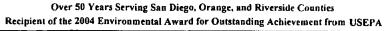




California Regional Water Quality Control Board

San Diego Region





9174 Sky Park Court, Suite 100, San Diego, California 92123-4353 (858) 467-2952 • Fax (858) 571-6972 http://www.waterboards.ca.gov/sandiego

September 5, 2008

In reply refer to: NWU:20-0549.05:mmills

Place No. 632837

Regulatory Measure ID: 302319

CIWQS:

Var Stevens Multiple Concrete Enterprises, Inc. 2231 N. Rulon White Blvd. Odden, Utah 84404

Michael Lubanko Milan Lubanko LUBCO, Inc. 45011 Vuelta Grande

Tabatha Lubanko Keri Lubanko 45011 Vuelta Grande Temecula, CA 92590

Temecula, CA 92590

To: Abovementioned Parties:

SUBJECT: Rescission of Cleanup and Abatement Order No. R9-2005-0278

The California Regional Water Quality Control Board, San Diego Region (Regional Board) has determined that Jim McGee of Multiple Concrete Enterprises, Inc., Michael and Milan Lubanko of LUBCO, Inc. and Tabatha and Keri Lubanko (Dischargers) have fully complied with the directives established in Cleanup and Abatement Order No. R9-2005-0278 (CAO). This determination was based on a Regional Board staff inspection of the site conducted on February 17, 2006 and the *Cleanup and Abatement Report for Order No. R9-2005-0278*, dated August 5, 2006 and prepared by Jeff W. Kidd Biological Consulting.

The purpose of this letter is to begin the rescission process for the CAO. It is our intention to rescind the Order after a 30-day comment period is established to allow the Regional Board to receive comments from interested parties. A copy of the public notice is attached. If no substantive comments are received, the CAO will be rescinded after 30 days.

California Environmental Protection Agency



Cleanup and Abatement Order No. R9-2005-0278 was issued for the discharge of concrete slurry waste from an unpermitted surface impoundment located at 45011 Vuelta Grande Road in Temecula, CA to De Luz Creek and its tributaries.

If you have any questions or need additional information, please contact Mariah Mills at (858) 627-3977 or mmills@waterboards.ca.gov.

Respectfully.

OHN H. ROBERTUS

Executive Officer

JHR:db:is:mkm

cc (via email only):

A. David Mongan, Esq., Kennedy & Souza, APC, <u>David.Mongan@kenlawfirm.com</u> Jeff W. Kidd, Jeff W. Kidd Biological Consulting, <u>Buteo6@earthlink.net</u>

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Ted Ryan, County of Riverside Bureau of Investigation, tryan@rivcoda.org

Edward Slater, County of San Diego, Department of Environmental Health,

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Brett Farlow, Riverside County Code Enforcement, bfarlow@rctlma.org

California Regional Water Quality Control Board, San Diego Region

September 5, 2008

NOTICE OF Pending Rescission
of
CLEANUP AND ABATEMENT ORDER NO. R9-2005-0278
Issued to Jim McGee of Multiple Concrete Enterprises, Inc.,
Michael and Milan Lubanko of LUBCO, Inc. and
Tabatha and Keri Lubanko

The California Regional Water Quality Control Board, San Diego Region (Regional Board) is providing this 30-day notice public notification of its intent to rescind Cleanup and Abatement Order No. R9-2005-0278 (CAO) issued to Jim McGee of Multiple Concrete Enterprises, Inc., Michael and Milan Lubanko of LUBCO, Inc. and Tabatha and Keri Lubanko. The CAO was issued for the discharge of concrete slurry waste from an unpermitted surface impoundment located at 45011 Vuelta Grande Road in Temecula, CA to De Luz Creek and its tributaries.

Provided no significant issues arise during the public notification period, the Regional Board will rescind the CAO on October 6, 2008.

For more information regarding this matter please contact Mariah Mills at (858) 627-3977 or mmills@waterboards.ca.gov, or visit the Regional Board's web site at www.waterboards.ca.gov/sandiego.

California Environmental Protection Agency