

**REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**EXECUTIVE OFFICER SUMMARY REPORT**

**DECEMBER 8, 2021**

**ITEM NO. 4**

**SUBJECT**

Consideration of Tentative Order No. R9-2021-0173, *An Order Rescinding Order No. R9-2009-0072, Waste Discharge Requirements for County of San Diego San Pasqual Academy, San Diego County* (Tentative Order No. R9-2021-0173). (Sherrie Komeilyan)

**STAFF RECOMMENDATION**

Staff recommends adoption of Tentative Order No. R9-2021-0173.

**KEY ISSUES**

Tentative Order No. R9-2021-0173 (**Supporting Document 1**), if adopted, rescinds Order No. R9-2009-0072, *Waste Discharge Requirements for County of San Diego San Pasqual Academy, San Diego County* and Addendum No. 1 to Order No. R9-2009-0072, *An Addendum Modifying Waste Discharge Requirements for the San Diego County Sanitation District, San Pasqual Academy Water Pollution Control Facility, San Diego County* (collectively, Order No. R9-2009-0072). The onsite wastewater treatment system (OWTS) at San Pasqual Academy Water Pollution Control Facility (Facility), owned and operated by the County of San Diego (Discharger), will be regulated under State Water Resources Control Board Order WQ 2014-0153-DWQ, *General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems* (General Order).<sup>1</sup>

**PRACTICAL VISION**

Tentative Order No. R9-2021-0173 is consistent with the Strategize for Healthy Waters chapter of the *San Diego Water Board Practical Vision*.<sup>2</sup> The use of statewide permits, like the General Order, help the San Diego Water Board focus staff resources on larger projects and facilities within the region that pose a greater threat to water quality. Additionally, enrolling dischargers in the General Order maintains consistent regulation of small domestic wastewater systems throughout the state.

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<sup>1</sup> General Order:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2014/wqo2014\\_0153\\_dwq.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0153_dwq.pdf)

<sup>2</sup> Practical Vision: [https://www.waterboards.ca.gov/sandiego/water\\_issues/programs/practical\\_vision/](https://www.waterboards.ca.gov/sandiego/water_issues/programs/practical_vision/)

## **DISCUSSION**

The purpose of this item is to provide the Board with information to assist in its consideration of Tentative Order No. R9-2021-0173. If adopted, Tentative Order No. R9-2021-0173 will rescind Order No. R9-2009-0072 and the Facility's enrollment in the General Order will be activated.

The Facility is located at 17701 San Pasqual Valley Road in Escondido, California (**Supporting Document 2**). San Diego Water Board staff inspected the Facility on March 23, 2015. San Diego Water Board staff did not observe any violations of the requirements specified in Order No. R9-2009-0072 during the inspection.

San Diego Water Board staff reviewed the requirements specified in Order No. R9-2009-0072 and determined that the Facility's OWTS is eligible for enrollment in the General Order. Furthermore, Order No. R9-2009-0072 is not as protective of water quality as the requirements specified in the General Order. Implementation of the General Order provides a more appropriate, consistent, and streamlined statewide approach to regulating small domestic wastewater treatment systems. Discharges from small domestic wastewater treatment systems have certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, and flow ranges, and require the same or similar treatment standards. While the Discharger may request to be regulated under individual waste discharge requirements, the Facility's enrollment in the General Order allows the San Diego Water Board to effectively and efficiently regulate discharges from small domestic wastewater treatment systems, while prioritizing the agency's limited resources.

## **SIGNIFICANT CHANGES**

The significant differences between the General Order and Order No. R9-2009-0072 are:

1. Order No. R9-2009-0072 includes specific individual waste discharge requirements for the Facility, whereas the General Order regulates OWTS consistently statewide.
2. The monitoring required by the General Order is less stringent than the monitoring required by Order No. R9-2009-0072. The monitoring and reporting program required by the General Order, however, is more appropriate because it is consistent with the monitoring and reporting requirements for facilities of similar size and discharge across the state.

## **COMPLIANCE RECORD**

The San Diego Water Board issued two staff enforcement letters for the following two violations of Order No. R9-2009-0072:

- Failure to meet the 30-day average discharge specification for chloride in December 2009.
- Failure to submit a complete monitoring report in January 2010.

Since January 2010, no violations of Order No. R9-2009-0072 have occurred.

## **PUBLIC NOTICE**

San Diego Water Board staff sent notification of this action to the Discharger and known interested parties on August 17, 2021 (**Supporting Documents 3 and 4**). Additionally, San Diego Water Board staff posted Tentative Order No. R9-2021-0173 on the San Diego Water Board website on August 17, 2021. The San Diego Water Board received no comments during the public comment period. These actions satisfy the 30-day public notification and comment period requirements of Water Code section 13167.5.

A notice of rescheduled public hearing was sent via e-mail to The County of San Diego on November 5, 2021 (Supporting Document 5) and was also noticed in the December 2021 San Diego Water Board meeting agenda. The notice informed The County of San Diego that the public hearing to consider written and oral public comments and the adoption of Tentative Order No. R9-2021-0173 was rescheduled and will occur at the December 8, 2021, San Diego Water Board meeting.

## **SUPPORTING DOCUMENTS**

1. Tentative Order No. R9-2021-0173
2. San Pasqual Academy Vicinity and Facility Map
3. Tentative Order No. R9-2021-0173 Transmittal Letter
4. Notice of Public Hearing and Written Comment Period
5. Notice of Rescheduled Public Hearing