

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
Summary of Board Actions and Proceedings
at the August 12, 2009 Board Meeting

MINUTES

Minutes of July 1, 2009 Board Meeting.

CONSENT ITEMS

Item 5 - CONSIDERATION OF SETTLEMENT:
Administrative Assessment of Civil Liability
against Ametek Inc. (former Ametek/Ketema
Aerospace Manufacturing Facility) for violation
of Cleanup and Abatement Order No. R9-2002-
0201. The Regional Board will consider
adoption of an Order Assessing Administrative
Civil Liability in accordance with the terms of a
settlement agreement between the Regional
Board Prosecution Team and Ametek, Inc. The
Order would resolve violations alleged in
Complaint No. R9- 2008-0033. The settlement
includes: (1) payment of \$600,000 to the
Regional Board for reimbursement of staff costs
and to the State Water Resources Control Board
Cleanup and Abatement Account; and (2)
suspension of the remaining civil liabilities
pending Ametek, Inc.'s completion of specified
actions set forth in an agreed upon Cleanup and
Abatement Order to the satisfaction of the
Regional Board. If the Regional Board rejects
the settlement, the matter will be rescheduled to
a future public hearing at which time the
Regional Board will consider assessment of civil
liability. (Tentative Order No. R9-2009-0091)
(*Laurie Walsh*)

Item 6 - CONSIDERATION OF SETTLEMENT:
William and Heidi Dickerson; Larry and
Penelope Gunning; and Perry and
Papenhausen, Inc. (Dischargers). Written public
comments will be accepted until 5 p.m. on
August 3, 2009. If the Regional Board rejects
either proposed settlement, then the Petition for
Writ of Mandate matter will return to Superior
Court and consideration of Administrative Civil
Liability (ACL) will be rescheduled for a future
public hearing. (*Frank Melbourne*)

a. Settlement of Petition for Writ of Mandate
(San Diego County Superior Court Case No. 37-
2007-00075848-CU-WM-CTL, September 27,
2007) (tentative Resolution No. R9-2009-0125)
Dischargers challenged the Regional Board's
adoption of Amended Cleanup and Abatement
Order (CAO) Nos. R9-2006-0101 and R9-2006-
0102. In the proposed settlement the Regional

Board will rescind the CAOs in exchange for the
Dischargers dismissing the Superior Court case
REGIONAL BOARD ACTIONS
Approved minutes.

Affirmed Order No. R9-2009-0091.

Adopted Resolution No. R9-2009-0125.

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with prejudice, paying the Regional Board \$67,000 in staff costs, replacing riprap, and replanting eelgrass; and

b. Settlement of Administrative Civil Liability (Tentative Order No. R9-2009-0084). In the proposed settlement the Dischargers will pay a \$61,200 ACL that includes: \$24,000 in satisfaction of ACL Complaint No. R9-2008-0019 for eight alleged mandatory minimum penalty violations of the Dickerson's General NPDES Groundwater Dewatering Permit; and \$37,200 for alleged violations of Regional Board Basin Plan Prohibitions, the Clean Water Act, and Regional Board Water Quality Certification No. 05C-041.

Item 7 - Rescission of Waste Discharge Requirements: Oglebay Norton Industrial Sands, Inc., Mission Viejo Sand Plant, Orange County; Verger Dairy, San Diego County; and Vulcan Materials, Sloan Canyon Sand Plant (Tentative Order No. R9-2009-0106 rescinding Order Nos. 88-55, 94-126, and 96-51) (*Cathryn Henning*)

NON-CONSENT ITEMS

Item 8 - a) NPDES Permit Reissuance: Waste Discharge Requirements for General Dynamics National Steel and Shipbuilding Company (NASSCO) Discharge to San Diego Bay (Tentative Order No. R9-2009-0099, NPDES No. CA0109134) (*Kristin Schwall*)

b) Time Schedule Order: An Order Requiring General Dynamics National Steel And Shipbuilding Company (NASSCO) Discharge to the San Diego Bay to Comply With Requirements Prescribed in Order No. R9-2009-0099 (NPDES No. CA0109134) (Tentative Order No. R9-2009-0117) (*Kristin Schwall*)

Item 9 - NPDES Permit Reissuance: Waste Discharge Requirements for the U.S. Navy, Naval Base San Diego (including the Graving Dock) Discharge to San Diego Bay (Tentative Order No. R9-2009-0100, NPDES Permit No. CA0109169) (*Vicente Rodriguez*)

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Affirmed Order No. R9-2009-0084.

Approved Order No. R9-2009-0106.

Approved Order No. R9-2009-0099 w/errata and supplemental information.

Approved Order No. R9-2009-0117 w/errata and supplemental information.

The hearing was held. The item was continued for 90 days.

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POSTPONED ITEM

Item 10 - NPDES Permit Reissuance: General Waste Discharge Requirements for Discharges of Hydrostatic Test Water and Potable Water to Surface Waters and Storm Drains or Other Conveyance Systems Within the San Diego Region (Tentative Order No. R9-2009-0094, NPDES No. CAG679001) (*Michelle Mata*)

REGIONAL BOARD ACTIONS

Postponed to a future meeting.