

## San Diego Regional Water Quality Control Board

October 21, 2022

Melinda Carmichael, Chief Administrative Officer  
 2260 Jimmy Durante Boulevard  
 Del Mar, CA 92014  
[mcarmichael@sdfair.com](mailto:mcarmichael@sdfair.com)

**Sent by Email Only**

**In reply refer to:**  
 767542:dphan

**Subject: Notice of Applicability (NOA), *General National Pollutant Discharge Elimination System (NPDES) Permit for Residual Firework Pollutant Waste Discharges to Waters of the United States in the San Diego Region from the Public Display of Fireworks*, Order No. R9-2022-0002, NPDES No. CAG999002 (General Order)**

**22<sup>nd</sup> District Agricultural Association, Del Mar, CA 92014 (Project)**

Dear Melinda Carmichael:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has reviewed the September 19, 2022, Notice of Intent (NOI) application for coverage under the General Order submitted by 22nd District Agricultural Association (Discharger). The San Diego Water Board has determined that the NOI is complete and the Discharger is eligible for coverage under the General Order.

### Enrollment Information

The Discharger is hereby enrolled and authorized to discharge under the terms and conditions of the General Order and this NOA. The Discharger and Enrollment Information are summarized in Table 1 below.

**Table 1 - Discharger and Enrollment Information**

<b>WDID</b>	9 000002294
<b>Discharger</b>	22nd District Agricultural Association
<b>Discharger Contact</b>	Dustin Fuller, Supervising Environmental Planner (858) 792-4212
<b>Authorized Persons to Sign and Submit Reports</b>	Melinda Carmichael, Chief Administrative Officer
<b>Event Location</b>	Latitude: 32.97667 N Longitude: 117.25583 W
<b>Expected Event Date</b>	July 4 <sup>th</sup> , annually

<b>Mailing Address</b>	Dustin Fuller, Supervising Environmental Planner 2260 Jimmy Durante Boulevard Del Mar, San Diego, CA 92014
<b>Billing Address</b>	Same as Mailing Address
<b>Type of Facility</b>	Fireworks Event
<b>Major or Minor Facility</b>	Minor
<b>Discharge Category</b>	3 – Lowest Threat to Water Quality
<b>Receiving Water</b>	Stevens Creek
<b>This Enrollment is Effective as of:</b>	October 21, 2022

### **Discharge Specifications**

The Discharger proposes to host fireworks at the San Diego County Fairgrounds on July 4<sup>th</sup> each year. Each fireworks event will last about 25 minutes and is expected to use between 500 to 900 pounds of explosives. The Discharger shall implement the Fireworks Best Management Practices Plan (FBMPP), submitted with the NOI, as well as the FBMPP minimum elements described in section 5.2 of the General Order, to prevent and/or reduce the discharge of pollutants associated with the public display of fireworks. This includes, to the extent practical, collecting, removing, and managing debris found in the firing range and adjacent affected surface waters. The Discharger is advised to periodically review the FBMPP to ensure compliance with the General Order. For each fireworks event, the Discharger is required to conduct visual monitoring following the end of each fireworks event, maintain a Post-Fireworks Display Log, and complete a Display of Fireworks Post-Event Report Form.

### **Notifications**

This NOA may be modified to require technical or monitoring reports to assess the quality of the discharge and its potential impacts on the water quality and beneficial uses of the receiving water.

Failure to comply with the General Order may subject the Discharger to enforcement actions by the San Diego Water Board, including administrative enforcement orders requiring the Discharger to cease and desist from violations or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$10,000 per day per violation and \$10 for each gallon discharged but not cleaned up in excess of 1,000 gallons; referral to the State Attorney General for injunctive relief; and, referral to the District Attorney for criminal prosecution.

### **Petition for Review**

Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 *et seq.* The State Water Board must receive the petition by 5:00 p.m., 30

calendar days after the date of this letter. Copies of the law and regulations applicable to filing petitions may be found at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

### Termination of Discharge

To terminate coverage from the General Order, the Discharger is required under section 2.8 of the General Order, to submit a Notice of Termination (NOT) form (Attachment I), to the San Diego Water Board, requesting the termination date of the discharge. The Discharger shall continue to submit reports in accordance with the reporting schedule until the NOT has been approved by the San Diego Water Board.

In the subject line of any response, please include the reference "767542:dphan". If you have any questions, please contact Debbie Phan at [debbie.phan@waterboards.ca.gov](mailto:debbie.phan@waterboards.ca.gov) or (619) 521-3359.

Respectfully,

DAVID W. GIBSON  
Executive Officer

cc by email:

Debbie Phan, San Diego Water Board, [debbie.phan@waterboards.ca.gov](mailto:debbie.phan@waterboards.ca.gov)  
Dustin Fuller, Supervising Environmental Planner, [dfuller@sdfair.com](mailto:dfuller@sdfair.com)

Tech Staff Info & Use	
Order No.	R9-2022-0002
NPDES No.	CAG999002
CW Place ID (22nd District Agricultural Association - Fireworks Event Locations)	767542
CW Party/Organization ID (22 <sup>nd</sup> District Agricultural Association)	345310
CW Party/Person ID (Dustin Fuller)	518363
CW Party/Person ID (Melinda Carmichael)	628992
CW Regulatory Measure (General Order)	447470
CW Regulatory Measure (Enrollment)	449539
WDID	9 000002294