



Santa Ana Regional Water Quality Control Board

February 18, 2022

HSH Interplan USA Inc.
1564 South Anaheim Boulevard, Suite B
Anaheim, CA 92805
(Via Certified Mail)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

info@hshinterplan.com
edward.negron@hshinterplan.com
(Via Email)

Edward Negron
Agent for Service of Process for HSH Interplan USA Inc.
1564 South Anaheim Boulevard, Suite B
Anaheim, CA 92805
(Via Certified Mail)

SETTLEMENT OFFER NO. R8-2022-0015: OFFER TO PARTICIPATE IN EXPEDITED PAYMENT PROGRAM RELATING TO VIOLATIONS OF THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES, ORDER NO. 2014-0057-DWQ AS AMENDED BY ORDER NO. 2015-0122-DWQ AND ORDER NO. 2018-0028-DWQ, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM NPDES NO. CAS000001, FOR HSH INTERPLAN USA INC., 1564 SOUTH ANAHEIM BOULEVARD, SUITE B, ANAHEIM

This letter is to notify HSH Interplan USA Inc., (hereinafter “Discharger” or “you”) of alleged violations of the California Water Code (Water Code) identified in the State Water Resources Control Board’s water quality data system and to allow the Discharger to participate in the Santa Ana Regional Water Quality Control Board’s (Santa Ana Water Board) Expedited Payment Program for Reporting Violations to address mandatory minimum penalties that must be assessed pursuant to Water Code section 13399.33.

NOTICE OF VIOLATION:

Based on information in the Storm Water Multiple Application & Report Tracking System (SMARTS), the Santa Ana Water Board alleges that the Discharger is in violation of the General Permit Associated with Industrial Activities within the Santa Ana Region, Order No. 2014-0057-DWQ, as amended by Order No. 2015-0122-DWQ and Order No. 2018-0028-DWQ, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000001 (Industrial General Permit), for failure to obtain permit coverage for the facility located at 1564 S Anaheim Blvd, Suite B, in the City of Anaheim. You failed to obtain permit coverage as required by the Water Code and as indicated in the Notices of Non-Compliance (NNCs) issued on July 21, 2021 and August 19, 2021. Per the United States Postal Service website, the certified mail was delivered on July 23, 2021 and August 21, 2021, respectively. To date, the Discharger has not obtained permit

KRISTINE MURRAY, CHAIR | JAYNE JOY, EXECUTIVE OFFICER

3737 Main Street, Suite 500, Riverside, CA 92501-3348 | www.waterboards.ca.gov/santaana

coverage. The Discharger will have the opportunity to address the alleged violations as discussed below.

STATUTORY LIABILITY:

Pursuant to Water Code section 13399.33(a)(1), the Discharger is subject to a minimum penalty of not less than five thousand dollars (\$5,000) plus staff costs for failing to submit the required Notice of Intent in accordance with Water Code section 13399.30 within sixty (60) days after the first NNC was sent. The Discharger is also subject to discretionary administrative civil liabilities of up to ten thousand dollars (\$10,000) for each day in which the violation occurs. These minimum and discretionary administrative civil liabilities may be assessed by the Santa Ana Water Board beginning with the date that the violations first occurred. The formal enforcement action that the Santa Ana Water Board uses to assess such liability is an administrative civil liability complaint, although the Santa Ana Water Board may instead refer such matters to the Attorney General's Office for prosecution. If referred to the Attorney General for prosecution, the Superior Court may assess up to twenty-five thousand dollars (\$25,000) per violation.

DISCHARGER'S OPTIONS FOR RESPONSE TO OFFER:

You have two options to respond as outlined below.

1. **Accept the Expedited Payment Program offer** by complying with the Order and agreeing to pay a settlement of **five thousand two hundred and eleven dollars (\$5,211)**. The minimum administrative civil liability pursuant to California Water Code section 13399.33(a)(1) is \$5,000 per year of noncompliance or fraction thereof. Staff costs in this matter are \$211. This is a Conditional Offer subject to certain terms and conditions set forth below. If you chose this option **you must sign and submit the enclosed Acceptance and Waiver form by March 21, 2022**. The form provides submittal instructions. Final closure on this action is only possible after ultimate submission of the settlement amount.

Please submit an original (blue ink) signed Acceptance and Wavier form to:

Devin Darrow, Coastal Storm Water Unit
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348

In response to the Conditional Offer and payment in settlement of this enforcement action, the Santa Ana Water Board will forego issuance of a formal administrative complaint, will not refer the violation to the Attorney General, and will waive its right to seek additional discretionary civil liabilities for the violations identified in the NNCs.

2. **Contest the non-filing violation** by submitting in writing, the basis of your challenge with supporting evidence. For example, you may have evidence that you previously submitted permit coverage, or you are no longer in business. If you choose this option, you must **submit your written documentation by March 21, 2022**. We will review your submission, and if we agree with you, we will notify you in writing that you are no longer considered in violation of the permit and that our enforcement action has been terminated. All responses should be directed to Devin Darrow.

If you do not respond in a manner described in the above options, the Santa Ana Water Board will prepare an administrative civil liability complaint for the violation cited in the NNCs. The liability amount sought in the administrative civil liability complaint and/or imposed by the Santa Ana Water Board may be higher than the liability amount set forth in this Conditional Offer. Moreover, additional staff costs associated with formal enforcement may be considered in the recommended liability amount in an administrative civil liability complaint.

CONDITIONS FOR REGIONAL BOARD ACCEPTANCE OF RESOLUTION:

If you accept the Expedited Payment Program offer, the settlement will be published in the following manner: Federal regulations require the Santa Ana Water Board to publish notice of, and to provide at least thirty (30) days for public comment on, any settlement of an enforcement action addressing NPDES permit violations (40 C.F.R. section 123.27(d)(2)(iii)). Upon receipt of the Discharger's Acceptance and Waiver and other requested technical reports on or before **March 21, 2022**, Santa Ana Water Board staff will publish a notice of the proposed resolution of the alleged violations.

If no comments are received within the notice period, the Santa Ana Water Board Executive Officer will execute the Acceptance and Waiver as a stipulated order assessing the uncontested penalty amount pursuant to Water Code section 13399.33. You will then be notified that payment is due within 30 days. Failure to pay the penalty within that time frame may result in further liability, referral of the matter to the Attorney General, and/or may void the offer to participate in this Expedited Payment Program.

If, however, significant comments are received in opposition to the settlement, this offer may be withdrawn. In that case, the Discharger's waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn, and the violations will be addressed through a formal enforcement action.

This Expedited Payment Program offer does not address or resolve liability for any violation that is not specifically identified in the attached NNCs. The Santa Ana Water Board reserves the right to pursue formal enforcement of any violations not specifically cited in the attached NNCs.

Should you have any questions about this Expedited Payment Program, please contact Devin Darrow via email at Devin.Darrow@waterboards.ca.gov or via phone at (951) 782-4497.

Sincerely,

Ann E.  Digitally signed by
Ann E. Sturdivant
Date: 2022.02.18
10:54:34 -08'00'

Ann E. Sturdivant, PE, CEG, CHG
Assistant Executive Officer

enclosures:

- Notice of Non-Compliance, dated July 21, 2021
- Notice of Non-Compliance, dated August 19, 2021
- Acceptance of Conditional Resolution and Waiver of Right to Hearing; (proposed) Order



Santa Ana Regional Water Quality Control Board

July 21, 2021

HSH Interplan Usa Inc
1564 South Anaheim Boulevard STE B
Anaheim, CA 92805

CERTIFIED MAIL
RETURN RECEIPT REQUIRED

NOTICE OF NON-COMPLIANCE WITH THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES, ORDER NO. 2014-0057-DWQ, NPDES NO. CAS000001

The Federal Clean Water Act (Clean Water Act) prohibits certain discharges of storm water containing pollutants except where such discharges occur in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. In the state of California, Order No. 2014-0057-DWQ, NPDES Permit No. CAS000001 (General Permit), authorizes discharges associated with industrial activity subject to certain conditions and limitations. The General Permit is available here: http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml.

It has come to our attention that HSH Interplan Usa Inc is operating a facility located at 1564 South Anaheim Boulevard, Suite B, in the city of Anaheim, and is engaged in industrial activities involving coating, engraving, and allied services, not elsewhere classified. This industrial activity is best described by Standard Industrial Classification (SIC) code 3479. Activities described by SIC code 3479 are among those requiring coverage under Attachment A of the General Permit. Since this coverage has not been obtained, HSH Interplan Usa Inc is in violation of the General Permit.

This letter is to notify you that this facility requires coverage under the General Permit.

The General Permit provides for two types of coverage that are differentiated by whether or not a facility has exposure of certain industrial materials, products, wastes, or processes to storm water. To apply for permit coverage all documents must be submitted via the Water Board Storm Water Multiple Application and Report Tracking System (SMARTS) (<https://smarts.waterboards.ca.gov/>). The two types of coverage are as follows:

1. Notice of Intent (NOI coverage): This coverage is for dischargers that discharge storm water associated with industrial activity to waters of the United States. All applicable requirements of the General Permit must be met. To obtain NOI coverage the following documents must be submitted:
 - a. A completed NOI and signed certification statement (Section II.B.1);

LANA ONG PETERSON, CHAIR | HOPE SMYTHE, EXECUTIVE OFFICER

- b. A copy of a current Site Map from the Storm Water Pollution Prevention Plan (SWPPP) (Section X.E);
 - c. A SWPPP (Section X); and,
 - d. An application fee.
2. No Exposure Certification (NEC coverage): Dischargers that certify their facility has no exposure of industrial activities or materials to storm water in accordance with Section XVII of the General Permit may qualify for NEC coverage and are not required to comply with the SWPPP or monitoring requirements of this General Permit. To obtain NEC coverage the following documents must be submitted:
 - a. A completed NEC Form (Section XVII.F.1) and signed certification statement (Section XVII.H);
 - b. A completed NEC Checklist (Section XVII.F.2);
 - c. A current Site Map (Section X.E.); and,
 - d. An application fee.

In order to address this violation, by **August 19, 2021**, HSH Interplan Usa Inc must complete either an NOI or NEC through SMARTS. SMARTS Industrial Help Guides can be found at the following link:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/smarts/industrial/in_dst_help_guides.html.

Please be advised that violations of the General Permit, as requested, will result in a mandatory minimum penalty of \$5,000 under Section 13399.33(a)(1) of the California Water Code. Furthermore, continued violations of the General Permit may result in the imposition of administrative civil liability in an amount of up to \$10,000 for each day of violation under Section 13385 of the California Water Code.

If you have any questions regarding this matter, please contact Michael Kashak via email at Michael.Kashak@waterboards.ca.gov or via phone at (951) 782-4469.

Sincerely,

Michelle R. Beckwith Digitally signed by Michelle R. Beckwith
Date: 2021.07.20 09:56:55 -07'00'

Michelle R. Beckwith, Chief
Senior Environmental Scientist
Coastal Storm Water Unit

cc: OC Public Works – James Fortuna
City of Anaheim, NPDES Coordinator – Keith Linker

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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.

1. Article Addressed to:

HSH Interplan Usa Inc
 1564 South Anaheim Blvd. Ste. B
 Anaheim, CA 92805



9590 9402 5053 9092 6359 42

2. Article Number (Transfer from service label)

7019 1120 0002 2919 0800

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X FL CW-19

- Agent
- Addressee

B. Received by (Printed Name)

EDWARD NEGRON

C. Date of Delivery

7/23/21

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



3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

JUL 2021
 CRWQCB
 Anaheim Region 8
 12131415161718192021

Domestic Return Receipt

7019 1120 0002 2919 0800

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	7.16
Sent To	
Street	
City, St	
PS Fo	

Postmark
Here

MAB

Street: HSH Interplan Usa Inc
City, St: 1564 South Anaheim Blvd. Ste. B
PS Fo: Anaheim, CA 92805

Instructions



Santa Ana Regional Water Quality Control Board

August 19, 2021

HSH Interplan Usa Inc
1564 South Anaheim Boulevard STE B
Anaheim, CA 92805

CERTIFIED MAIL
RETURN RECEIPT REQUIRED
7019 1120 0002 2919 0961

NOTICE OF NON-COMPLIANCE WITH THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES, ORDER NO. 2014-0057-DWQ AS AMENDED BY ORDER NO. 2015-0122-DWQ AND ORDER NO. 2018-0028-DWQ, NPDES NO. CAS000001

SECOND AND FINAL NOTICE

A Notice of Non-Compliance (NNC) was sent to HSH Interplan Usa Inc on July 21, 2021, via certified mail, requesting that HSH Interplan Usa Inc obtain coverage under the General Permit by August 19, 2021. Per the United States Postal Service website, the certified mail was delivered on July 23, 2021. To date, permit coverage has not been obtained.

NPDES Permit No. CAS000001 (General Permit), authorizes discharges associated with industrial activity subject to certain conditions and limitations. Dischargers may qualify for a conditional exclusion from specific requirements if they submit a No Exposure Certification (NEC). The General Permit is available at https://www.waterboards.ca.gov/water_issues/programs/stormwater/igp_20140057dwq.html.

You are required to immediately obtain coverage under the General Permit. Failure to obtain coverage by September 18, 2021 will result in a minimum mandatory penalty of \$5,000. Failure to submit the requested information may result in further enforcement action, including civil monetary penalties of up to \$10,000 for each day of violation.

If you have any questions regarding this matter, please contact Michael Kashak via email at Michael.Kashak@waterboards.ca.gov or via phone at (951) 782-4469.

Sincerely,

Michelle R. Beckwith Digitally signed by Michelle R. Beckwith
Date: 2021.08.19 08:11:14 -07'00'

Michelle R. Beckwith, Chief
Senior Environmental Scientist
Coastal Storm Water Unit

enclosure: Notice of Non-Compliance, dated 7/21/2021

cc (w/o encl): OC Public Works – James Fortuna
City of Anaheim, NPDES Coordinator – Keith Linker

LANA ONG PETERSON, CHAIR | JAYNE JOY, EXECUTIVE OFFICER

3737 Main St., Suite 500, Riverside, CA 92501 | www.waterboards.ca.gov/santaana

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark
Here

Postage	
\$	
Total P	
\$	

Sent To	HSH Interplan Usa Inc	_____
Street	1564 South Anaheim Blvd. STE B	_____
City, St	Anaheim, CA 92805	_____

7019 1120 0002 2919 0961

MAK

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3.
- 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.

A. Signature
 X *BH*
 Agent
 Addressee

B. Received by (*Printed Name*)
ROSE 39

C. Date of Delivery
8/21

1. Article Addressed to:

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

SH Interplan Usa Inc
 1564 South Anaheim Blvd. STE B
 Anaheim, CA 92805



9590 9402 5053 9092 5627 29

2. Article Number (*Transfer from service label*)

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

7019 1120 0002 2919 0961

USPS TRACKING #



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

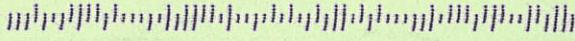
9590 9402 5053 9092 5627 29

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

CA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION
3737 MAIN STREET, SUITE 500
RIVERSIDE, CA 92501-3348

MAK





Santa Ana Regional Water Quality Control Board

July 21, 2021

HSH Interplan Usa Inc
1564 South Anaheim Boulevard STE B
Anaheim, CA 92805

CERTIFIED MAIL
RETURN RECEIPT REQUIRED

NOTICE OF NON-COMPLIANCE WITH THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES, ORDER NO. 2014-0057-DWQ, NPDES NO. CAS000001

The Federal Clean Water Act (Clean Water Act) prohibits certain discharges of storm water containing pollutants except where such discharges occur in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. In the state of California, Order No. 2014-0057-DWQ, NPDES Permit No. CAS000001 (General Permit), authorizes discharges associated with industrial activity subject to certain conditions and limitations. The General Permit is available here: http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml.

It has come to our attention that HSH Interplan Usa Inc is operating a facility located at 1564 South Anaheim Boulevard, Suite B, in the city of Anaheim, and is engaged in industrial activities involving coating, engraving, and allied services, not elsewhere classified. This industrial activity is best described by Standard Industrial Classification (SIC) code 3479. Activities described by SIC code 3479 are among those requiring coverage under Attachment A of the General Permit. Since this coverage has not been obtained, HSH Interplan Usa Inc is in violation of the General Permit.

This letter is to notify you that this facility requires coverage under the General Permit.

The General Permit provides for two types of coverage that are differentiated by whether or not a facility has exposure of certain industrial materials, products, wastes, or processes to storm water. To apply for permit coverage all documents must be submitted via the Water Board Storm Water Multiple Application and Report Tracking System (SMARTS) (<https://smarts.waterboards.ca.gov/>). The two types of coverage are as follows:

1. Notice of Intent (NOI coverage): This coverage is for dischargers that discharge storm water associated with industrial activity to waters of the United States. All applicable requirements of the General Permit must be met. To obtain NOI coverage the following documents must be submitted:
 - a. A completed NOI and signed certification statement (Section II.B.1);

LANA ONG PETERSON, CHAIR | HOPE SMYTHE, EXECUTIVE OFFICER

- b. A copy of a current Site Map from the Storm Water Pollution Prevention Plan (SWPPP) (Section X.E);
 - c. A SWPPP (Section X); and,
 - d. An application fee.
2. No Exposure Certification (NEC coverage): Dischargers that certify their facility has no exposure of industrial activities or materials to storm water in accordance with Section XVII of the General Permit may qualify for NEC coverage and are not required to comply with the SWPPP or monitoring requirements of this General Permit. To obtain NEC coverage the following documents must be submitted:
- a. A completed NEC Form (Section XVII.F.1) and signed certification statement (Section XVII.H);
 - b. A completed NEC Checklist (Section XVII.F.2);
 - c. A current Site Map (Section X.E.); and,
 - d. An application fee.

In order to address this violation, by **August 19, 2021**, HSH Interplan Usa Inc must complete either an NOI or NEC through SMARTS. SMARTS Industrial Help Guides can be found at the following link:

https://www.waterboards.ca.gov/water_issues/programs/stormwater/smarts/industrial/in_dst_help_guides.html.

Please be advised that violations of the General Permit, as requested, will result in a mandatory minimum penalty of \$5,000 under Section 13399.33(a)(1) of the California Water Code. Furthermore, continued violations of the General Permit may result in the imposition of administrative civil liability in an amount of up to \$10,000 for each day of violation under Section 13385 of the California Water Code.

If you have any questions regarding this matter, please contact Michael Kashak via email at Michael.Kashak@waterboards.ca.gov or via phone at (951) 782-4469.

Sincerely,

Michelle R. Beckwith Digitally signed by Michelle R. Beckwith
Date: 2021.07.20 09:56:55 -07'00'

Michelle R. Beckwith, Chief
Senior Environmental Scientist
Coastal Storm Water Unit

cc: OC Public Works – James Fortuna
City of Anaheim, NPDES Coordinator – Keith Linker

7019 1120 0002 2919 0800

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	7.16
Sent To	

Postmark
Here

Street: HSH Interplan Usa Inc
 City, St: 1564 South Anaheim Blvd. Ste. B
 PS Fo: Anaheim, CA 92805

Instructions

MAB

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark
Here

Postage	
\$	
Total P	
\$	

Sent To	HSH Interplan Usa Inc	
Street	1564 South Anaheim Blvd. STE B	
City, St	Anaheim, CA 92805	

7019 1120 0002 2919 0961

MAK



Santa Ana Regional Water Quality Control Board

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

HSH Interplan USA Inc
Settlement Offer No. R8-2022-0015

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board), HSH Interplan USA Inc. (Discharger) hereby accepts the "Offer to Participate in Expedited Payment Program" and waives the right to a hearing before the Santa Ana Water Board to dispute the violations described in the Notices of Non-Compliance (NNCs) which are attached and incorporated herein by reference.

The Discharger agrees that the Expedited Payment Program Offer shall serve as a complaint pursuant to Article 2.5 of the California Water Code and that no separate complaint is required for the Santa Ana Water Board to assert jurisdiction over the alleged violations through its Chief Prosecutor. The Discharger agrees to pay the administrative civil liability authorized by California Water Code section 13399.30, in the sum of \$5,211 (Expedited Payment Amount) which shall be deemed payment in full of any civil liability pursuant to California Water Code section 13399.30 that otherwise might be assessed for the violations described in the NNCs.

The Discharger understands that this Acceptance and Waiver waives its right to contest the allegations in the NNCs and the amount of civil liability for such violations. The Discharger understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the NNCs.

Upon Execution by the Discharger, the completed Acceptance and Waiver, shall be mailed to:

Devin Darrow, Coastal Storm Water Unit
Expedited Payment Letter
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501

The Discharger understands that federal regulations set forth at title 40, Code of Federal Regulations, section 123.27(d)(2)(iii) require the Santa Ana Water Board to publish notice of and provide at least (30) days for public comment on any proposed resolution of an enforcement action addressing NPDES permit violations. Accordingly, this Acceptance and Waiver, prior to execution by the Santa Ana Water Board Executive Officer, will be published as required by law for public comment.

If no comments are received within the notice period that causes the Santa Ana Water Board Executive Officer to question the Expedited Payment Amount, the Santa Ana Water Board Executive Officer will execute the Acceptance and Waiver.

KRISTINE MURRAY, CHAIR | JAYNE JOY, EXECUTIVE OFFICER

3737 Main Street, Suite 500, Riverside, CA 92501-3348 | www.waterboards.ca.gov/santaana

The Discharger understands that if significant comments are received in opposition to the Expedited Payment Amount, the offer on behalf of the Santa Ana Water Board to resolve the violations set forth in the NNCs may be withdrawn. In that circumstance, the Discharger will be advised of that withdrawal, and an administrative civil liability complaint may be issued, and the matter may be set for a hearing before the Santa Ana Water Board. In the event that this matter proceeds to hearing, the Discharger understands that this Acceptance and Waiver executed by the Discharger will be treated as a settlement communication and will not be used as evidence in that hearing.

The Discharger further understands that once this Acceptance and Waiver is executed by the Santa Ana Water Board Executive Officer, the full payment required by the deadline set forth below is a condition of this Acceptance and Waiver. In accordance with California Water Code section 13399.37(a), funds collected for violations pursuant to sections 13399.33(a)(1) and 13399.33(d) shall be deposited in the Waste Discharge Permit Fund. Accordingly, the \$5,211 liability including staff costs shall be paid by a cashiers or certified check made out to the "State Water Resources Control Board" referencing this Order number for deposit into the Waste Discharge Permit Fund. The payment must be submitted to the State Water Resources Control Board no later than thirty (30) calendar days after the date the Acceptance and Waiver is executed by the Santa Ana Water Board Executive Officer.

Please mail check to:

State Water Resources Control Board
Re: Order No. R8-2022-0014
Division of Administrative Services, Accounting Branch
1001 I Street, 18th Floor, 95814
P.O. Box 1888
Sacramento, CA 95812-1888

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

HSH Interplan USA Inc.

By: _____
(Signed Name) (Date)

(Printed or Typed Name) (Title)

IT IS SO ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTION 13323 AND GOVERNMENT CODE SECTION 11415.60.

By: _____
Jayne E. Joy, PE
Executive Officer

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----------|
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ _____ |
| <input type="checkbox"/> Return Receipt (electronic) | \$ _____ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ _____ |
| <input type="checkbox"/> Adult Signature Required | \$ _____ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ _____ |

Postmark
Here

Postage

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

HSH Interplan USA Inc
1564 South Anaheim Boulevard, Suite B
Anaheim, CA 92805

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7021 0350 0000 8338 0482

7021 0350 0000 8338 0475

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark
Here

Postage	
\$	
Total	Edward Negron
\$	Agent for Service of Process for HSH
<i>Sen</i>	Interplan USA Inc.
<i>Stre</i>	1564 South Anaheim Boulevard, Suite B
<i>City</i>	Anaheim, CA 92805