California Regional Water Quality Control Board
Santa Ana Region

Linda S. Adams
Secretary for Environmental Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (951) 782-4130 • FAX (951) 781-6288 • TDD (951) 782-3221
www.waterboards.ca.gov/santaana

Arnold Schwarzenegger
Governor

December 29, 2010

Certified Mail
Return Receipt Requested

Gerben Hattinga
GH Dairy No. 1

Ex. 6 Personal Privacy (PP)

NOTICE OF VIOLATION – NO RECEIPT OF CERTIFICATION FOR ENGINEERED WASTE MANAGEMENT PLAN

Dear Mr. Hattinga:

As a current dairy operator within the Santa Ana Regional Water Quality Control Board's (Regional Board) area of authority, I am confident that you are aware that the Regional Board is responsible for regulating the discharge of wastes to land or waters of the State from your dairy operation. Therefore, you should also be aware that conducting concentrated animal feeding operations must comply with the Regional Board's General Waste Discharge Requirements for Concentrated Animal Feeding Operations (dairies and related facilities), Order No. R8-2007-0001, NPDES No. CAG018001 (General Permit). Order No. R8-2007-0001 requires you to develop and fully implement an Engineered Waste Management Plan (EWMP) acceptable to the Executive Officer. Upon completion of construction of all structures identified in the EWMP, you are required to submit a certification from the engineer or other qualified individual who prepared the EWMP that all facilities have been constructed as specified in the accepted EWMP.

As of this date, we have no record of receiving an EWMP implementation certification letter from your engineer or qualified individual. Therefore, you are in violation of Order No. R8-2007-0001, and in accordance with California Water Code Section 13385(c), you are subject to administrative civil liability penalties of $10,000 per day for each day the violation.

Therefore, we request that you submit the above required EWMP certification letter no later than January 21, 2011. If you cannot comply with this permit requirement by this deadline, please provide to us in writing your reason(s) for not being able to do so by the prescribed deadline.

If you have any questions, please contact me at (951) 782-4992 (smayville@waterboards.ca.gov), or you may contact Ed Kashak at (951) 782-3292 (ekashak@waterboards.ca.gov), or J. Shami at (951) 782-3288 (jshami@waterboards.ca.gov).

Sincerely,

Stephen D. Mayville, RCE
Chief, Enforcement and Dairy Units

cc w/o enclosure: Robert Vanden Heuvel, Milk Producers Council
Pat Boldt, Milk Producers Council
Jim Griffin, Western United Dairymen
Lawyers for Clean Water
Orange County Coastkeeper
David Beckman, Natural Resources Defense Council
Min-Le Cheng, West Valley Mosquito & Vector Control District
Northwest Mosquito & Vector Control District
Dave Bunting, Nolte Engineering
John Godinho

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GERBEN HETTINGA

GH DAIRY NO. 1

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PS Form 3800, August 2006 See Reverse for Instructions