

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Campbell Industries
c/o James Handmacker, Esq.
Morton McGoldrick, P.S.
P.O. Box 1533
Tacoma, WA 98401

Article Number
(Transfer from service label)

7011 0470 0002 8961 5711

S Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

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



7011 0470 0002 8961 5711

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	3.66

Postmark Here

Sent To
Campbell Industries
c/o James Handmacker, Esq.
Street, Apt. No or PO Box No. Morton McGoldrick, P.S.
City, State, ZIP P.O. Box 1533
Tacoma, WA 98401

PS Form 3800



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

California Regional Water Quality Control Board, San Diego Region

July 10, 2012

Certified Mail – Return Receipt Requested
In reply refer to / attn:
T10000003580:VRodriguez

Responsible Parties

7011 0470 0002 8961 5674
National Steel and Shipbuilding Company
c/o Kelly Richardson, Esq.
Latham & Watkins, LLP
600 West Broadway, Suite 1800
San Diego, CA 92101-3375

7011 0470 0002 8961 5728
Jill Tracy, Esq.
San Diego Gas and Electric
Sempra Energy
101 Ash Street
San Diego, CA 92101

7011 0470 0002 8961 5698
BAE Systems San Diego Ship Repair, Inc.
c/o Mike Tracy, Esq.
DLA Piper, LLP
401 B Street, Suite 1700
San Diego, CA 92101-4297

7011 0470 0002 8961 5735
David Silverstein, Esq.
United States Navy
SW Div., Naval Facilities Engineering
Command
1220 Pacific Highway
San Diego, CA 92132-5189

7011 0470 0002 8961 5704
City of San Diego
c/o Brian Ledger, Esq.
Gordon & Rees, LLP
101 W. Broadway, Suite 2000
San Diego, CA 92101

7011 0470 0002 8961 5957
Ellen Gross, Esq.
San Diego Unified Port District
P.O. Box 120488
San Diego, CA 92112-0488

7011 0470 0002 8961 5711
Campbell Industries
c/o James Handmacker, Esq.
Morton McGoldrick, P.S.
P.O. Box 1533
Tacoma, WA 98401

**Subject: Notice of Violation No. R9-2012-0051, San Diego Bay Shipyard Sediment
Cleanup Site, Cleanup and Abatement Order No. R9-2012-0024**

Responsible Parties:

Enclosed is Notice of Violation (NOV) No. R9-2012-0051 issued to the Responsible Parties for violations of Cleanup and Abatement Order No. R9-2012-0024. As described in the NOV, the violations are subject to further enforcement pursuant to the California Water Code. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) reserves the right to take any enforcement action authorized by law.

GRANT DESTACHE, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

9174 Sky Park Court, Suite 100, San Diego, CA 92123 | (858) 467-2952 | www.waterboards.ca.gov/sandiego

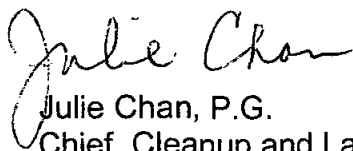


Please provide a written response by July 23, 2012 that either confirms the violations have been corrected or identifies a date by which the violations will be corrected.

In making the determination of whether and how to proceed with further enforcement action, the San Diego Water Board will consider the severity and effect of the violation, the level of cooperation, the time it takes to correct the identified violations, and the sufficiency of the corrections.

In the subject line of any response, please include the reference number T10000003580:VRodriguez. For questions or comments, please contact Mr. Vicente Rodriguez by phone at (858) 627-3940, or by email at VRodriguez@waterboards.ca.gov.

Sincerely,



Julie Chan, P.G.
Chief, Cleanup and Land Discharge Branch

JAC:dc:vrr

Enclosure: Notice of Violation No. R9-2012-0051

cc via email: Cris Carrigan, Esq.
Director, Office of Enforcement
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812
CCarrigan@waterboards.ca.gov

Jill Witkowski, Esq.
San Diego Coastkeeper
2825 Dewey Road, Suite #200
San Diego, CA 92106
jill@sdcoastkeeper.org

Tech Staff Info & Use	
Place ID	712610
Order No.	CAO R9-2012-0024
Party (GT/CIWQS) ID	T10000003580

**NOTICE OF VIOLATION
No. R9-2012-0051**

National Steel and Shipbuilding Company
BAE Systems San Diego Ship Repair, Inc.
City of San Diego
Campbell Industries
San Diego Gas and Electric
United States Navy
San Diego Unified Port District

Violations of Order No. R9-2012-0024

July 10, 2012

San Diego Bay
Shipyard Sediment Cleanup Site
GeoTracker ID:T10000003580

National Steel and Shipbuilding Company, BAE Systems San Diego Ship Repair, Inc., City of San Diego, Campbell Industries, San Diego Gas and Electric, United States Navy, and San Diego Unified Port District (collectively referred to as Responsible Parties or dischargers) are hereby notified that the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) reserves the right to take any enforcement action authorized by law for the violations described herein.

The Responsible Parties are in violation of Cleanup and Abatement Order No. R9-2012-0024 (CAO).

A. Summary of Violations

1. Failure to identify an entity or party to receive and pay future invoices

- a. The dischargers have failed to identify an authorized entity or party by April 13, 2012, as required by Directive H.1 of the CAO. Directive H.1., third paragraph, states:

"Within 30 days of the adoption of this CAO, the Dischargers shall identify to the San Diego Water Board an entity or party, including contact information, authorized by the Dischargers to receive and pay future invoices issued by the State Water Board Cost Recovery Program for staff oversight costs incurred by the San Diego Water Board to investigate, oversee, and monitor cleanup and abatement actions required by this CAO."

- b. Board Chair Grant Destache has clarified that an entity or party meant the Responsible Parties to select among themselves a single entity or party authorized to receive and pay future invoices. This clarification was provided to the Responsible Parties in a memo dated May 2, 2012. As of the date of this Notice of Violation, the Responsible Parties have not identified to the San Diego Water Board an entity or party to receive and pay future invoices.

2. Failure to reimburse the State in the amount of \$168,173

- a. The dischargers have failed to reimburse the State in the amount of \$168,173 by May 13, 2012, as required by Directive H.1 of the CAO. Directive H.1., second paragraph, states:

“Within 60 days of the adoption of this CAO, the Dischargers shall reimburse the State of California in the amount of \$168,173 for the unreimbursed costs actually incurred by the San Diego Water Board and State Water Board as described in Finding 41 of this Order.”

- b. During the period of May 14 to 30, 2012 the San Diego Water Board received five checks for the following amounts for a total of \$164,810.08:

- \$66,428.34 (check dated 5/14/12)
- \$30,000.00 (check dated 5/14/12)
- \$34,476.00 (check dated 5/23/12)
- \$5,045.19 (check dated 5/29/12)
- \$28,860.55 (check dated 5/30/12)

The outstanding balance owed by the Responsible Parties is \$3,362.92.

B. Summary of Potential Enforcement Options

These violations may subject you to additional enforcement by the San Diego Water Board or State Water Resources Control Board, including a potential civil liability assessment of \$10,000 per day of violation (Water Code section 13385) and/or any of the following enforcement actions:

Other Potential Enforcement Options	Applicable Water Code Section
Technical or Investigative Order	Sections 13267 or 13383
Cleanup and Abatement Order	Section 13304
Cease and Desist Order	Sections 13301-13303
Time Schedule Order	Sections 13300, 13308

In addition, the San Diego Water Board may consider referring the matter to other resource agencies, referring the matter to the State Attorney General for injunctive relief, and referral to the municipal or District Attorney for criminal prosecution.

In the subject line of any response, please include the reference number T10000003580:VRodriguez. For questions or comments, please contact Vicente Rodriguez by phone at (858) 627-3940, or by email at VRodriguez@waterboards.ca.gov.

Sincerely,



Julie Chan, P.G.
Chief, Cleanup and Land Discharge Branch

JAC:dc:vrr

cc via email: Cris Carrigan, Esq.
Director, Office of Enforcement
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812
CCarrigan@waterboards.ca.gov

Jill Witkowski, Esq.
San Diego Coastkeeper
2825 Dewey Road, Suite #200
San Diego, CA 92106
jill@sdcoastkeeper.org

Tech Staff Info & Use	
Place ID	712610
Order No.	CAO R9-2012-0024
Party (GT/CIWQS) ID	T10000003580