

REVISED EXECUTIVE OFFICER SUMMARY REPORT
December 10, 2008

ITEM: 14

SUBJECT: Information Item: City of San Diego Point Loma Ocean Outfall 301(h) Waiver Public Participation/NPDES Permit Approval Process. The current NPDES permit and waste discharge requirements for the City of San Diego E. W. Blom Point Loma Metropolitan Wastewater Treatment Plant discharge to the Pacific Ocean through the Point Loma Ocean Outfall are based on a variance from federal secondary treatment standards at Title 40 of the Code of Federal Regulations Part 133 (40 CFR 30), as provided for improved discharges under Clean Water Act section 301(h) and 40 CFR 125, Subpart G. The United States Environmental Protection Agency, Region IX (USEPA) will discuss the integrated administrative and public participation processes USEPA and the Regional Board will use in considering permit reissuance at a future board meeting. (NPDES Permit No. CA0107409) (*Melissa Valdovinos*)

PURPOSE: To discuss the joint administrative and public participation processes USEPA and the Regional Board will use in considering permit reissuance; however, the Regional Board will not be discussing any technical issues or making any decision on the NPDES permit at this meeting. The current permit (NPDES Permit No. CA0107409, Order No. R9-2002-0025) incorporates a variance from federal secondary treatment standards under CWA sections 301(h) and 301(j)(5). A 301(h) variance for this facility may not be reissued unless USEPA concludes the permit application meets the criteria specified in CWA sections 301(h) and 301(j)(5), and the Regional Board concurs with USEPA's conclusion. **Regional Board staff will provide a brief description of the facility, discharge, and current permit status. USEPA will be present to provide a description of the public process as outlined in Supporting Document 2.**

PUBLIC NOTICE: A public notice of the information item was included in agenda notice for the December 10, 2008 meeting, which was posted on the Regional Board's web site on November 20, 2008.

- DISCUSSION: On April 10, 2002, the Regional Board adopted Order No. R9-2002-0025, Waste Discharge Requirements and NPDES Permit for the PLMWTP, NPDES Permit No. CA0107409. USEPA issued its final approval of the joint permit on September 13, 2002. Order No. R9-2002-0025 establishes waste discharge requirements for the discharge of up to 240 million gallons per day (MGD) of treated wastewater to the Pacific Ocean via the Point Loma Ocean Outfall. Order No. R9-2002-0025 expired on June 15, 2008 but has been administratively extended.
- The City of San Diego submitted an application for a renewed permit and 301(h) variance on December 14, 2007, and supplemental information requested by the Regional Board, on June 6, 2008. In a letter to the City of San Diego, dated November 13, 2008, the Regional Board deemed the application complete. **As published in a press release on December 4, 2008 (Supporting Document 3), USEPA proposes to renew the 301(h) permit variance.** ~~USEPA and the Regional Board are in the process of reviewing the application.~~ A public hearing on the TDD and draft permit is scheduled for January 21, 2009 at the Regional Board office.
- SIGNIFICANT CHANGES: Not applicable; the Regional Board will not be acting on the NPDES permit at this meeting.
- COMPLIANCE: Not applicable; the Regional Board will not be acting on the NPDES permit at this meeting.
- KEY ISSUES: Not applicable; the Regional Board will not be acting on the NPDES permit at this meeting.
- LEGAL ISSUES: Not applicable; the Regional Board will not be acting on the NPDES permit at this meeting.
- SUPPORTING DOCS: 1. Site Map
2. Description of Public Participation Process
3. USEPA December 4, 2008 Press Release
- RECOMMENDATION: Not applicable; the Regional Board will not be acting on the NPDES permit at this meeting.