.

Future Enforcement

Submittal of the CRMP is required under the Order, pursuant to Water Code section 13267. Please note that failure to submit reports required under Water Code section 13267 is a misdemeanor and may result in administrative civil liability imposed by the Regional Water Board in an amount up to one thousand dollars (\$1,000) per day for each day that the violation occurs or civil liability imposed by the superior court in an amount up to five thousand dollars (\$5,000) per day for each day that the violation occurs, pursuant to Water Code section 13268. Until an acceptable CRMP is submitted for approval, you remain in violation of Required Action No. 1 contained in the Order and may be subject to ongoing liability.

Additionally, please note that Required Action No. 4 of the Order requires that you implement an approved CRMP by October 15, 2022. Implementation of the cleanup and restoration activities described in an approved CRMP is required under the Order pursuant to Water Code section 13304. Failure to comply with requirements imposed under Water Code section 13304 may result in administrative civil liability imposed by the Regional Water Board in an amount up to five thousand dollars (\$5,000) per day for each day the violation occurs, or civil liability imposed by the superior court in an amount up to fifteen thousand dollars (\$15,000) per day for each day the violation occurs, pursuant to Water Code section 13350. Compliance with Required Action No. 4 is dependent on your submittal of an acceptable CRMP. It is your responsibility to engage qualified professionals to develop the CRMP. To minimize additional potential liability, I recommend that you contact Brian Fuller of my staff and submit a CRMP as soon as possible. We will consider the timeliness and adequacy of your response in determining our next steps, including whether formal enforcement is warranted.

If you have any questions, please contact Brian Fuller via email at Brian.Fuller@waterboards.ca.gov or by phone at (707) 576-2806.

Sincerely,

Jeremiah Puget
Senior Environmental Scientist
Enforcement Unit

Certified Mail – Return Receipt requested

cc: **Discharger's agent**
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North Coast Regional Water Quality Control Board

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