



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## California Regional Water Quality Control Board, San Diego Region

April 25, 2013

**Certified Mail – Return Receipt Requested**  
7011 0470 0002 8961 7555

Mr. Mario Alberto Campos  
Mac Cabinetry  
2464 South Santa Fe Ave  
Vista, CA 92084  
E-mail address: [mariocabinets@yahoo.com](mailto:mariocabinets@yahoo.com)

**In reply refer to / attn:**  
413871 wghoram

### **ORDER NO. R9-2013-0020, ENDORSEMENT OF PARTICIPATION IN THE SAN DIEGO WATER BOARD'S EXPEDITED PAYMENT PROGRAM, MAC CABINETRY**

Mr. Campos

This Order endorses Mac Cabinetry's participation in the California Regional Water Quality Control Board's (San Diego Water Board) Expedited Payment Program for a reporting violation of Order No. 97-03-DWQ, NPDES NO. CAS000001, *State Water Resources Control Board General Permit For Storm Water Discharges Associated With Industrial Activities*. No comments were received by the San Diego Water Board regarding the proposed resolution of the violation. A copy of the endorsed Acceptance and Waiver is attached for your records.

Your payment of one thousand five hundred dollars (\$1,500), which was received on March 7, 2013, finalizes the agreement to participate in the Expedited Payment Program. No further action by Mac Cabinetry is required.

In the subject line of any response, please include the reference number 413871.wghoram. For questions or comments, please contact Ms. Whitney Ghoram by phone at 858-467-2967, or by email at [wghoram@waterboards.ca.gov](mailto:wghoram@waterboards.ca.gov)

Respectfully,

DAVID W. GIBSON  
Executive Officer

DWG cmc esb wjg

Enclosure: Executed Acceptance and Waiver

cc (via email)

Ken Greenberg, U S EPA, [greenberg.ken@epamail.epa.gov](mailto:greenberg.ken@epamail.epa.gov)

Catherine Hagan, State Water Board, Office of Chief Counsel, [chagan@waterboards.ca.gov](mailto:chagan@waterboards.ca.gov)

Laura Drabandt, State Water Board, Office of Enforcement, [ldrabandt@waterboards.ca.gov](mailto:ldrabandt@waterboards.ca.gov)

Greg Gearheart, SWRCB, DWQ, [ggearheart@waterboards.ca.gov](mailto:ggearheart@waterboards.ca.gov)

David Barker, Surface Water Basins Branch, [dbarker@waterboards.ca.gov](mailto:dbarker@waterboards.ca.gov)

Sande Pence, County of San Diego, Hazardous Materials Division, [sande.pence@sdcounty.ca.gov](mailto:sande.pence@sdcounty.ca.gov)

Tech Staff Info & Use	
Order No	R9-2013-0020
SMARTS Applic ID	413871
WDID	9 371023090
NPDES No	CAS000001
Violation ID	849515
Enforcement ID	410412, 410411, 410880, 411342





California Regional Water Quality Control Board, San Diego Region

**ATTACHMENT 1**

**ACCEPTANCE OF CONDITIONAL RESOLUTION  
AND WAIVER OF RIGHT TO HEARING; (Proposed) ORDER**

Mario Alberto Campos  
Mac Cabinetry  
2464 S Santa Fe Ave  
Vista, CA 92084

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), **Mac Cabinetry** hereby accepts the "Offer to Participate in the San Diego Water Board's Expedited Payment Program for Non-Filing Violations" (Conditional Offer) and waives the right to a hearing before the San Diego Water Board to dispute the allegations of violations described in the Notices of Noncompliance attached hereto as Attachments 2 and 3 and incorporated herein by reference

**Mac Cabinetry** agrees that the Notices of Noncompliance attached hereto shall serve as a complaint pursuant to Article 2 5 of the Water Code and that no separate complaint is required for the San Diego Water Board to assert jurisdiction over the alleged violations through its Executive Officer **Mac Cabinetry** agrees to perform the following

- 1 Submit all requested technical reports to the San Diego Water Board to

California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
Attention **Application ID: 413871 wghoram**

- 2 Pay administrative civil liability authorized by Water Code section 13399 30, in the sum of **ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500)** (Expedited Payment Amount) by cashier's check or by certified check made payable to the State Water Resources Control Board (State Water Board) for deposit in the Waste Discharge Permit Fund, which shall be deemed payment in full for the violation described in the Notices of Noncompliance attached hereto as Attachments 2 and 3

**Mac Cabinetry** understands that this Acceptance and Waiver waives its right to contest the allegations in the Notices of Noncompliance attached hereto as Attachments 2 and 3, and the

administrative civil liability amount for such violations

**Mac Cabinetry** understands that the failure to submit the requested technical reports, as identified and described above, shall result in the San Diego Water Board enforcement staff withdrawing its' Conditional Offer and waiver pursuant to this Acceptance and Waiver. **Mac Cabinetry** will be advised of the withdrawals. Enforcement staff may issue an administrative civil liability complaint, and the matter may be set for a hearing before the San Diego Water Board or the State Water Board. **Mac Cabinetry** also understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the Notices of Noncompliance attached hereto as Attachments 2 and 3.

Upon execution by **Mac Cabinetry**, return the Acceptance and Waiver to

California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
Attention: **Application ID: 413871 wghoram**

**Mac Cabinetry** understands that federal regulations set forth at title 40, Code of Federal Regulations, section 123.27(d)(2)(iii) require the San Diego Water Board to publish notice of, and provide at least thirty (30) days for public comment on, any proposed resolution of an enforcement action. Accordingly, this Acceptance and Waiver, prior to being formally executed by the Executive Officer of the San Diego Water Board, will be published as required by law for public comment.

If no comments are received within the notice period that cause the Executive Officer of the San Diego Water Board to reconsider the Expedited Payment Amount, the Executive Officer will formally endorse this Acceptance and Waiver. Resolution of these violations will preclude formal enforcement action by the San Diego Water Board for the non-filing violation alleged in the Notices of Noncompliance attached as Attachments 2 and 3.

**Mac Cabinetry** understands that if significant comments are received in opposition to the Expedited Payment Amount, the offer on behalf of the San Diego Water Board enforcement staff to resolve the violation set forth in the Notices of Noncompliance attached hereto as Attachments 2 and 3 may be withdrawn. If the San Diego Water Board offer is withdrawn, **Mac Cabinetry** will be advised of that withdrawal, and **Mac Cabinetry's** waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn, and the unresolved violation(s) will be addressed in a formal enforcement action. An administrative civil liability complaint may be issued and the matter may be set for a hearing before the San Diego Water Board or the State Water Board. For such a liability hearing, **Mac Cabinetry** understands that this Acceptance and Waiver endorsed by **Mac Cabinetry** shall be treated as a settlement communication and shall not be used as evidence in that hearing.

**Mac Cabinetry** understands that once this Acceptance and Waiver is formally executed by the Executive Officer of the San Diego Water Board, the full payment required by the deadline set

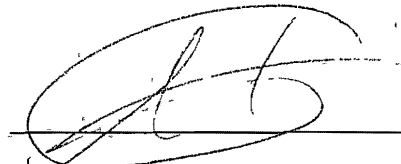
forth below is a condition of this Acceptance and Waiver **Mac Cabinetry** agrees to pay \$1,000 in liability under Water Code section 13399 33(c), and \$500 in staff costs pursuant to section 13399 33(d) **Mac Cabinetry** shall pay the Expedited Payment Amount of **ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500)** by a cashier's check or certified check for the full amount made payable to the "State Water Resources Control Board" for deposit into the Waste Discharge Permit Fund **Mac Cabinetry** shall submit the payment to the San Diego Water Board no later than ten (10) calendar days after the date **Mac Cabinetry** receives written notice that the Executive Officer of the San Diego Water Board has formally endorsed this Acceptance and Waiver

I hereby affirm that I am duly authorized to act on behalf of and to bind **Mac Cabinetry** in the making and giving of this Acceptance and Waiver

Mac Cabinetry & Remodeling Inc

(Company)

By



(Signed Name)

Mario A Campos

(Printed or typed name)

President

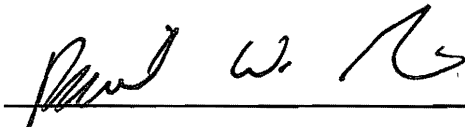
(Title)

IT IS SO ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTION 13399 30

Date

3-7-13

By



DAVID W GIBSON

Executive Officer

23 April 2013

Date

