

California Regional Water Quality Control Board, San Diego Region

September 14, 2012

Certified Mail – Return Receipt Requested
Article Number: 7011 0470 0002 8961 5414

Mr. Scott Cowles, Owner
SC Tile Company
2819 Central Avenue
Spring Valley, CA 91941

In reply refer to:
WDID 9371020902:WGhoram

Subject: Notice of Violation No. R9-2012-0061, S.C. Tile Company, General NPDES Permit No. CAS000001, Order No. 97-03-DWQ, for Discharges of Storm Water Associated With Industrial Activities

Mr. Cowles:

Enclosed is Notice of Violation (NOV) No. R9-2012-0061 issued to S.C. Tile Company for violations of Order No. 97-03-DWQ, a General NPDES Permit for discharges of storm water associated with industrial activities adopted by the State Water Resources Control Board, and enforced by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board). As described in the NOV, the violations are subject to further enforcement pursuant to the California Water Code. The San Diego Water Board reserves the right to take any enforcement action authorized by law.

Please provide a written response **by October 15, 2012** that confirms the violations have been corrected and identifies a date by which the violations were 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 information located in the heading of this letter: "in reply refer to." For questions pertaining to the subject matter, please contact Ms. Whitney Ghoram at (858) 467-2967 or WGhoram@waterboards.ca.gov.

Respectfully,

David T. Barker
Supervising Water Resource Control Engineer
Surface Water Basins Branch

Mr. Scott Cowles
S.C. Tile Company

- 2 -

September 14, 2012


DTB:esb:wjg
Enclosures (2): NOV Order No. R9-2012-0061
Inspection Report

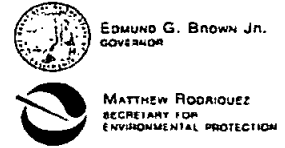
cc: Mr. Tobin Whitt, 3468 East Victoria Drive, Alpine, CA 91901

Tech Staff Info & Use	
Reg. Measure ID	NA
Place ID	S650032
WDID	9371020902
NPDES No.	CAS000001
Inspection ID	2016044
Violation ID	848173
Enforcement ID	409101

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

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Article Number: 7011 0470 0002 8961 5414

In reply refer to:
WDID 937I020902:WGhoram

September 14, 2012

NOTICE OF VIOLATION
No. R9-2012-0061

Mr. Scott Cowles, Owner
2819 Central Avenue
Spring Valley, CA 91941

S.C. Tile Company
WDID: 937I020902

Violations of Order No. 97-03-DWQ

S.C. Tile Company is 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.

S.C. Tile Company is in violation of State Water Resources Control Board (State Water Board) Order No. 97-03-DWQ, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*.

A. Summary of Violations

1. Failure to Implement Structural Best Management Practices (BMPs)

- a. Violation of Order No. 97-03-DWQ, A. Discharge Prohibitions, 1. Except as allowed in Special Conditions (D.1) of this General Permit, materials other than storm water (non-storm water discharges) that discharge either directly or indirectly to waters of the United States are prohibited. Prohibited non-storm water discharges must be either eliminated or permitted by a separate NPDES permit.
- b. Violation of Order No. 97-03-DWQ, A. Discharge Prohibitions, 2. Storm Water discharges and authorized non-storm water discharges shall not cause or threaten to cause pollution, contamination, or nuisance.

GRANT DESTACHE, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

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2. Inspection Observations

On August 2, 2012, the San Diego Water Board conducted a site inspection of S.C. Tile Company at 2819 Central Avenue, Spring Valley, in response to a complaint of intermittent discharges of tile and granite cutting slurry water. Based on topography and elevations, the inspection confirmed that intermittent discharges of tile and granite cutting slurry water onto adjacent property at 8823 Troy Street due to run on of storm water during rain events is highly likely. Furthermore, Scott Cowles, Owner of S.C. Tile Company confirmed that the slurry sump overflows during storm events. These discharges of process water from S.C. Tile Company are prohibited. The run on of storm water from Central Avenue inundates the slurry water sump system causing slurry water to overflow and discharge onto the adjacent property via four concrete drain pipes adjacent to the sump. In addition, the slurry water that discharges onto 8823 Troy Street ultimately flows off of that property to Troy Street and eventually discharges to a natural drainage course tributary to the Sweetwater River, a water of the United States.

B. Summary of Potential Enforcement Options

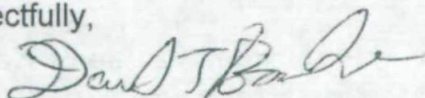
These violations may subject you to additional enforcement by the San Diego Water Board or State Water Board, including a potential civil liability assessment of \$10,000 per day of violation (Water Code section 13385) and/or any of the following enforcement actions:

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 revising or rescinding applicable waste discharge requirements, if any, 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 information located in the heading of this letter: "in reply refer to." Questions pertaining to this Notice of Violation should be directed to Ms. Whitney Ghoram at 858-467-2967 or WGhoram@waterboards.ca.gov.

Respectfully,



David T. Barker, P.E.
Supervising Water Resource Control Engineer
Surface Water Basins Branch

DTB:esb:wjg

Enclosure: Inspection Report w/photos

cc: Mr. Tobin Whitt, 3468 East Victoria Drive, Alpine, CA 91901

Mr. Eric Wiese, Wiese & Associates, 1425 N. 2nd Street, El Cajon, CA 92021

Tech Staff Info & Use	
Reg Measure ID	NA
Place ID	S650032
Order No	97-03-DWQ
WDID	9371020902
NPDES No.	CAS000001
Inspection ID	2016044
Violation ID	848173
Enforcement ID	409101

Storm Water Industrial General Permit Inspection Report

Insp. Date & Time:	August 2, 2012 (09:30 AM)	Inspected By:	Whitney Ghoram
WDID #	9 371020902	SMARTS Inspection #2016044	
Operator Name:	Mr. Scott Cowles, Owner		
Facility Name:	S.C. Tile Company		
Facility Address:	2819 Central Avenue, Spring Valley, CA 91941		
Facility Contact:	Scott Cowles, Owner		

Inspection Type: Complaint Follow up/ County SD Referral			
SWPPP on site?	Undetermined	SWPPP Implemented/Updated?	NA
Photos Taken?	Yes	Appropriate Monitoring Program?	NA
Weather: sunny, 85 degrees		Evidence of Non-SW Discharge?	No, High Potential

The inspection was conducted in response to a complaint of intermittent discharges of tile/granite cutting slurry water onto adjacent property (8823 Troy St- Mini Storage). The San Diego Water Board inspector (Whitney Ghoram) met with SC Tile Owner, Scott Cowles, explained the complaint, and requested that Mr. Cowles implement structural BMPs to prevent run-on during rain events which causes the slurry water sump (Photo1) to overflow and discharge to four (4) drain inlets on the east wall adjacent to the sump (Photo1). The drains daylight in the lot at the Mini Storage at 8823 Troy Street. The Mini Storage lot drains to Troy Street. Mr. Cowles said that an "agency inspector" (possibly the County of San Diego) previously told him not to plug the drain inlets. The San Diego Water Board inspector recommended installation of a curb upslope of the tile and granite cutting area, at the entry gate area of the site, to prevent run-on of storm water from Central Avenue. The San Diego Water Board inspector also requested that the roof structure be extended to the Mini Storage Building wall to prevent direct (vertical) rainfall into the sump (Photo 2).

Records:

The inspector was not able to confirm whether or not a SWPPP was onsite because Administrative Staff was not in at the time of the inspection. The San Diego Water Board Inspector also dropped off annual report forms and requested submittal of the past due 2011-12 annual report. SC Tile Owner, Scott Cowles, said that the receptionist, Vicky Brazinsky, prepared the reports.

Recommendation:

Issue a Notice of Violation to S.C. Tile Company for lack of structural BMP's to prevent run-on and run-off of process waste water. Request Additional BMPs.

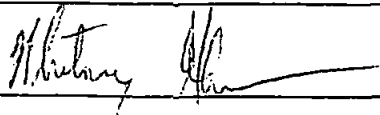
Signature <u></u>	Date <u>9-13-12</u>	Date Entered: <u>08/16/12</u> Entered By: <u>W Ghoram</u> Senior Review: <u>ESB</u>
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Photo 1



Photo 2

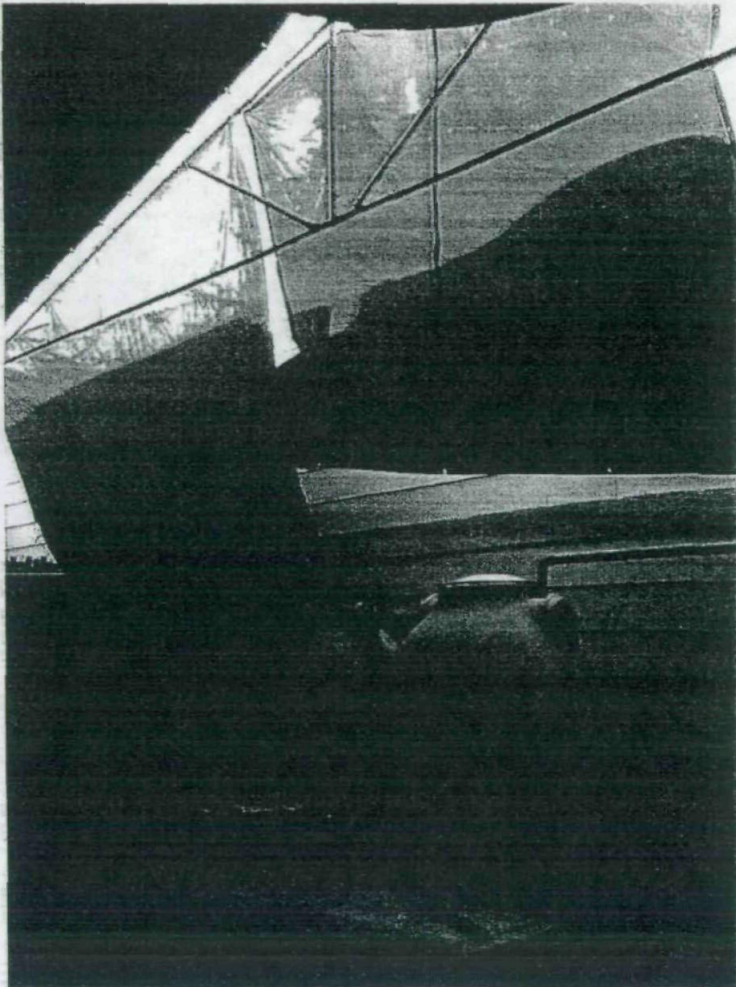


Photo3

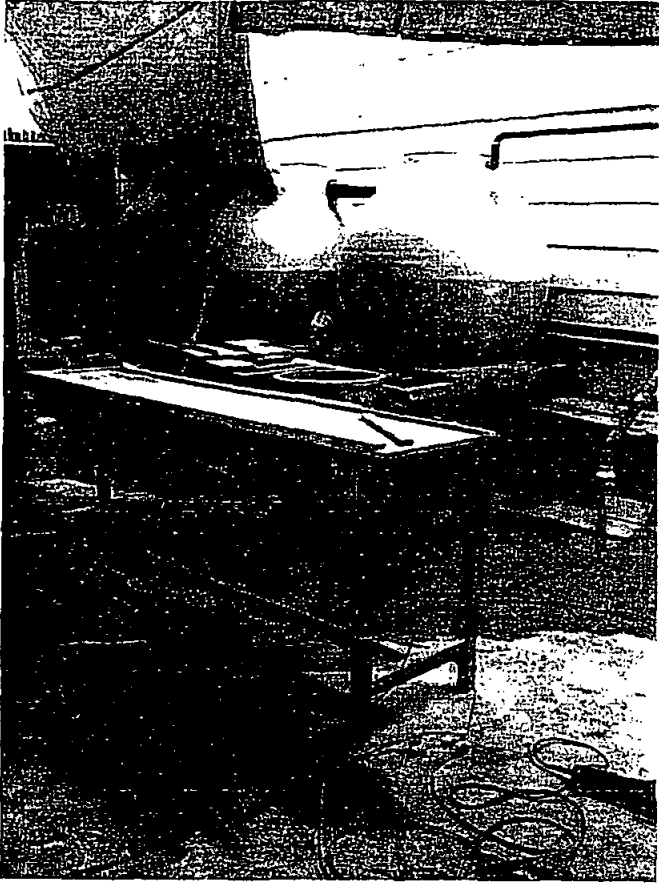


Photo 4



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Sent To Mr. Scott Cowles, S.C. Tile Co.
 Street, Apt. No.,
 or PO Box No. 2819 Central Ave.
 City, State, ZIP+4 Spring Valley, CA 91941

PS Form 3800, August 2006

See Reverse for Instructions

COMPLETE THIS SECTION

2, and 3. Also complete
 1. Delivery is desired.
 2. Address on the reverse
 3. Return the card to you.
 4. The back of the mailpiece,
 5. Where space permits.

Cowles, Owner
Co.
Central Ave.
Spring Valley, CA
91941

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

(Label)

7011 0470 0002 8961 5414

January 2004

Domestic Return Receipt

102595-02-M-1540