



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

September 29, 2009

CERTIFIED MAIL No. 70000520002161081773  
RETURN RECEIPT REQUESTED

Mr. Renato Balov, President  
San Pedro Forklift  
2418 E. Sepulveda Boulevard  
Long Beach, California 90810

Re: **Administrative Complaint For Clean Water Act Violations by San Pedro Forklift, Inc. at the Port of Los Angeles**

Dear Mr. Balov:

Enclosed please find an "Administrative Complaint, Findings of Violation, Notice of Proposed Assessment of A Civil Penalty, and Notice of Opportunity to request A Hearing Thereon," directed to San Pedro Forklift ("San Pedro"). The Water Division of the Environmental Protection Agency, Region IX ("EPA") is seeking penalties from San Pedro for violations of the Clean Water Act ("the Act"), 33 U.S.C. § 1311(a) which regulates discharges of pollutants to waters of the United States.

Pursuant to Section 309(g)(2)(B) of the Act, 33 U.S.C. § 1319(g)(2)(B), EPA may issue an order assessing an administrative civil penalty of not more than \$10,000 per day for each day during which the violation continues, up to a maximum penalty of \$125,000. Pursuant to the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, and 40 C.F.R. Part 19, the administrative assessment of civil penalties may not exceed \$16,000 per day for each day during which the violation continues, up to a maximum penalty of \$177,500. *See also* 73 Fed. Reg. 75340 (December 11, 2008) (2008 Penalty Inflation Rule). The enclosed Complaint proposes a penalty of up to \$177,500. San Pedro must file an Answer, in accordance with requirements of 40 C.F.R. Part 22, to avoid entry of a default order against it.

If you have any questions, please have your counsel contact Julia Jackson of our Office of Regional Counsel at the above address, by telephone at (415) 972-3948, or by fax at (415) 947-3570.

Sincerely,

A handwritten signature in cursive script that reads "Alexis Strauss".

Alexis Strauss  
Director  
Water Division

Enclosures: Findings and Proposed Administrative Order With Administrative Civil  
Penalty; 40 C.F.R. Part 22