

Department Of Environmental Health and Quality
5500 Overland Ave, Suite 170
San Diego, CA 92123
Solid Waste Local Enforcement Agency

In the Matter of:) NOTICE AND ORDER RE
SECY Inc) PENALTY ASSESSMENT
) NO. EA-2026-01
)
Regarding property described by the following) PUBLIC RESOURCES CODE (PRC)
legal description:) §44000.5, §44002, §45010.1
) CALIFORNIA CODE OF REGULATIONS (CCR)
SEC 35-17S-7E DOC76-118620) Title 14 §17381.1(e)
OF
(APN: 613-080-40-00)
42748 Old Highway 80, Jacumba, CA 91934

To: *Samad Attisha, Registered Agent*
SECY Inc
7640 University Avenue, Suite A
La Mesa, CA 91942

1.0 PLEASE TAKE NOTICE THAT:

- 1.1 The Department of Environmental Health and Quality (DEHQ), Solid Waste Local Enforcement Agency (LEA) for San Diego County issues this Notice and Order establishing a time schedule and an Administrative Civil penalty (ACP) assessment if compliance is not achieved in accordance with the time schedule to Mr. Samad Attisha, Registered Agent for SECY Inc, for failure to take the necessary corrective actions to comply with the directives set forth in Notice and Order No. 2021-01 Cease and Desist Order (March 3, 2021) by June 8, 2021, and the subsequent Notice and Order No. 2021-03 (December 8, 2021) and the Amended Notice and Order No. 2025-01 (May 6, 2025).
- 1.2 Public Resource Code (PRC) §45010.1 and §45011 authorize the Enforcement Agency (EA) to issue an Order establishing a date for full compliance and to administratively impose a civil penalty for each violation of the requirements of Division 30 of the PRC or an order issued under the same chapter, for each day the violation continues.

2.0 STATEMENT OF FACTS:

- 2.1 The DEHQ LEA has the authority to act as the EA for violation of Division 30 of PRC pursuant to §43200, et seq. Moreover, §45000 of the PRC and §18304 of Title 14 of the California Code of Regulations (CCR) provide the EA with the authority to issue an administrative order requiring a person in violation of this Division to take corrective actions as necessary to abate a nuisance, or to protect human health and safety or the environment. On March 17, 2020, SECY Inc (Respondent) became the legal owner of real property located at 42748 Old Highway 80, Jacumba, CA 91934, APN# 613-080-40-00, pursuant to a Grant Deed recorded with the County of San Diego Assessor/Recorder/Clerk Office attached hereto as "Exhibit A".
- 2.2 On May 21, 2020, the LEA received an email from Mr. Michael Johnson with the County of San Diego Department of Planning and Development Services, Code Compliance Division (PDS Codes), stating that



1 Mr. Vince Kattoula was the current point of contact for the above-identified property owner and provided the
2 LEA with Mr. Kattoula's email address.

3 2.3 On June 24, 2020, the LEA emailed Mr. Kattoula requesting a site inspection to evaluate current site
4 conditions. The LEA did not receive any written response directly from Mr. Kattoula regarding the LEA
5 request for an on-site LEA inspection.

6 2.4 On July 8, 2020, July 10, 2020, and August 28, 2020, Mr. Johnson emailed Mr. Kattoula about scheduling
7 a site inspection. The LEA was copied on the July 10, 2020, and August 28, 2020, emails. Mr. Johnson's
8 email stated DEHQ would also be included in the site inspection.

9 2.5 On August 28, 2020, Mr. Kattoula responded to Mr. Johnson, copied the LEA, and stated, "We've been
10 trying to get Dan [Daniel Miller, previous owner] off the property; however, due to COVID, the court closure
11 has made it impossible for us to evict him. Staff can go ahead and drive by the property, but it's my
12 understanding that the site is locked up, and you will not be able to enter. If staff do drive out, could you
13 please send me pictures of the additional material?"

14 2.6 On September 30, 2020, Mr. Johnson provided Mr. Kattoula with the photographs taken from their drive-
15 by inspection. Mr. Johnson stated that, based on PDS Codes, review, it appears that the solid waste on
16 the site is expanding. He also requested a virtual meeting with Mr. Kattoula and the property owner to
17 discuss the next steps.

18 2.7 On October 27, 2020, the LEA filed documentation with the California Department of Resource Recycling
19 and Recovery (CalRecycle) to register this illegal disposal site, referred to as "Old HWY 80 Illegal Disposal
20 Site (IDS)" in the Solid Waste Information System (SWIS). Per CalRecycle direction, the LEA listed Daniel
21 Miller as the landfill operator and SECV Inc as the current property owner and noted that quarterly site
22 inspections will be conducted pursuant to PRC §43209.

23 2.8 On October 28, 2020, CalRecycle issued SWIS# 37-CR-0132 for the Old HWY 80 Illegal Disposal Site
24 (IDS) and confirmed that it will be subject to quarterly site inspections.

25 2.9 On December 18, 2020, the LEA conducted an inspection and issued a violation for 27 CCR §21190 - Post
26 Closure Land Use for excess storage of processed and unprocessed inert debris and for accepting and
27 processing solid waste debris or inert debris. A violation was also issued for 27 CCR §20530 - Site Security
28 for the solid waste debris and other regulated waste illegally dumped along the front of the property and
29 public right-of-way. Corrective actions included immediately cease and desist the acceptance of solid waste
30 debris and other regulated waste without LEA approval, arrange for a follow-up site inspection, and within
31 forty-five (45) days submit a Change of Ownership Notice (Form 675).

32 2.10 On March 3, 2021, the LEA issued a Cease and Desist Notice & Order (Order No. 2021-01) to the property
33 owner, SECV Inc, for accepting solid waste and operating an illegal disposal site without a permit in violation
34 of PRC §44002. Notice and Order 2021-01 required compliance with items 1 through 6 listed below which
35 are subject to administrative and/or civil penalties as follows:

- 36 1. Immediately cease and desist receiving any solid waste.
- 37 2. Immediately cease the operation of a Small Volume CDI Debris Processing Operation and a
38 Limited Volume Transfer Operation (LVTO).
- 39 3. Within 10 days of receipt of this order, make the necessary arrangements to allow the LEA to
40 conduct an inspection of this site before March 31, 2021.
- 41 4. Within 30 days of receipt of this order, provide a plan for review and approval that contains the
42 necessary steps to direct haul of all surface waste to a permitted solid waste disposal site or
43 approved recycling facility. Retain receipts of all waste and recyclable material removed off-site

1 for submittal to the LEA to document proper disposal. Submit DEH-LEA application (DEH: LEA-
2 990) including associated fees \$612.00 for plan review and approval.

3 5. Within 90 days of receiving this order, remove all municipal solid waste, electronic waste, and
4 appliances from the solid waste disposal site or recycling facility and provide the LEA with
5 documentation for the proper management of the municipal solid waste and recyclables.

6 6. If you desire to operate a Small Volume CDI debris processing operation and a LVTO, submit
7 within 30 days the following items to the LEA for review and approval:

8 a. Two (2) application packages for each EA Notification: Small Volume CDI debris
9 processing operation and LVTO (CIWMB Form 169 attached for your convenience).

10 b. For the Small Volume CDI debris processing operation, submit an operations plan
11 pursuant to 14 CCR §17386 – Operations Plans.

12 c. Two (2) DEH-LEA applications (DEH: LEA-990) including associated fees for LEA review
13 of application package. For a single application, this fee is \$612.00 for each application
14 plus the filing cost for the California Environmental Quality Act Notice of Exemption
15 (\$50.00) for each operation.

16 d. Provide a written notification to the local planning department of the operator's intent to
17 commence one or both of these operations.

18 The March 3, 2021, Notice and Order 2021-01 Cease and Desist Order further noted that the LEA has the
19 authority to administratively impose a civil penalty not to exceed five thousand dollars (\$5,000) for each
20 day on which the violation occurs if compliance is not achieved within the time schedule set forth in the
21 Order.

22 2.11 On March 25, 2021, the LEA, Certified Unified Program Agency (CUPA) and PDS Codes staff met with Mr.
23 Samad Attisha, the Registered Agent for the property owner, SECV Inc, and his consultant Mr. Kattoula to
24 conduct a site inspection. During the inspection, the LEA observed additional illegally dumped solid waste
25 debris along the County right-of-way and SECV Inc property, including mattresses, tires, solid waste debris,
26 household hazardous waste, furniture, electronic waste, cathode ray tubes, appliances, and other metal.
27 Additional waste within the SECV Inc property included approximately 5,000 cubic yards of unprocessed
28 and processed inert debris, 1,500 cubic yards of construction debris, 350 waste tires, recycled metal,
29 regulated waste such as 100+ broken fluorescent light tubes, compressed cylinders, used oil, oil filters, and
30 universal waste at the surface. Additional solid waste debris was observed partially buried along the site
31 drainage course and buried waste had been exposed due to soil erosion along the north side slope of the
32 asphalt top deck.

33 2.12 On June 29, 2021, the LEA conducted a site inspection and observed that additional solid waste debris
34 had been illegally dumped along the right-of-way and on the adjacent property since the previous
35 inspection. Signs had not been posted to minimize the illegal dumping activities as directed by the LEA in
36 the March 25, 2021, inspection report. Some appliances and other metal had been placed within two roll-
37 off boxes and stored on the property. Mr. Kattoula stated that this was the result of the on-site caretaker's
38 waste consolidation efforts. The amount of unprocessed and processed inert debris and the construction
39 and demolition waste debris on the property was observed to have remained unchanged on-site.

40 2.13 On July 15, 2021, LEA staff, CUPA staff, and staff for the County of San Diego Department of Public Works
41 (DPW) and PDS Codes had a conference call with Mr. Kattoula. The LEA summarized the Cease and
42 Desist Order corrective action requirements, pending civil penalties, and summarized the results of the
43 June 29, 2021, drive-by inspection. Mr. Kattoula was required to provide a status update on the required
44 corrective actions in the Cease and Desist Order. Mr. Kattoula stated the property is not receiving any

1 waste debris or operating as a disposal site, and the waste on the right-of-way will not be disposed. Mr.
2 Kattoula was willing to work with the CUPA on their permit and PDS to arrange a site inspection.

3 2.14 On August 23, 2021, the LEA conducted a site inspection with staff from DEHQ, PDS, and the District
4 Attorney's office, Mr. Attisha, and Mr. Kattoula. Mr. Attisha authorized the County agencies to conduct a
5 site inspection and take samples and photographs. Mr. Leon Wirschem with DEHQ/HIRT Program took
6 samples from the construction debris piles and from other unknown hazardous material containers. Some
7 additional solid waste debris was observed to have been illegally dumped along the right-of-way. The
8 unprocessed and processed inert debris and the construction debris piles remained on-site as observed
9 during the previous LEA site inspections. DPW had posted "Dumping Prohibited" signs along the right-of-
10 way.

11 2.15 On November 19, 2021, the LEA conducted a site inspection. Some additional solid waste debris was
12 observed to have been illegally dumped along the right-of-way. The unprocessed and processed inert
13 debris and construction debris piles remain on-site, as observed during the previous LEA site inspection.
14 No-dumping signs continue to be posted along the right-of-way.

15 2.16 On December 8, 2021, the LEA issued Notice and Order 2021-03 Corrective Action Order to Mr. Attisha,
16 Registered Agent for the property owner, SECV Inc, for violation of PRC §44000.5(a) and §44002(a)(1).
17 Notice and Order 2021-03 ordered the owner/operator to cease and desist operating a solid waste disposal
18 site on APN 613-080-40-00 and to submit a corrective action plan and Community Health and Safety Plan
19 by February 6, 2022. Up to the present time, SECV Inc has not submitted a corrective action plan or
20 Community Health and Safety Plan to the LEA to demonstrate compliance with Notice and Order 2021-03
21 Corrective Action Order items 1 through 7 listed below, which is now subject to administrative and/or civil
22 penalties.

- 23 1. Cease and Desist operating a solid waste disposal site on APN 613-080-40-00 pursuant to PRC
24 §44002(b).
- 25 2. Submit a corrective action plan designed and stamped by a California licensed civil or
26 environmental engineer within sixty (60) calendar days (February 6, 2022) upon receipt of this
27 order and/or the LEA posting of the order on or near the property.
- 28 3. The plan shall include a scope of work that includes the proposed methods, equipment, sampling
29 methodologies, permitting requirements, soil and solid waste management plan for conducting a
30 below ground site investigation primarily within the north and northeast asphalt capped area, the
31 circular soil area surrounded with waste tires north of the asphalt capped area, and the partially
32 buried waste piles observed along the northern access road and the northeast drainage channel to
33 determine the vertical and horizontal extent of the buried waste for proper characterization,
34 management and disposal. The plan shall also address the proposed methods to manage the
35 unprocessed and processed inert debris (concrete/asphalt) at the surface including the proposed
36 inert debris end use to comply with 14 California Code of Regulations (CCR) §17381.1(e) storage
37 requirements. The plan shall include estimated timelines to complete the site investigation
38 activities.
- 39 4. Submit a Community Health and Safety Plan for the proposed subsurface investigation to minimize
40 potential community exposure to dust and other potential hazards from the site excavation activities
41 and/or released, which may migrate off-site and to ensure community awareness associated with
42 the excavation activities.

- 1 5. The final disposition of solid waste or recycled materials removed off-site for disposal or further
2 processing will need to be identified within the plan and accepted at a permitted or approved
3 recycling facility.
- 4 6. The treated wood waste, household hazardous waste, universal waste, appliances, waste tires
5 and other regulated waste shall also be managed in accordance with state and federal regulations.
- 6 7. Complete and submit an LEA application that includes an initial application processing fee for the
7 LEA to review the plan for approval.

8 The December 8, 2021, Notice and Order 2021-03 Corrective Action Order further noted that the LEA has
9 the authority to administratively impose civil penalties not to exceed five thousand dollars (\$5,000) for each
10 day on which the violation occurs if compliance is not achieved within the time schedule set forth in the
11 Order.

12 2.17 On February 4, 2022, the LEA conducted a site inspection with members of the County District Attorney's
13 office, CUPA staff, the previous owner, Mr. Daniel Miller, and his legal counsel, Mr. Todd Abbott. Solid
14 waste, including major appliances, oil containers, and e-waste, was observed along the right of way.
15 Additionally, approximately 1,500 cubic yards of unprocessed construction and demolition waste debris
16 observed during previous inspections remains unchanged on-site.

17 2.18 On May 25, 2022, the LEA conducted a drive-by inspection outside the site as site access was denied. The
18 major appliances and e-waste on the right-of-way were removed; additionally, the unprocessed and
19 processed inert debris and the construction and demolition waste debris on the property were observed to
20 have remained unchanged on-site.

21 2.19 On August 11, 2022, the LEA conducted a site inspection. The on-site caretaker, Mr. Randy Cook, stated
22 he has been processing and separating some of the surface material, such as metals and Type-A inert
23 debris, and recycling them. Additionally, it was reported that the owner has been having yard sales on the
24 weekend to sell/remove some of the miscellaneous items on-site. The LEA explained to the operator to
25 retain receipts of recycled materials.

26 2.20 On November 22, 2022, the LEA conducted a site inspection. Processed and unprocessed construction
27 debris/asphalt remains on the right-of-way and on-site; however, progress had been seen as some asphalt
28 staged on the northwest section of the site had been removed. The LEA issued an inspection report
29 requesting that by January 1, 2023, the operator provide the LEA with copies of the receipts for the asphalt
30 that has been removed from the site, provide an update on any work done with the previous property owner
31 towards gaining compliance with violations issued by the LEA, provide the status of the overdue proposed
32 corrective action plan designed and stamped by a civil engineer to characterize and delineate the buried
33 waste previously observed on the property, and to properly manage the unprocessed and processed inert
34 debris that is deemed to have been illegally disposed for exceeding the storage timelines.

35 2.21 On February 28, 2023, the LEA conducted a site inspection. The owner failed to comply with the LEA
36 directives by January 1, 2023, as required in the November 22, 2022, inspection report.

37 2.22 On May 31, 2023, the LEA was unable to contact the on-site caretaker or property owner. An inspection
38 was conducted in the public right-of-way along the roadside. Unprocessed construction debris was
39 observed unchanged on-site.

40 2.23 On August 17, 2023, LEA and PDS Codes staff had a scheduled appointment to complete a site inspection.
41 Mr. Cook canceled the site inspection appointment on the scheduled day. An inspection was conducted in
42 the public right-of-way along the roadside next to the property. There were no changes in the amount of
43 processed and unprocessed construction/asphalt (Type-A inert debris) on-site.

- 1 2.24 On December 13, 2023, LEA and PDS Codes staff conducted a site inspection. Asphalt along the roadway
2 remains unchanged from the previous inspection photos. Per Mr. Cook, additional asphalt is scheduled to
3 be trucked off-site for disposal beginning in Spring 2024. Unprocessed construction debris remains on-site
4 and six (6) vehicles and all aluminum scrap metal from the pile of debris on-site have been removed.
- 5 2.25 On February 22, 2024, the LEA conducted a site inspection. Asphalt along the roadway was unchanged.
6 Some materials and vehicles were removed from the site, as judged by previous inspection photos. Mr.
7 Cook was loading material and transferring it to a recycling facility in Lakeside.
- 8 2.26 On May 8, 2024, LEA, PDS Codes, and CUPA staff conducted a site inspection. A new roll-off bin for
9 material and a bobcat were present on-site to assist with cleanup activities. Scrap metal had been
10 separated from larger piles of debris on-site. Asphalt piles on-site have not visibly changed since the
11 previous inspection.
- 12 2.27 On November 27, 2024, the LEA conducted a site inspection, during which significant amounts of waste
13 continue to be observed across the site, including, but not limited to, recreation vehicles (RVs), asphalt,
14 and e-waste. Mr. Cook stated he was cleaning up the site. During the inspection, tickets and receipts for
15 the outbound waste were requested. The LEA followed up by requesting the tickets via text and email;
16 however, as of April 1, 2026, the requested documentation has not been provided.
- 17 2.28 On February 28, 2025, the LEA conducted a site inspection. The site conditions are consistent with prior
18 inspections, with significant surface waste and waste still buried and undisturbed. Mr. Cook stated that
19 three or four recreational vehicles were removed, but large piles of mixed waste remain for manual
20 processing. Dump tickets and receipts for the outbound waste were requested during the inspection and
21 were not provided.
- 22 2.29 On May 6, 2025, the LEA issued Amended Notice and Order 2025-01, requiring submission of a
23 corrective action plan and Community Health and Safety Plan for the implementation of remediation
24 activities by September 3, 2025. To date, SECV Inc has not submitted a corrective action plan or
25 Community Health and Safety Plan to the LEA to demonstrate compliance with Notice and Order 2025-
26 01 Amended Notice and Order items 2 through 5 listed below, which is now subject to administrative
27 and/or civil penalties.
- 28 2. Submit a corrective action plan (plan) designed and stamped by a California licensed civil or
29 environmental engineer within one hundred and twenty (120) calendar days (September 3, 2025)
30 upon receipt of this order. The plan shall describe in detail site investigation and remediation
31 activities that will determine how disposed solid wastes will be removed from the site and/or
32 recycled and include estimated timelines for completing the site investigation and remediation
33 activities. The corrective action plan shall include an implementation schedule with estimated
34 timelines for completing the remediation activities.
 - 35 3. Upon receipt of LEA approval for the corrective action plan, begin implementing the corrective
36 action plan as described in the implementation schedule.
 - 37 4. Submit a Community Health and Safety Plan for the proposed site investigation and remediation
38 activities to minimize potential community exposures to dust and other potential hazards from site
39 excavation activities and/or releases of which may migrate off-site and to assure community
40 awareness associated with the excavation activities.
 - 41 5. Complete and submit an LEA application that includes an initial processing fee of \$766.00.
- 42 2.30 On May 29, 2025, the LEA conducted a site inspection with permission from the on-site caretaker, Mr.
43 Cook. Site conditions remained unchanged, and no solid waste had been removed. Mr. Cook provided

1 receipts for two recreational vehicles (RVs) scheduled for removal and reported limited hazardous waste
2 removal without documentation.

3 2.31 On August 19, 2025, the LEA conducted a site inspection with access granted by Mr. Cook. Site conditions
4 appeared consistent with the previous inspection. Mr. Cook reported that some asphalt piles had been
5 removed but was unable to provide receipts or documentation.

6 2.32 On August 27, 2025, LEA staff held a meeting with Mr. Attisha. The LEA granted an additional 30 days,
7 until September 28, 2025, to retain a consultant and submit a cost estimate for a corrective action plan for
8 removal and proper management of the solid waste at the site. This extension was confirmed via email.

9 2.33 On November 18, 2025, the LEA held a “meet and confer”, pursuant to the requirements of PRC
10 §45010.2, with Mr. Attisha due to continued noncompliance. At the conclusion of this “meet and confer”,
11 action items were issued to Mr. Attisha, which included:

12 1. Mr. Kattoula, on behalf of SECV Inc will retain an environmental consultant to provide a cost
13 analysis for a corrective action plan by mid-December 2025.

14 2. LEA will provide information on civil penalties assessed on the previous property owner (Daniel
15 Miller) upon written request from Mr. Kattoula.

16 3. A follow-up meeting via Microsoft Teams was scheduled at 3 PM on December 17, 2025.

17 2.34 On November 19, 2025, the LEA conducted a site inspection. Site conditions appeared consistent with
18 previous inspections. Mr. Cook stated that some asphalt piles had been removed but he was unable to
19 provide receipts or documentation. Asphalt piles were observed on the northern portion of the site.

20 2.35 On November 26, 2025, the LEA emailed meeting notes summarizing the November 18, 2025,
21 “meet-and-confer” conference with Mr. Attisha. The notes reiterated that remediation of the illegal
22 disposal site remains the property owner’s responsibility, including both surface and subsurface waste.
23 The action items restated in the notes included Mr. Kattoula retaining an environmental consultant for
24 SECV Inc submitting a cost analysis by mid-December 2025, and the LEA providing civil penalty
25 information upon written request. A follow-up meeting was confirmed for December 17, 2025.

26 2.36 On December 15, 2025, Mr. Kattoula informed the LEA that he was unable to attend the meeting
27 scheduled for December 17, 2025, and stated that “Geocon is working on identifying what the entire
28 cleanup scope entails and that Mr. Attisha’s on-site caretaker, Randy Cook, will begin removing the
29 surface trash this week.”

30 2.37 On December 17, 2025, the LEA requested confirmation that Geocon had been formally retained, their
31 scope of work, and whether their role is limited to defining the cleanup scope or includes performing
32 cleanup activities. The LEA further requested that proof of the contract with Geocon, including the scope
33 of work, be provided to the LEA by December 22, 2025. The LEA offered to reschedule a follow-up
34 meeting in January and provided date options for mid-January. The LEA advised that failure to
35 demonstrate meaningful progress toward site cleanup by the next meeting may result in assessment of
36 civil penalties against the property owner.

37 2.38 On December 30, 2025, the LEA attempted to contact Mr. Kattoula by telephone but was unsuccessful.
38 A follow-up email was subsequently sent to confirm whether a meeting date had been selected from the
39 options provided in the December 17, 2025, email.

40 2.39 On January 12, 2026, the LEA received an email from Mr. Attisha with a bid proposal from a company
41 to remove the above ground waste. During a phone conversation with Mr. Attisha, he stated that he
42 would not take responsibility for the subsurface waste because he believed that it was not his
43 responsibility. The bid proposal did not include the cost analysis for the corrective action plan as
44 requested in the meeting on November 18, 2025.

1 2.40 On January 14, 2026, during a phone conversation, Mr. Attisha stated he would not provide a cost
2 analysis, stating that cleanup should not be his responsibility. The LEA reiterated that, as documented
3 in meeting notes transmitted on November 26, 2025, responsibility includes cleanup of both above
4 ground and subsurface waste. The notes also indicated that Mr. Kattoula agreed to retain an
5 environmental consultant and provide a cost analysis by mid-December 2025. The LEA noted that a
6 follow-up meeting originally scheduled for December 17, 2025, was canceled on December 15, 2025, at
7 Mr. Kattoula's request. Despite multiple emails sent on December 17, 2025, December 30, 2025, and
8 January 8, 2026, offering alternative dates, no meeting has occurred. The LEA also requested
9 clarification regarding Geocon's involvement and whether they remain engaged in identifying the full
10 scope of cleanup activities. Due to missed deadlines and continued noncompliance, the LEA advised
11 that a Notice and Order Penalty Assessment will be issued pursuant to PRC §45010(a) and Title 14
12 CCR §18304.

13 2.41 On January 15, 2026, at the request of Mr. Attisha, the LEA confirmed receipt of a bid for hauling
14 materials from the site via email. The LEA clarified that he had agreed to submit a cost analysis for a
15 comprehensive corrective action plan, not solely a hauling proposal. As of April 1, 2026, the required
16 cost analysis has not been received.

17 2.42 On February 25, 2026, the LEA conducted a site inspection. Waste remains on the property, and site
18 conditions appeared consistent with previous inspections, with little to no observable improvement.
19

20 **3.0 TIME SCHEDULE ORDER AND PENALTY ASSESSMENT**

21 WHEREAS, SECV Inc was operating a solid waste disposal site without the appropriate solid waste facility permit
22 (SWFP) in violation of PRC §44002 by storing Type A inert debris for over two years, exceeding the timeframes for
23 processing (6 months) and storage (1 year), hence, the material is deemed to have been disposed pursuant to 14 CCR
24 §17381.1.

25 WHEREAS, based on the facts described above, SECV Inc was operating an illegal disposal site without the
26 appropriate solid waste facility permit (SWFP), thus requiring the LEA to have issued Notice and Order No. 2021-01
27 Cease and Desist Order on March 3, 2021 and follow up correspondence on March 21, 2021, July 15, 2021, and August
28 23, 2021 pursuant to PRC §44002.

29 WHEREAS, the LEA notified SECV Inc that the site was in violation of PRC §44000.5 and §44002(a)(1) as follows:

- 30 1. The LEA inspected the site on December 18, 2020, March 25, 2021, June 29, 2021, August 23, 2021,
31 November 19, 2021, February 4, 2022, May 25, 2022 August 11, 2022, November 22, 2022, February 28,
32 2023, May 31, 2023, August 17, 2023, December 13, 2023, February 22, 2024, May 8, 2024, November 27,
33 2024, February 28, 2025, May 29, 2025, August 19, 2025, November 19, 2025, and February 25, 2026
34 pursuant to PRC §43209 and observed illegally landfilled material and significant amounts of unprocessed and
35 processed waste at the site.
- 36 2. The LEA issued Notice and Order No. 2021-03 Corrective Action Order for APN 613-080-40-00 on December
37 8, 2021, and Amended Notice and Order No. 2025-01 Corrective Action Order for Old HWY 80 IDS on May 6,
38 2025.
- 39 3. During the above inspections, in the correspondence sent, and in Notice and Order No. 2021-01 Cease and
40 Desist Order, Notice and Order No. 2021-03 Corrective Action Order, and Amended Notice and Order 2025-
41 01, SECV Inc was notified that the property has been found to have illegally disposed of solid waste at 42748
42 Old Highway 80, Jacumba, CA 91934, APN 613-080-40-00 pursuant to PRC §44002 and 14 CCR §17381.1(e).
43 Note: Earlier conducted inspections (in 2018) calculated that the surface waste at the site consisted of
44 approximately 10,000 cubic yards of processed, and approximately 3,000 cubic yards or unprocessed, inert

1 debris existing on the site. Subsurface waste was identified in March 2021, and the extent has not been
2 determined.

3 WHEREAS, consistent with PRC §450210.2, the LEA met with the Respondent on August 27, 2025, September 12,
4 2025, and November 18, 2025, to review the applicable requirements and determine the actions the Respondent will
5 take to bring the site into compliance by the earliest feasible date.

6 WHEREAS, the site remains in violation of PRC §44002 for operating a solid waste disposal site without obtaining a
7 solid waste facility permit. The site also remains out of compliance with the June 8, 2021, deadline to remove all
8 municipal solid waste, electronic waste, appliances, waste tires metals, construction and demolition debris, etc., to a
9 permitted solid waste disposal site or recycling facility, the September 28, 2025, deadline to submit a corrective action
10 plan for the site, and the December 2025 deadline to retain a consultant and provide a cost analysis for a corrective
11 action plan.

12 THEREFORE, pursuant to PRC §45011, the LEA is issuing this Order establishing a time schedule according to which
13 SECV Inc must bring the site into compliance.

14 **SECV INC IS HEREBY ORDERED TO:**

- 15 1. Submit a corrective action plan (plan) designed and stamped by a California licensed civil or environmental
16 engineer within ninety (90) calendar days (July 7, 2026) upon receipt of this Notice and Order. The plan shall
17 describe in detail, site investigation and remediation activities that will determine how disposed solid wastes will
18 be removed from the site and/or recycled and include estimated timelines for completing the site investigation
19 and remediation activities. The corrective action plan shall include an implementation schedule with estimated
20 timelines for completing the remediation activities.
- 21 2. Submit a Community Health and Safety Plan for the proposed site investigation and remediation activities within
22 ninety (90) calendar days (July 7, 2026) upon receipt of this Notice and Order to minimize potential community
23 exposures to dust and other potential hazards from site excavation activities and/or releases of which may
24 migrate off-site and ensure community awareness associated with the excavation activities.
- 25 3. Upon receipt of LEA approval for the corrective action plan and Community Health and Safety Plan, begin
26 implementing the corrective action plan as described in the implementation schedule.
- 27 4. Complete and submit an LEA application that includes an initial processing fee of four (4) hours at the
28 approved Environmental Health Specialist hourly rate, currently \$784.00 for fiscal year 25/26, with the
29 corrective action plan and Community Health and Safety Plan.

30 **Pursuant to PRC §45011, if compliance is not achieved in accordance with the aforementioned time schedule,**
31 **SECV Inc is hereby subject to administrative penalties pursuant to PRC §§44000.5, 44002, 45000, 45005, 45010,**
32 **45010.1, 45010.2, 45011, 45016, and CCR Title 14 §18304, §18304.1 and §18304.2.**

- 33 1. Pursuant to PRC §45011, **upon noncompliance with this Order**, the LEA is assessing administrative
34 penalties in the amount of seven hundred fifty dollars (\$750) for each day that the property owner is in violation
35 beyond the ordered deadline of June 8, 2021, in Notice and Order 2021-01 Cease and Desist Order.
- 36 2. Failure to take required corrective actions by July 8, 2026, will result in 1,856 days past the due date and the
37 assessment of one million, three hundred ninety-two thousand dollars (\$1,392,000) in administrative penalties.
- 38 3. The LEA has the authority to issue this Notice and Order pursuant to PRC §45011. Please note that the
39 issuance of this Notice and Order does not preclude the LEA from taking further legal action to ensure that the
40 violations will be corrected.

41

42 **PLEASE TAKE NOTICE THAT:**

- 43 1. You have the right to appeal this Notice and Order to the Solid Waste Hearing Panel. [PRC §44307]

- 1 2. If you wish to appeal this Notice and Order to the Solid Waste Hearing Panel, you must do so by submitting a
2 written request for a hearing to the undersigned, together with a statement of issues on which your appeal is
3 based, within 15 days from the date you receive this Notice and Order. [PRC §44310]
4 3. An appeal of this Notice and Order does not stay the effect of any provision of this Notice and Order; however,
5 you may petition the Director of CalRecycle, in writing, to stay the effect of this Notice and Order, or portion
6 thereof, pending the completion of your administrative appeal. [PRC §45017(a)(3)(A)]
7

8 This Notice and Order is issued as of the date set forth below.
9

10
11
12 Dated: April 1, 2026
13

14 *Signature*

15 

16 *Heather Buonomo, Director of Environmental Health*
17

18 Acting as the Local Enforcement Agency for the County of San Diego
19

20 Department of Environmental Health and Quality

21 5500 Overland Avenue, Suite 170

22 San Diego, CA 92123

DECLARATION IN SUPPORT OF NOTICE AND ORDER RE PENALTY ASSESSMENT

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I, Jay Agustin, declare under penalty of perjury, pursuant to the laws of the State of California, that the following is true and correct:

1. I am currently employed as an Environmental Health Specialist by the County of San Diego, Department of Environmental Health and Quality (DEHQ), 5500 Overland Avenue San Diego, CA 92123. Pursuant to Public Resources Code (PRC), §43205(b), DEHQ is the enforcement agency (EA) for San Diego County, excluding the City of San Diego. My duties at DEHQ include inspecting solid waste facilities and disposal sites in the unincorporated County to determine their compliance with the Solid Waste Management Act (PRC §40000, *et seq.*) (the Act) and CalRecycle regulations issued pursuant to the Act.
2. I have personal knowledge that the site is in violation of the Act, PRC, and California Code of Regulations, Title 14, through my visual observations of the site during the site inspections I conducted on February 28, 2023, November 27, 2024, February 18, 2025, May 29, 2025, August 27, 2025, November 19, 2025, and February 25, 2026 and review of records on file with the County of San Diego, DEHQ; correspondence sent to the Respondent; and meetings with the Respondent all as described in this Notice and Order.

Executed at 5500 Overland Ave., Suite 170, San Diego, California on April 1, 2026.

By: JayFrancis.Agustin@sdcounty.ca.gov
Jay Agustin
Solid Waste Local Enforcement Agency
Department of Environmental Health and Quality

Digitally signed by
JayFrancis.Agustin@sdcounty.ca.
gov
Date: 2026.04.01 14:17:03 -0700'

Exhibit A

Tax Deed to Purchaser of Tax-Defaulted Property dated March 17, 2020

DAN McALLISTER, COUNTY OF SAN DIEGO TREASURER-TAX COLLECTOR
TAX DEED TO PURCHASER FO TAX-DEFAULTED PROPERTY
PARCEL NUMBER 613-080-40-00
PAGE 2

EXHIBIT 'A'

THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER;
THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THE WEST HALF OF
THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE WEST THREE-QUARTERS OF
THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER LYING NORTHERLY OF THE STATE
HIGHWAY VII-SD-12-G.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE SOUTHEAST QUARTER OF
THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 35, TOWNSHIP 17
SOUTH, RANGE 7 EAST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO,
STATE OF CALIFORNIA, ACCORDING TO U.S. GOVERNMENT SURVEY APPROVED SEPTEMBER 6,
1880.