California Regional Water Quality Control Board

San Diego Region

David Gibson, Executive Officer

Executive Officer's Report

February 9, 2011

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Part A – San Diego Region Staff Activities

1. Personnel Report

Staff Contact: DiAnne Broussard

The Organizational Chart of the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) can be viewed at
http://www.waterboards.ca.gov/sandiego/about_us/org_charts/orgchart.pdf

Promotion
Lori Costa has accepted the Staff Services Analyst position in the Business Support Services Unit. This is a bit of déjà vu for Lori as she held a similar position in the early '90s. She began her State career at the State Water Board Office in Sacramento in 1984. She worked in the Affirmative Action office first as an Office Assistant then as an Office Technician. In April 1990 she was promoted to Staff Services Analyst in the Personnel and Training Office. She was promoted again to Associate Personnel Analyst in August 1993. In the summer of 1996 Lori moved to San Diego with her husband and children. She came to work as the Executive Assistant for Region 9 in January 1997. In her new role she will be responsible for personnel, contracting and purchasing. We are excited about the knowledge and experience she brings to the Business Support Services Unit.

Recruitment
The San Diego Water Board is currently recruiting for a Senior Environmental Scientist to lead the Monitoring Assessment and Research Unit. Vacant positions for the State and Regional Boards are posted on the State Board web page at
http://www.waterboards.ca.gov/about_us/employment/

Part B – Significant Regional Water Quality Issues

1. Sanitary Sewer Overflows (SSOs) November - December 2010 *(Attachment B-1)*

Staff Contact: Christopher Means

The following is a summary of the sewage spills occurring during November and December 2010 and reported and certified by December 31, 2010. Year end Summaries of 2010 public and private spills are attached, as are spill summaries for November and December 2010. Sewage

Collection Agencies report Sanitary Sewer Overflows (SSOs) on-line at the State Water Board's CIWQS database pursuant to the requirements of State Water Board Order No. 2006-0003-DWQ (*General Statewide Waste Discharge Requirements for Sewage Collection Agencies*). Reports on sewage spills are available on a real-time basis to the public from the State Water Board's webpage at: https://ciwqs.waterboards.ca.gov/

Public Spills

During November 2010, there were 11 SSOs from public systems in the San Diego Region reported in the on-line State Water Board CIWQS database. These SSOs included 3 spills of 1,000 gallons or more and 4 spills reaching surface waters, including storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of November 2010 was 5,860 gallons.

During December 2010, there were 34 SSOs from public systems in the San Diego Region reported in the on-line State Water Board's CIWQS database. These SSOs included 23 spills of 1,000 gallons or more and 29 spills that reached surface waters, including storm drains. The combined total volume of sewage spills, reported from all publicly-owned collection systems for the month of December 2010, was 8,195,291 gallons. An overwhelming majority of the volume of sewage spilled in December 2010 was a result of the storms that occurred in the week of December 21-28, 2010. These storms led to spills from high levels of infiltration/inflow and localized infrastructure/pipe failure. In accordance with the State Water Board's Water Quality Enforcement Policy, each of the major spills are currently under investigation for enforcement prioritization by our Compliance Oversight Group.

Reported Private Spills

Twenty eight discharges of untreated sewage from private laterals were reported during November and December 2010 by the collection agencies pursuant to San Diego Water Board Order No. R9-2007-0005 (*Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*). These private lateral spills included no spills of 1,000 gallons or more and 11 spills that reached surface waters, including storm drains. The combined total volume of reported sewage discharges from private lateral systems for the months of November and December 2010 was 5,495 gallons.

November / December 2009 and 2010 Comparison:

Month	Rainfall Total (In.)	Public SSOs	Private SSOs
November 2009	0.12	18	20
November 2010	0.88	11	13
December 2009	2.28	13	26
December 2010	5.0	34	15

Attached are five tables titled:

"November 2010 - Summary of Public Sanitary Sewer Overflows in Region 9"
"December 2010 - Summary of Public Sanitary Sewer Overflows in Region 9"
"Nov - Dec 2010 -Summary of Private Lateral Sewage Discharges in Region 9"
"2010 Summary of Public Sanitary Sewer Overflows in Region 9"
"2010 Summary of Private Lateral Sewage Discharges in Region 9"

Additional information about the San Diego Water Board SSO regulatory program is available at: http://www.waterboards.ca.gov/sandiego/programs/sso.html.

2. Enforcement Actions for January 2011

Staff Contact: Jeremy Haas

During the month of January 2011, the San Diego Water Board initiated the following enforcement actions:

January 2011 Enforcement Actions	Number
Administrative Civil Liability Orders	5
Notice of Violation with section 13267 technical report	1
Notices of Noncompliance with Storm Water Enforcement Act of 1998	2
Notice of Violation	1
Staff Enforcement Letters	4
Total	*13*

A summary of recent regional enforcement actions is provided below. Additional information on violations, enforcement actions, and mandatory minimum penalties is available to the public from the following on-line sources:

State Water Board Office of Enforcement webpage at:
http://www.waterboards.ca.gov/water_issues/programs/enforcement/

California Integrated Water Quality System (CIWQS):
http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml

State Water Board GeoTracker database:
https://geotracker.waterboards.ca.gov/

Administrative Civil Liability (ACL) Orders

Eastern Municipal Water District, Temecula
ACL Order No. R9-2011-0010 against the Eastern Municipal Water District was adopted on January 12, 2011 in the amount of $353,200 for violations resulting from a 1.6 million gallon spill of raw, untreated sewage into Murrieta Creek that occurred on December 25, 2009.

Sea World, Inc., San Diego
ACL Order No. R9-2011-0011 against Sea World, Inc. was adopted on January 12, 2011 in the amount of $6,000 for two violations of Order No. R9-2005-0091. The violations are subject to mandatory minimum penalties pursuant to Water Code section 13385.

Fallbrook Public Utility District, Fallbrook
ACL Order No. R9-2011-0012 against the Fallbrook Public Utility District was adopted on January 12, 2011 in the amount of $3,000 for one violation of Order No. R9-2006-0002. The violation is subject to a mandatory minimum penalty pursuant to Water Code section 13385.

Russo Tile and Marble, Inc., El Cajon
ACL Order No. R9-2011-0013 against Russo Tile and Marble, Inc. was adopted on January 12, 2011 in the amount of $1,700 for one mandatory storm water reporting penalty violation of State Water Board Order No. 97-03-DWQ. The violation is subject to a mandatory minimum penalty pursuant to Water Code section 13399.33.

San Diego Truck Body & Equipment, Lemon Grove
ACL Order No. R9-2011-0014 against San Diego Truck Body & Equipment was adopted on January 12, 2011 in the amount of $4,916 for two reporting violations of State Water Board Order No. 97-03-DWQ and one discretionary penalty for failing to pay annual fees associated with Order No. 97-03-DWQ. The reporting violations are subject to mandatory minimum penalties pursuant to Water Code section 13399.33.

Notice of Violation with Water Code Section 13267 Technical Report

Black Mountain Ranch, LLC, San Diego
NOV No. R9-2011-0025 was issued to Black Mountain Ranch, LLC on January 25, 2011 for violations of Order No. 2009-009-DWQ, *NPDES No. CAS000002, National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* at the Del Sur/Unit 14 construction site in San Diego. Violations cited include failure to prevent sediment-laden discharges, failure to implement best management practices, (BMPs) and failure to implement run-on and runoff controls. On December 22, 2010 San Diego Water Board inspectors observed lack of sediment and erosion controls led to discharges of sediment-laden water into Lusardi Creek, tributary to San Dieguito Creek and Lagoon. Pursuant to Water Code section 13267 Black Mountain Ranch, LLC is required to submit a technical report by February 25, 2011 that describes remedies to the identified deficiencies and other information regarding implementation of construction storm water BMP requirements of Order No. Order No. 2009-009-DWQ. In addition, Black Mountain Ranch, LLC is required to submit results from specific bioassessment, effluent, and receiving

water monitoring activities by June 30, 2011 to determine the extent of the impacts and the effectiveness of BMPs used at the site.

Notice of Violation (NOV)

City of Temecula, Ronald Reagan Sports Park
NOV No. R9-2010-0157 was issued to the City of Temecula on January 13, 2011 for three violations of Clean Water Act section 401 Water Quality Certification No. 07C-113, including unauthorized discharges of turbid water, unauthorized maintenance of desiltation basins, and failure to submit annual reports associated with the Ronald Reagan Sports Park.

Notices of Noncompliance with Storm Water Enforcement Act of 1998

Notice of Requirement to Enroll Under Industrial Storm Water General Permit
Notices of Noncompliance were sent on January 25, 2011 to two facilities (see table below) for failure to enroll in the statewide General Industrial Storm Water Permit Order No. 97-03-DWQ, *National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001 Waste Discharge Requirements (WDRs) for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*. The Notices are the first to inform the dischargers that, pursuant to Water Code section 13399.30(a)(2), failure to enroll will subject them to mandatory penalties. A second Notice will be sent after 30 days to any of the dischargers that fail to enroll. If a Notice of Intent to enroll is not submitted within 30 days of the second Notice, the violation will be subject to a mandatory penalty of not less than $5,000 per year of noncompliance plus staff costs pursuant to Water Code section 13399.33.

Facility Name	Address	City
Quality Iron Products	2500 Sweetwater Springs, Blvd	Spring Valley
Bart's Iron Design Structural Steel	25825 Las Vegas Ave	Capistrano Beach

Staff Enforcement Letters (SEL)

El Guero Tire Shop and Repair, San Diego
An SEL was issued to Mr. and Mrs. Ramiro Montoya for violations of Investigative Order No. R9-2008-0011. The Investigative Order was issued on March 20, 2008 in response to a leak of gasoline from underground storage tanks at the El Guero Tire Shop and Repair facility at 2401 Imperial Avenue, San Diego. The Order required an investigation to determine the nature and extent of soil and groundwater contamination. The SEL was issued because neither the investigation's work plan nor results have been submitted.

South Orange County Wastewater Authority, Multiple Facilities
An SEL was issued to the South Orange County Wastewater Authority on January 4, 2011 for numerous violations of Order No. 97-52 (*Waste Discharge and Water Recycling Requirements*

for the Production and Purveyance of Recycled Water by Member Agencies of the South Orange County Reclamation Authority, Orange County) at two of its member agencies' facilities that occurred in November 2010.

The Moulten Niguel Water District Regional Plant was cited for one violation of the 12-month average discharge specification and one violation of the daily maximum discharge specification for manganese.

The South Coast Water District Coastal Treatment Plant was cited for one violation of the daily maximum discharge specification for manganese and one violation of the 12-month average discharge specification for manganese.

Fallbrook Public Utility District, Treatment Plant No. 1
An SEL was issued to the Fallbrook Public Utility District on January 20, 2011 for one violation at the Treatment Plant No. 1 Facility of the 30-day average fluoride discharge specification in Order No. 91-39 that occurred in September 2010.

California Department of Forestry and Fire Protection, Puerta la Cruz Conservation Camp
An SEL was issued to the California Department of Forestry and Fire Protection on January 6, 2011 for three violations at the Puerta la Cruz Conservation Camp identified in the 2010 Annual Monitoring Report for Order No. 93-012. Cited violations include failure to include groundwater monitoring results for total dissolved solids (TDS) and chloride, failure to include supply water analyses for TDS, and failure to submit information regarding sewage sludge disposal.

3. Grants

Staff Contact: Laurie Walsh

Clean Water Act (CWA) 319(h) Nonpoint Source (NPS) 2011 Grant Program Guidelines
The California NPS Program is making approximately $4.5 million of CWA Section 319 grant funds available to support the restoration of waters impaired by NPS pollution. The State Water Board, Division of Financial Assistance (DFA) received 47 Concept Proposal (CP) Applications for the 2011 CWA 319(h) NPS Grant Program. Of these, 10 planning and 11 implementation CPs were selected to submit full proposals. Full proposals are due to the State Water Board in February 2011. Grant award amounts are between $75,000-$125,000 for planning/assessment projects and $250,000-$750,000 for implementation projects.

For more information on 319(h) NPS Grant Program visit:
http://www.swrcb.ca.gov/water_issues/programs/grants_loans/319h/index.shtml

Integrated Regional Water Management (IRWM) Planning
The Department of Water Resources (DWR) has posted their *draft* funding recommendations for the Proposition 84 IRWM Planning Grants. The San Diego IRWM Region has been recommended for $1 million dollars in funding and the South Orange County IRWM Group about $0.5 million. This grant funding will allow the San Diego IRWM Region and South

Orange County IRWM Group to update their existing IRWM Plans, including regional priorities and metrics, as well as provide for ongoing stakeholder involvement. The San Diego IRWM Region funding will also be used to support new components of the IRWM Plan including collaboration with the San Diego Water Board, salinity and nutrient planning, and integrated flood management. The Upper Santa Margarita IRWM Group was not recommended for funding during this round.

DWR's Planning Grant website contains the drop-down list of recommendations and scores at: http://www.water.ca.gov/irwm/integregio_planning.cfm

Integrated Regional Water Management (IRWM) Implementation
The DWR received 28 Implementation Grant applications for a total grant request of approximately $270M and a total project cost of $1.16B. IRWM Implementation Grants are currently under review and recommendations for funding will go before DWR in June 2011.

DWR's Implementation Grant website contains a list of applications submitted for consideration at: http://www.water.ca.gov/irwm/integregio_implementation.cfm

The following websites can be accessed for additional information and for direction on how to make a project submittal:
San Diego IRWM Region - www.sdirwmp.org.
South Orange County IRWM Group - http://www.ocwatersheds.com/wma_IRWM.aspx
Upper Santa Margarita IRWM Group - https://www.ranchowater.com/irwmp.aspx

IRWM Background Information
The Integrated Regional Water Management Planning Act of 2002 (Act) amended the California Water Code (CWC), commencing with CWC Section 10530, to encourage local water management agencies in California to work cooperatively to manage local and imported water supplies to improve the quality, quantity and reliability of those supplies. To achieve this goal the Act encourages local water management agencies to prepare and adopt IRWM Plans aimed at promoting integrated regional water management to ensure sustainable water uses, reliable water supplies, better water quality, environmental stewardship, efficient urban development, protection of agriculture, and a strong economy.

California voters passed Propositions 50 in 2002 and Propositions 84 and 1E in 2006 to fund competitive grants for projects to improve the quality, quantity and reliability of water supplies consistent with an approved IRWM plan. Proposition 50 provided $500 M to fund competitive grants for projects consistent with an adopted IRWM plan. Proposition 84 provided an additional $1B, for IRWM Planning and Implementation. Proposition 1E, provided $300,000,000 for IRWM Storm Water Flood Management. The funding authorized by these propositions is jointly administered by the DWR and the State Water Board.

The incentive provided by the original Proposition 50 funding as well as the direction provided in grant program guidelines, were major drivers for progress in IRWM over the last several years. The Proposition 84 and 1E grant cycles are continuing this process and will provide at least $71 million to San Diego region over the next few years. This $71 million will be split (in

accordance with the existing funding memorandum) among the three regional IRWM planning groups; San Diego, South Orange County, and Upper Santa Margarita.

To be eligible for Proposition 84 and 1E grant funding, a project must be part of the IRWM Plan. Funding Round 1 began in October 2010. Round 2 should occur in 2011 and Round 3 should follow in 2013. Examples of projects that may be supported by these grants include water conservation programs, recycled water retrofits, infrastructure upgrades, pollution reduction activities, and habitat conservation and preservation.

4. Update – Groundwater Cleanup, AMETEK Facility, El Cajon

Staff Contact: Brian McDaniel

AMETEK Inc. is under a Cleanup and Abatement Order (CAO) to cleanup a chlorinated solvent plume in groundwater originating from the former Ketema Facility at 790 Greenfield Drive in El Cajon. Ametek submitted a Remedial Investigation Report (RI) on December 15, 2010 which included the recommendations listed below. The San Diego Water Board, by letter dated January 24, 2011, concurred with the proposed recommendations:

- Collect discrete-depth groundwater samples from the median of State Route 67 in the vicinity of the Bradley Avenue overpass. The samples will be utilized to assess the potential for off-site contaminant releases related to preferential migration pathways from the Facility.
- Complete additional off-site monitoring wells to further delineate the vertical extent of contaminants migrating from the site.
- Collect additional groundwater samples as part of a continued dye tracing study. Sample results will address preferential migration pathways related to contaminant releases from the facility.
- Continue implementing a remedial pilot test study utilizing hydrogen peroxide to breakdown and reduce contaminants identified during site characterization.

The facility has been used since the 1950s for aerospace manufacturing. Concentrations of solvents in groundwater are above Maximum Contaminant Levels (MCLs) in both on- and off-site wells. MCLs are public health-protective drinking water standards and can be found in California Code of Regulations (CCR) Title 22 sections 64431 - 64444.

The primary contaminants of concern are:

- Trichloroethene (TCE);
- 1,1-Dichloroethene (1,1-DCE);
- 1,1,1-Trichloroethane (1,1,1-TCA);
- Tetrachloroethene (PCE);
- 1,1-dichloroethane (1,1-DCA); and
- 1,4-dioxane.

The CAO required Ametek to submit a Remedial Investigation and Feasibility Study Report in December 2010. In Addendum No. 1 to the CAO, the San Diego Water Board agreed to Ametek's request to separate the required report into two submittals. Ametek indicated this will allow additional time to complete the remedial pilot test study and provide the additional information necessary for a comprehensive Feasibility Study (FS) evaluation.

The next CAO milestone for Ametek is to submit the FS Report 120 days after completion of the remedial pilot test study. The FS report will provide an evaluation of cleanup alternatives, and is expected to be submitted sometime in June 2011. Ametek will submit a Remedial Action Plan 120 days after submittal of the FS evaluation.

5. Basin Plan Triennial Review

Staff Contact: Deborah Woodward

As part of the current review of the Water Quality Control Plan for the San Diego Basin (Basin Plan), also known as the Triennial Review, the first meeting of the Triennial Review Advisory Committee (TRAC) was held on January 27, 2011. The San Diego Water Board created the TRAC to enhance stakeholder participation in the Triennial Review and obtain stakeholder input prior to the formal public comment period. Interested parties were invited to self-nominate for TRAC membership. All nominees were selected to be TRAC members. The TRAC includes representatives of local, state, and federal agencies; tribes; and NGOs.

The product of the Triennial Review is a short list of the highest priority suggested Basin Plan changes for staff to work on over the next three years. The San Diego Water Board has solicited and received suggestions for Basin Plan changes and compiled a list of those suggestions. The TRAC is tasked with prioritizing approximately 60 suggestions and developing a recommended short list. The TRAC is not being asked to consider suggested changes of a "housekeeping" nature or those best addressed by other programs. To complete the Triennial Review, a short list of the highest priority suggestions (potential Basin Plan amendments) will need to be adopted by the San Diego Water Board. An agenda item for that action is scheduled for the June 2011 meeting.

Updates and notices about the Triennial Review are sent to those who subscribe to the "Basin Plan Issues" electronic mailing list at:
http://www.waterboards.ca.gov/resources/email_subscriptions/reg9_subscribe.shtml

Information about the Triennial Review, including a list of TRAC members, is available at:
http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/tri_review.shtml.

The Basin Plan is available at:
http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml

6. International Wastewater Treatment Plant Compliance with Secondary Treatment Requirements *(Attachment B-6)*

Staff Contact: David Barker

The International Boundary and Water Commission, U.S. Section's (IBWC) South Bay International Wastewater Treatment Plant (IWTP), located about 2 miles west of the San Ysidro Port of Entry, has recently been upgraded from an advanced primary to a secondary treatment plant. This facility treats up to 25 million gallons per day (MGD) of sewage flows originating in Tijuana, Mexico and discharges the treated wastewater to the Pacific Ocean through the South Bay Ocean Outfall. The IWTP was designed to treat wastewater flows that exceed the capacity of the existing Tijuana, Mexico sewage collection and treatment system thereby relieving pressure on the Mexican system and reducing transborder wastewater flows in the Tijuana River. The IWTP also receives additional transborder wastewater flows captured by collection and conveyance facilities located adjacent to the international border in four canyons tributary to the Tijuana River.

The IWTP discharge is regulated under the terms of a National Pollutant Discharge Elimination System (NPDES) permit adopted by the San Diego Water Board. The IBWC was under federal court order to achieve full compliance with NPDES permit secondary treatment requirements through construction and operation of IWTP upgrades by January 5, 2011. The IBWC's press release dated January 5, 2011 reported that secondary treatment facilities became operational in November 2010 and the IBWC submitted a status report to the court on December 14, 2010 documenting the actions that had been completed to fulfill the commitment.

On January 7, 2011, the San Diego Water Board inspected the IWTP and obtained preliminary information from IBWC regarding the status of meeting the January 5, 2011 secondary treatment compliance date. Although the preliminary effluent data for December 2010 appears to indicate that the IWTP effluent may be meeting the NPDES permit secondary treatment requirements, a final determination of permit compliance cannot be made until a review of all the effluent data for the January 2011 reporting period is complete. San Diego Water Board staff also discussed the status of on-going wastewater flow bypasses that are compromising IWTP's ability to provide full secondary treatment for all wastewater flows.

As a follow-up to the January 7, 2011 inspection, the San Diego Water Board sent a letter to IBWC dated January 20, 2011 (see Attachment B-6) requesting additional information on the wastewater bypasses and more recent IWTP effluent data to further evaluate the plant's compliance with secondary treatment requirements. The additional information and effluent data is due by February 11, 2011. Staff will provide a compliance status update in a future Executive Officer report.

7. Lake San Marcos Update *(Attachment B-7)*

Staff Contact: Chiara Clemente

Since the last Executive Officer Report update dated 11/2010, the San Diego Water Board has continued to work closely with regulated entities to finalize execution of the Participation

Agreement for voluntary clean-up of nutrients in Lake San Marcos. The Participation Agreement (PA, Attachment B-7a) stipulates the process, timing, roles, and cost-sharing mechanism for dischargers to coordinate diagnostic studies and subsequent clean-up actions. Addendum B to the PA (Attachment B-7b) contains draft provisions for the San Diego Water Board's oversight of the voluntary diagnostic and cleanup effort detailed in the PA. The Board's participation in Addendum B would be in lieu of an enforcement action, provided that the member entities to the PA are working together in accordance with the process described in the PA. The Executive Officer is now prepared to sign Addendum B, and considers this to be the preferred approach because of the substantial interest and investment by several of the stakeholders, the value to be gained in implementing a voluntary alternative to expensive adversarial approaches, and the potential to apply this approach to other watersheds in the San Diego Region.

To date, the City of San Marcos, the Vallecitos Water District, San Marcos Unified School District, and Caltrans have either signed or agreed to sign the PA. The City of Escondido and the County of San Diego are considering signing the PA. All parties have been invited to sign the PA by February 24, 2011, at the San Diego Water Board offices.

The Citizen's Development Corporation (CDC) is the water rights license holder and owner of the lake property. In light of CDC's pending bankruptcy proceeding, the San Diego Water Board is pursuing additional measures to ensure that adequate funds are secured for the CDC's role in the diagnostic and clean-up effort. Mr. David Robinson from the Attorney General's Office will be providing San Diego Water Board legal representation in CDC's bankruptcy proceedings. In order to ensure that the bankruptcy court, as well as creditors in the bankruptcy and any prospective purchasers of Lake San Marcos, are fully aware of the scope of the San Diego Water Board's police and regulatory powers concerning CDC's environmental obligations and the seriousness of Lake San Marcos water quality conditions, an enforcement order may be issued that directs CDC to undertake certain diagnostic work to characterize the conditions of the Lake.

8. Regulation of Brine Waste Discharges from Desalination Facilities *(Attachment B-8)*

Staff Contact: David Barker

On January 12, 2011, the San Diego Water Board adopted Order No. R9-2011-0016 (Order), an NPDES permit for the City of Oceanside's Ocean Outfall discharge. The point established in the Order for compliance with technologically based effluent limitations (TBELs) for a ground water desalination facility brine discharge was a key issue raised by the City Of Oceanside as well as other interested persons in the hearing. The Board Members were particularly concerned that the lack of flexibility may lead to unnecessarily stringent requirements for the discharge of brine and other waste for projects designed to augment local water supply needs. At the conclusion of the hearing the San Diego Water Board Members adopted the tentative Order recommended by staff, but requested that the Executive Officer prepare a written memorandum to the State Water Board expressing their concern that the NPDES regulations may not provide sufficient flexibility for

setting the point of compliance for TBELs in NPDES permits. Accordingly, I directed the drafting of a memorandum to Tom Howard, Executive Director of the State Water Board addressing these concerns and proposing an update to the Ocean Plan Table A that would clarify how brine wastes could be regulated in NPDES permits. A copy of this memorandum (attached to this report) is being sent to US EPA and we will work with State Water Board to elevate this issue in the Ocean Plan ongoing update.

9. **Mission Valley Terminal Cleanup Update**

Staff Contact: Sean McClain

Kinder-Morgan Energy Partners (KMEP) recently reported that cleanup of gasoline free product in soil and groundwater for most of the Qualcomm Stadium area appears to be in compliance with the December 31, 2010 deadline in the cleanup and abatement order. In addition to regular testing of the groundwater and soil vapors, KMEP is planning a vapor rebound study to include in a final compliance evaluation report to demonstrate that residual light non-aqueous phase petroleum liquid (LNAPL, or free product) has been removed to the extent technically practicable from the soil and groundwater beneath Qualcomm Stadium.

One element of the study is to determine the extent to which total petroleum hydrocarbon (TPH) concentrations might increase (i.e. rebound) while the soil vapor extraction (SVE) system is inactive. Monitoring of primary SVE wells, soil vapor (SV) probes, and temporary SV probes within the LNAPL-affected soil will be conducted on a weekly basis for up to six weeks. Although some rebound is expected, a large, persistent increase in soil vapor concentration could indicate that more cleanup is needed.

The San Diego Water Board expects KMEP to submit a compliance evaluation report by June 30, 2011, showing the extent to which gasoline free product has been removed in compliance with the December 31, 2010 deadline. The next deadline for the cleanup is to remove the gasoline constituents dissolved in groundwater. The deadline for that is December 31, 2013.

Although KMEP reported that soil cleanup for most of the Qualcomm Stadium area appears to be in compliance with the cleanup deadline, a new area of LNAPL-affected soil was not. The new area was discovered in July 2009 adjacent to the western limits of the previously known extent of the LNAPL zone. KMEP recently expanded the SVE system into the new area to include a network of 51 additional SVE wells to remediate the LNAPL-affected soil.

The Mission Valley Terminal (MVT) is a 10.5 acre aboveground storage tank (AST) facility located in Murphy Canyon near its terminus at Mission Valley (San Diego River Valley). The MVT is owned and operated by KMEP. Gasoline releases from the terminal created a groundwater contamination plume that extended off-Terminal to the south and southwest. The plume extends over approximately 2,000 feet beneath the Qualcomm Stadium parking lot. The City of San Diego is the land owner and has sued KMEP claiming damages.

KMEP began cleaning up the soil and groundwater in 1994. The cleanup has been expanded several times to include SVE along with groundwater extraction. There are 243 SVE extraction

wells and 19 groundwater extraction wells operating to remove gasoline constituents from the soil and groundwater at this time.

For further information, please visit the State Water Resource Control Board's Geotracker website at http://www.geotracker.waterboards.ca.gov/ (type "SL607392800" in the Global ID and choose "Search for All Sites") to obtain recent groundwater and remediation status reports in PDF format.

10. Remedial Action for Waste Removal from a Former Burn Dump Site at Marine Corps Base Camp Pendleton

Staff Contact: Cheryl Prowell and Beatrice Griffey

The Naval Facilities Engineering Command Southwest (Navy) has excavated 64,636 tons of contaminated soil from a former burn dump, located within the riparian habitat of the Santa Margarita River watershed. The burn dump is also located above a critical municipal water supply for Marine Corps Base Camp Pendleton. This site was one of nine areas used by the Marine Corps to burn refuse from Base operations from 1942 to the early 1970s.

Waste burning operations left behind concentrations of harmful chemicals in soil including antimony, arsenic, chromium, copper, iron, lead, zinc, dioxins, and furans. In addition to contaminated soils, buried drums were also discovered at the site. Chemicals that leaked from the drums along with chemicals from the burn operations have polluted the underlying aquifer. Although the excavation eliminated the sources of the groundwater pollution, residual concentrations of metals, volatile organic compounds, and pesticides remain in the groundwater. In addition to removing the sources of groundwater pollution, the excavation has also eliminated the health risks to humans and wildlife from exposure to the contaminated soils.

The Navy will issue a Final Remedial Action Completion Report for the soil cleanup after all comments from the regulatory agencies (San Diego Water Board, Department of Toxic Substances Control, and USEPA) are adequately addressed. The Navy plans to complete a Data Gaps Analysis Study and a Focused Feasibility Study to address the remaining groundwater pollution at the former burn dump.

11. Status of Soil Cleanup and Brownfield Redevelopment at Stuart Mesa East Agricultural Fields

Staff Contact: Cheryl Prowell

A third phase of soil cleanup has been successfully completed by the Navy in preparation for constructing military housing on the Stuart Mesa East Agricultural Fields at Marine Corps Base Camp Pendleton. The conversion of the agricultural fields into Base housing qualifies as a brownfield redevelopment project because the cleanup will allow the property to be put to a more productive use. The San Diego Water Board will issue a No Further Action letter for this phase of the cleanup if no significant public comments are received in response to the public

notice published in the February 2011 Board Meeting Agenda. This phase of the cleanup involved excavating 611,380 tons of soil to restore 221.9 acres of land located in proximity to the Santa Margarita River and adjacent to Interstate Highway 5.

The Stuart Mesa East Agricultural Fields consist of 376-acres that were contaminated by the pesticides toxaphene and dieldrin in the course of farming operations. Cleanup of this brownfield is being conducted in phases to allow the fields to be redeveloped as quickly as possible in order to meet the timelines in the Marine Corps' "Grow the Force" initiative. The first phase of the soil cleanup was completed in November 2009 and construction of housing in this area is underway. The second phase of the cleanup, completed in May 2010, provided an alignment for the utilities that will serve the planned development. The third phase of the cleanup provided area for additional housing that is scheduled for construction at a later date. The Navy plans to execute the final phase of soil excavation during the spring of 2011.

Part C – Statewide Issues of Importance to the San Diego Region

1. Recommended Comprehensive Monitoring Program Strategy for California

Staff Contact: Bruce Posthumus

California Water Code Sections 13167 and 13181 (as amended and added by Senate Bill 1070 (Kehoe, 2006)) require the boards, departments and offices in the California Environmental Protection Agency and the California Resources Agency to integrate and coordinate their water quality and related ecosystem monitoring, assessment, and reporting. SB 1070 also mandated creation of the California Water Quality Monitoring Council (Monitoring Council), whose members represent a variety of interests. The Monitoring Council is charged with developing specific recommendations to improve the coordination and cost-effectiveness of water quality and ecosystem monitoring and assessment, enhance the integration of monitoring data across departments and agencies, and increase public access to monitoring data and assessment information.

In late December 2010, the Monitoring Council provided a progress report on its work and released its recommended Comprehensive Monitoring Program Strategy for California (Monitoring Strategy) called for by SB 1070. The recommended Monitoring Strategy is intended to ensure that information to address questions of interest to the public (e.g., "Are waters in Mission Bay safe for swimming?") is produced, readily available, and easily understood. The "My Water Quality" website, which is a work in progress, provides a glimpse of what the Monitoring Council envisions.

As reported at the September 2010 meeting, San Diego Water Board staff has begun to lay the groundwork for development and implementation of new and improved monitoring and assessment programs for various types of waters in the San Diego Region. These efforts have been and will continue to be informed by the work of the Monitoring Council.

Links:

1. Information about the Monitoring Council and its recommended Monitoring Strategy:

   http://www.waterboards.ca.gov/mywaterquality/monitoring_council/

2. "My Water Quality" website: www.CaWaterQuality.net

3. Agenda materials for item 18 at the September 2010 meeting ("Assessing the Health of San Diego Region Waters"):

   http://www.waterboards.ca.gov/sandiego/board_info/agendas/2010/sep/item18/eosr_revised.pdf

   http://www.waterboards.ca.gov/sandiego/board_info/agendas/2010/sep/item18/SuppDoc1.pdf

2. Proposed Amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries

Staff Contact: Julie Chan

The State Water Board is proposing amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries - Part 1 Sediment Quality (Bays and Estuaries Plan). The proposed amendments consist of:

- A narrative sediment quality objective for protecting wildlife and fish from harmful effects of pollutants in sediments;
- A means to assess sediment quality in relation to the wildlife and fish objectives; and
- Other minor edits to correct typographical errors, and to clarify and support the proposed additions to the Bays and Estuaries Plan.

A public hearing on the proposed amendments is scheduled for April 4, 2011 at the State Water Board headquarters in Sacramento. The public notice announcing the hearing date, comment period, and other information can be found at this link.

http://www.waterboards.ca.gov/water_issues/programs/bptcp/docs/sediment/012811notice_sqo.pdf

The draft Staff Report/Substitute Environmental Document, proposed draft amendments, draft CEQA checklist, and Draft Economic Analysis are posted at http://www.waterboards.ca.gov/water_issues/programs/bptcp/sediment.shtml

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

Significant NPDES Permits, WDRs, and Actions of the San Diego Water Board

February 9, 2011

APPENDED TO EXECUTIVE OFFICER'S REPORT

DATE OF REPORT
February 3, 2011

TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRS, AND ACTIONS
OF THE SAN DIEGO WATER BOARD

Action Agenda Item	Action Type	Draft Complete	Public Review & Comment	Consent Item
March 9, 2011 Regional Board Meeting ***San Diego Water Board Office***				
Waste Discharge Requirements for Wineries in the San Diego Region *(Grove)*	Informational Item	na	na	na
Former Teledyne Ryan Facility (*Tom Alo*)	Neg. Dec. Adoption	100%	10%	No
Former Teledyne Ryan Facility (*Tom Alo*)	CAO Addendum	90%	0%	No
Poseidon Mitigation Site Approval *(Eric Becker)*	Tentative Resolution	0%	50%	No
Jack Eitzen, Administrative Civil Liability, for violations of Order 99-08-DWQ (*Rebecca Stewart)*	Administrative Civil Liability	20%	75%	No
Jack Eitzen, Administrative Civil Liability, for violations of Basin Plan Prohibitions 1 and 14 and Order No. 99-08-DWQ. (*Rebecca Stewart)*	Administrative Civil Liability	20%	75%	No
Healthy Times, Inc., Administrative Civil Liability, for violations of Order 97-03-DWQ *(Frank Melbourn)*	Administrative Civil Liability	20%	15%	No
April 13, 2011 Regional Board Meeting ***San Diego Water Board Office***				
Status Report on Permit Reissuance for the International Boundary and Water Commission *(Barker / Morris)*	Informational Item	na	na	na
May 11, 2011 Regional Board Meeting ***Mission Viejo***				
Status Report on Harbors and Bays Monitoring *(Busse / Posthumus)*	Informational Item	NA	NA	NA
US Navy--Naval Base San Diego (including Graving Dock) - San Diego Bay *(Kristin Schwall)*	NPDES Permit Reissuance	80%	0%	maybe
NPDES General Permit for Fireworks - San Diego Region *(Michelle Mata)*	NEW NPDES General Permit	90%	40%	No

November 2010 - Summary of Public Sanitary Sewer Overflows in Region 9												
Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Pressure Sewer	Miles of Gravity Sewer	Miles of Laterals	Total Number of SSO locations per 100 miles of Sewer	Tot Vol of SSOs Reaching Surface Water per 100 miles of Sewer
Category 1 SSO												
Rancho Santa Fe Community Services District	Santa Fe Valley CS	1	2,000	2,000	0	100	0	2	14.2	0	6.1	0
San Diego City	San Diego City CS	2	1,740	470	1,180	27	67	145	3,002.00	2,000.00	0	22.9
Vallecitos Water District	Meadowlark CS	1	1,160	1,160	1,160	100	100	19.5	247	0	0.3	435.2
Category 2 SSO												
AC/S Environmental Security, MCB Camp Pendleton	Usmc Base, Camp Pendleton CS	3	140	80	0	57	0	32	104	80	1.3	0
Buena Sanitation District	Buena CS	1	375	375	0	100	0	8	100.9	0	0.9	0
Coronado City	City Of Coronado CS	1	20	20	0	100	0	6.6	39.3	1	2.1	0
San Diego City	San Diego City CS	1	200	0	0	0	0	145	3,002.00	2,000.00	0	0
San Diego Cnty Dept of Public Works	County Of San Diego CS	1	225	225	0	100	0	4	371	64	0.2	0
	TOTALS	**11**	**5860**	**4330**	**2340**			**362.1**	**6880.4**	**4145**		

CS = Collection System

December 2010 - Summary of Public Sanitary Sewer Overflows in Region 9												
Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Pressure Sewer	Miles of Gravity Sewer	Miles of Laterals	Total Number of SSO locations per 100 miles of Sewer	Tot Vol of SSOs Reaching Surface Water per 100 miles of Sewer
Category 1 SSO												
El Cajon City	City Of El Cajon CS	1	94,000	2,000	92,000	2	97	0	195	0	0.5	47,179.40
La Mesa City	City Of La Mesa CS	5	1,320,700	0	1,320,700	0	100	0	155	0	3.2	852,064.50
Laguna Beach City	City Of Laguna Beach CS	5	63,800	0	63,800	0	100	4.5	95	0	5	64,120.60
Marine Corps Base, Camp Pendleton	Usmc Base, Camp Pendleton CS	3	16,250	0	16,250	0	100	32	104	80	1.3	7,523.10
Oceanside PWD	La Salina WWTP, Oceanside CS	2	5,540,000	40,000	5,500,000	0	99	40	450	0	0.4	1,122,448.90
Padre Dam Municipal Water District	Padre Dam CS	2	1,001,200	50	1,001,150	0	99	5	161	0	1.2	603,102.40
San Diego City	San Diego City CS	6	33,840	2,625	31,215	7	92	145	3,002.00	2,000.00	0.1	606.4
San Diego Cnty Dept of Public Works	County Of San Diego CS	2	117,000	0	117,000	0	100	4	371	64	0.4	26,651.40
UC San Diego	University Of California, San Diego CS	1	200	5	195	2	97	2	25	3	3.3	650
Vallecitos Water District	Meadowlark CS	2	7,580	0	7,580	0	100	19.5	247	0	0.7	2,844.20
Category 2 SSO												
Del Mar City	City Of Del Mar CS	1	80	80	0	100	0	1.8	29	0	3.2	0
San Diego City	San Diego City CS	2	360	0	0	0	0	145	3,002.00	2,000.00	0	0
San Diego Cnty Dept of Public Works	County Of San Diego CS	1	235	235	0	100	0	4	371	64	0.2	0
Vallecitos Water District	Meadowlark CS	1	46	46	0	100	0	19.5	247	0	0.3	0
	TOTALS	**34**	**8195291**	**45041**	**8149890**			**422.3**	**8454**	**4211**		
CS = Collection System												

Nov and Dec 2010 - Summary of Private Lateral Sewage Discharges in Region 9										
Reporting Agency	Collection System	Total Number of PLSD locations	Total Vol of PLSDs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Private Lateral	Total Number of PLSD locations per 100 miles of Sewer	Tot Vol of PLSDs Reaching Surface Water per 100 miles of Sewer
Category 1 PLSD										
Carlsbad MWD	Carlsbad MWD CS	1	25	20	5	80	20	124	0.8	4
Fallbrook Public Utility Dist	Fallbrook Plant 1, Oceanside of CS	1	200	200	150	100	75	18	5.5	833.3
Laguna Beach City	City Of Laguna Beach CS	4	610	100	510	16	83	102	3.9	500
San Diego City	San Diego City CS	4	760	90	670	11	88	4,049.00	0.1	32.6
Vista City	City Of Vista CS	1	5	5	5	100	100	151.5	0.6	3.3
Category 2 PLSD										
Coronado City	City Of Coronado CS	1	20	20	0	100	0	50	2	0
Carlsbad MWD	Carlsbad MWD CS	1	10	10	0	100	0	124	0.8	0
Chula Vista City	City Of Chula Vista CS	3	1100	1070	0	97	0	0	0	0
El Cajon City	City Of El Cajon CS	2	440	440	0	100	0	189	1	0
Laguna Beach City	City Of Laguna Beach CS	1	4	0	0	0	0	102	0.9	0
San Diego City	San Diego City CS	8	2,301	2,155	146	93	6	4,049.00	0.3	7.1
San Juan Capistrano City	City Of San Juan Capistrano CS	1	20	20	0	100	0	50	2	0
	TOTAL	**28**	**5495**	**4130**	**1486**			**9008.5**		

CS = Collection System

2010 - Summary of Public Sanitary Sewer Overflows in Region 9												
Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Pressure Sewer	Miles of Gravity Sewer	Miles of Laterals	Total Number of SSO locations per 100 miles of Sewer	Tot Vol of SSOs Reaching Surface Water per 100 miles of Sewer
22nd District Agricultural Association	22nd District Agricultural Association CS	1	50	50	0	100	0	0.7	1.6	0.4	37	0
AC/S Environmental Security, MCB Camp Pendleton	Usmc Base, Camp Pendleton CS	26	46,888	29,700	13,525	63	28	32	104	80	12	6,261.50
Buena Sanitation District	Buena CS	2	905	375	0	41	0	8	100.9	0	1.8	0
Coronado City	City Of Coronado CS	5	332	332	0	100	0	6.6	39.3	1	10.6	0
Ca Dept of Parks & Rec Winterhaven	San Clemente State Beach CS	1	75	75	0	100	0	0	2.1	0.9	33.3	0
Ca Dept of Parks & Rec Winterhaven	**Doheny State Beach CS**	0	0	0	0	0	0	0.1	2	1.5	0	0
Ca Dept of Parks & Rec Winterhaven	San Mateo Campground/ San Onofre CS	1	50	0	0	0	0	1.2	0.6	0.1	52.6	0
Carlsbad MWD	Carlsbad MWD CS	4	266,774	263,423	3,320	98	1	4.8	282	0	1.3	1,157.60
Chula Vista City	City Of Chula Vista CS	8	24,214	19,290	4,899	79	20	2.6	488	0	1.6	998.5
CSU San Diego	**San Diego State University CS**	0	0	0	0	0	0	0	5	4	0	0
Del Mar City	City Of Del Mar CS	1	80	80	0	100	0	1.8	29	0	3.2	0
Eastern Municipal Water District	Temecula Valley RCS	2	9,528	3,000	6,075	31	63	78	1,169.00	0	0.1	487.1
El Cajon City	City Of El Cajon CS	3	94,190	2,120	92,030	2	97	0	195	0	1.5	47,194.80
El Toro Water District	El Toro Water District R9 CS	1	250	0	250	0	100	5	142	36	0.5	136.6
Elsinore Valley Municipal Water Dist	**Southern Section CS**	0	0	0	0	0	0	2	38.1	n/a	0	0
Encinitas City	City Of Encinitas CS	1	42	15	0	35	0	4	120	0	0.8	0
Escondido City	Harrf Disch To San Elijo Oo CS	3	855	0	800	0	93	10.7	365	0	0.7	212.9
Fairbanks Ranch CSD	**Fairbanks Ranch CS**	0	0	0	0	0	0	0.7	15	11.5	0	0
Fallbrook Public Utility Dist	Fallbrook Plant 1, Oceanside of CS	5	7,150	800	6,000	11	83	4.6	76.8	0	6.1	7,371.00
Imperial Beach City	City Of Imperial Beach CS	3	345	29	301	8	87	4.4	39.5	0.3	6.7	680.9
Irvine Ranch Water District	**IRWD El Toro CS**	0	0	0	0	0	0	0.4	27.5	21.9	0	0
Irvine Ranch Water District	**Los Alisos WRP CS**	0	0	0	0	0	0	1.7	127.7	122.1	0	0

Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Pressure Sewer	Miles of Gravity Sewer	Miles of Laterals	Total Number of SSO locations per 100 miles of Sewer	Tot Vol of SSOs Reaching Surface Water per 100 miles of Sewer
La Mesa City	City Of La Mesa CS	8	1,322,780	307	1,320,965	0	99	0	155	0	5.1	852,235.40
Laguna Beach City	City Of Laguna Beach CS	9	64,387	187	64,200	0	99	4.5	95	0	9	64,522.60
Lemon Grove City	**City of Lemon Grove CS**	0	0	0	0	0	0	0.1	62.4	124	0	0.00
Leucadia Wastewater District	Leucadia Wastewater District CS	3	81,080	11,300	69,780	13	86	11.4	193	0	1.4	34,138.90
Marine Corps Base, Camp Pendleton	Usmc Base, Camp Pendleton CS	3	16,250	0	16,250	0	100	32	104	80	1.3	7,523.10
Moulton Niguel Water District	Moulton Niguel Water District CS	1	1,500	0	1,500	0	100	20	510	0	0.1	283
Murrieta WMWD	**Murrieta WMWD CS**	0	0	0	0	0	0	0	200	50	0	0
National City	City Of National City CS	1	1,500	100	1,400	6	93	1	96.9	0	1	1,430.00
Oceanside PWD	La Salina WWTP, Oceanside Otfl CS	5	5,563,175	40,049	5,500,625	0	98	40	450	0	1	1,122,576.50
Olivenhain MWD	4-S Ranch CS	2	7,950	5,450	0	68	0	5.5	40	0	4.3	0
Otay MWD	**Otay Water District CS**	0	0	0	0	0	0	1.7	79.9	23.5	0	0
Padre Dam Municipal Water District	Padre Dam CS	3	1,001,205	55	1,001,150	0	99	5	161	0	1.8	603,102.40
Poway City	**City of Poway CS**	0	0	0	0	0	0	10	178	68	0	0.00
Rainbow MWD	Rainbow Municipal Water Dist CS	2	582	0	0	0	0	4	52	0	3.5	0
Ramona MWD	San Vicente Treatment Plant CS	1	250	0	0	0	0	1	40	21	1.6	0
Ramona MWD	**Santa Maria CS**	0	0	0	0	0	0	4	45	62	0	0
Rancho Claifornia Water District	**Santa Rosa WRF CS**	0	0	0	0	0	0	11	70	0	0	0
Rancho Santa Fe Community Services District	Santa Fe Valley CS	1	2,000	2,000	0	100	0	2	14.2	0	6.1	0
Rancho Santa Fe Community Services District	**Rancho Santa Fe San Dist Plant CS**	0	0	0	0	0	0	6	60	45	0	0
San Clemente City	**City of San Clemente CS**	0	0	0	0	0	0	1	180	0	0	0
San Diego City	San Diego City CS	40	74,164	17,615	39,555	23	53	145	3,002.00	2,000.00	0.7	768.5
San Diego Cnty Dept of Public Works	County Of San Diego CS	9	124,475	3,185	118,100	2	94	4	371	64	2	26,902.00

Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Pressure Sewer	Miles of Gravity Sewer	Miles of Laterals	Total Number of SSO locations per 100 miles of Sewer	Tot Vol of SSOs Reaching Surface Water per 100 miles of Sewer
San Diego Cnty Dept of Public Works	**Heise Park Campground CS**	0	0	0	0	0	0	1	1	1	0	0.00
San Diego Cnty Dept of Public Works	**Julian Water Pollution Facil. CS**	0	0	0	0	0	0	0.4	6	0	0	0.00
San Diego Cnty Dept of Public Works	**Pine Valley Sd CS**	0	0	0	0	0	0	0	0.5	0	0	0.00
San Diego Cnty Dept of Public Works	**Rancho Del Campo CS**	0	0	0	0	0	0	0.1	5.9	0	0	0.00
San Juan Capistrano City	City Of San Juan Capistrano CS	1	100	100	0	100	0	0.2	123	0	0.8	0
Santa Margarita Water Dist	Santa Margarita Water District CS	2	2,296,481	1,425,222	871,409	62	37	12	600	165	0.2	112,150.40
Solana Beach City	**City of Solana Beach CS**	0	0	0	0	0	0	2	39	28	0	0.00
South Coast Water District	South Coast Water District CS	2	575	100	475	17	82	3.2	138	0	1.4	336.4
Trabuco Canyon WD	Trabuco Canyon Water District CS	1	1,800	0	1,800	0	100	3	44	0	2.1	3,829.70
UC San Diego	University Of California, San Diego CS	5	385	40	195	10	50	2	25	3	16.6	650
US Marine Corps Recruit Depot	**MCRD CS**	0	0	0	0	0	0	0	4	2.5	0	0
Vallecitos Water District	Meadowlark CS	4	8,786	1,206	8,740	13	99	19.5	247	0	1.5	3,279.50
Valley Center MWD	**Lower Moosa Canyon CS**	0	0	0	0	0	0	5	50	14	0	0.00
Valley Center MWD	**Woods Valley CS**	0	0	0	0	0	0	0	5.2	4.5	0	0.00
Vista City	City Of Vista CS	1	22,700	12,300	10,400	54	45	0.2	215.1	0	0.4	4,830.40
Whispering Palms CSD	**Whispering Palms CS**	0	0	0	0	0	0	1	26	23	0	0.00
	TOTALS	**171**	**11043853**	**1838505**	**9153744**			**528.1**	**11059.2**	**3058.2**		

CS = Collection System
Bold = no spills

2010 - Summary of Private Lateral Sewage Discharges in Region 9										
Reporting Agency	**Collection System**	**Total Number of PLSD locations**	**Total Vol of PLSDs (gal)**	**Total Vol Recovered (gal)**	**Total Vol Reaching Surface Water**	**Percent Recovered**	**Percent Reaching Surface Water**	**Miles of Private Lateral**	**Total Number of PLSD locations per 100 miles of Sewer**	**Tot Vol of PLSDs Reaching Surface Water per 100 miles of Sewer**
Coronado City	City Of Coronado CS	3	130	130	0	100	0	50	6.1	0
Carlsbad MWD	Carlsbad MWD CS	18	1,022	2,232	55	218	5	124	14.5	44.3
Chula Vista City	City Of Chula Vista CS	12	241,820	2,800	238,470	1	98	0	0	0
Eastern Municipal Water District	Temecula Valley RCS	4	4,269	4,065	0	95	0	0	0	0
El Cajon City	City Of El Cajon CS	5	720	610	100	84	13	189	2.6	52.9
Escondido City	Harrf Disch To San Elijo CS	9	1,098	888	158	80	14	83.2	10.8	189.9
Fallbrook Public Utility Dist	Fallbrook Plant 1, Oceanside of CS	5	750	310	450	41	60	18	27.7	2,500.00
Imperial Beach City	City Of Imperial Beach CS	3	955	59	900	6	94	103	2.9	876.3
Laguna Beach City	City Of Laguna Beach CS	7	629	115	510	18	81	102	6.8	500
Leucadia Wastewater District	Leucadia Wastewater District CS	1	100	0	0	0	0	300	0.3	0
Moulton Niguel Water District	Moulton Niguel Water District CS	1	275	200	75	72	27	500	0.2	15
Oceanside PWD	La Salina WWTP, Oceanside CS	1	500	250	0	50	0	195	0.5	0
Padre Dam Municipal Water District	Padre Dam CS	4	170	30	130	17	76	160	2.5	81.2
Ramona MWD	Santa Maria CS	1	50	50	0	100	0	62	2.5	0
San Diego City	San Diego City CS	47	22,716	7,939	13,101	34	57	4,049.00	2.2	639.3
San Juan Capistrano City	City Of San Juan Capistrano CS	1	20	20	0	100	0	50	2	0
South Coast Water District	South Coast Water District CS	2	60	40	0	66	0	150	1.3	0
Vallecitos Water District	Meadowlark CS	7	807	792	0	98	0	271	2.5	0

Reporting Agency	Collection System	Total Number of PLSD locations	Total Vol of PLSDs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Private Lateral	Total Number of PLSD locations per 100 miles of Sewer	Tot Vol of PLSDs Reaching Surface Water per 100 miles of Sewer
Valley Center MWD	Lower Moosa Canyon Recl Facil CS	1	300	10	0	3	0	14	7.1	0
Vista City	City Of Vista CS	8	497	1,625	417	326	83	151.5	5.2	275.2
	TOTAL	**140**	**276888**	**22165**	**254366**			**6571.7**		

California Regional Water Quality Control Board
San Diego Region

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Recipient of the 2004 Environmental Award for Outstanding Achievement from U.S. EPA

Linda S. Adams
Acting Secretary for Environmental Protection

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • FAX (858) 571-6972
http://www.waterboards.ca.gov/sandiego

Edmund G. Brown Jr.
Governor

January 20, 2011

In reply refer to:
CRU:9 000000732:JCofrancesco
CIWQS Place ID 257821

Mr. Steve Smullen
Area Operations Manager
U.S. International Boundary and Water Commission
San Diego Field Office
2225 Dairy Mart Road
San Ysidro, CA 92173

Dear Mr. Smullen:

SUBJECT: IBWC, South Bay IWTP, Request for Report on Wastewater Bypass

The compliance of U.S. International Boundary and Water Commission (IBWC) with secondary treatment requirements at the South Bay International Wastewater Treatment Plant (IWTP) is a long standing issue of vital concern to the San Diego Water Board. On January 7, 2011, David Barker and Brian Kelley of the San Diego Water Board staff met with you to inspect the IWTP and obtain preliminary information regarding recent reports of wastewater bypasses occurring at the IWTP which are compromising IWTP's ability to provide full secondary treatment for all wastewater flows discharged to the Pacific Ocean via the South Bay Ocean Outfall. As a follow-up to the inspection the San Diego Water Board has reviewed the IBWC's NPDES permit reporting requirements pertaining to the on-going wastewater flow bypasses at the IWTP. Before discussing the bypass reporting requirements I would first like to review the San Diego Water Board's understanding of the effects of the wastewater bypasses on IBWC's compliance with secondary treatment requirements at the IWTP.

As you know the IBWC is under federal court order to achieve full compliance with secondary treatment requirements through construction and operation of IWTP upgrades by January 5, 2011. The IBWC's press release dated January 5, 2011 reported that secondary treatment facilities became operational in November 2010 and the IBWC submitted a status report to the court on December 14, 2010 documenting the actions that had been completed to fulfill the commitment. The IBWC reported that the upgrade is designed to comply with water quality standards applicable in the United States for total suspended solids, biochemical oxygen demand, and acute and chronic toxicity. IBWC also reported that ongoing sampling shows that the effluent is meeting the secondary treatment standards.

On December 8, 2010, Bart Christensen of the State Water Resources Control Board toured the IWTP facility and noted IBWC plant operators had discovered that a weir in the primary effluent channel overflows when flow rates to the activated sludge reactors exceed 33 million gallons per day (MGD). In a subsequent tour of the IWTP on December 31, 2010, Mr. Christensen noted that any time the IWTP diurnal process flow rate exceeded 33 MGD, the IBWC was diverting the excess flow to a channel that bypassed the secondary treatment processes and discharged to the South Bay Ocean Outfall without additional treatment. The exact amount of bypassed flow that did not receive secondary treatment was not measured, and could not be measured, as there was no metering device on the primary effluent bypass. Mr. Christensen also noted that IBWC was in the process of eliminating the need to bypass flow by removing hydraulic restrictions found in the inlet structure to the activated sludge reactors.

During the January 7, 2011 San Diego Water Board inspection you provided some preliminary IBWC plant process and effluent data, including 5-day carbonaceous biochemical oxygen demand ($CBOD_5$) and total suspended solids (TSS) secondary treatment process data and combined effluent TSS data. The secondary treatment process data for $CBOD_5$ and TSS covered a portion of December, 2010 (12/1 - 12/25) and the combined effluent TSS data covered the complete month of December, 2010. Based on this preliminary data it appeared that the combined effluent being discharged from the IWTP was meeting secondary treatment standards by the end of December 2010. Although the San Diego Water Board does not have your final complete set of effluent data for December 2010 or any data for January 2011, it appears that even with a small fraction of advanced primary flows being by-passed around the downstream activated sludge treatment processes, the IWTP effluent may be meeting the NPDES permit secondary treatment effluent limitations.

During the January 7, 2011 inspection you reported that IBWC was in the process of addressing the bypass issue by removing the hydraulic restrictions in the inlet structures to the activated sludge reactors. One of the activated sludge reactors had been repaired as of January 7; however work on the remaining six reactors was delayed because of operational problems with the drain pump station. Although you were unable to provide an exact date when all corrective work would be completed, you indicated that all drain pump repairs and reactor modifications could be completed by approximately the end of January 2011.

The term “bypass” is defined in the federal NPDES regulations at 40 CFR 122.41 as the intentional diversion of waste streams from any portion of a treatment facility. The bypass conditions of 40 CFR 122.41 are applicable to the IBWC's NPDES Permit for the IWTP. In this instance the specific applicable bypass regulation is contained in 40 CFR 122..41(m)(2) - *Bypass not exceeding limitations* which provides that the discharger may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation.

Based on the information you have provided to date, the San Diego Water Board has concluded that the temporary secondary treatment process bypasses at the IWTP as described above may meet the conditions specified in 40 CFR 122.41(m)(2).

I am requesting that IBWC continue to take all necessary steps to ensure that the bypasses do not cause NPDES permit effluent limitations to be exceeded and to terminate the bypasses in the shortest practicable time. In order to further document the circumstances of the bypasses and that the criteria for allowable bypasses in 40 CFR 122.41(m) (2) was satisfied, I am requesting that IBWC prepare and submit a written report no later than **February 11, 2011** containing the following information:

- A description of the need for the bypasses,
- A summary of the dates and times when the bypasses occurred;
- The schedule for completing pump repairs, reactor modifications, and terminating the bypasses;
- Available $CBOD_5$ and TSS concentration and percent removal data for December 2010 and January 2011 for the secondary treatment process flow as well as the IWTP discharge to the South Bay Ocean Outfall; and
- If the bypasses have not yet been terminated as of the report date, the anticipated time the bypasses are expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrences of the bypasses.

In the subject line of any response, please include the requested "In reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Mr. Brian Kelley at 858-467-4254, e-mail bkellely@watyerboards.ca.gov or Mr. David Barker at 858-467-2989, e-mail dbarker@waterboards.ca.gov.

Respectfully,

DAVID W.GIBSON
Executive Officer

DTB:bdk