



California Regional Water Quality Control Board

San Diego Region

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Supporting Document No. 2

October 1, 2008

CERTIFIED MAIL

7006 2760 0000 1615 7141

University of California San Diego
Environmental Health and Safety
Ms. Julie Hampel
9500 Gilman Drive
La Jolla, CA 92093-0920

In reply refer to:
CRU: 9 00000018: MMATA

Dear Ms. Hampel:

SUBJECT: TENTATIVE RESOLUTION NO. R9-2008-0139; AMENDMENT OF ORDER NO. R9-2005-0008; NPDES PERMIT NO. CA0107239; WASTE DISCHARGE REQUIREMENTS FOR THE UNIVERSITY OF CALIFORNIA, SCRIPPS INSTITUTION OF OCEANOGRAPHY

Enclosed is a copy of tentative Resolution No. R9-2008-0139, which Regional Board staff intends to present to the Regional Board for adoption at their regularly scheduled meeting on November 12, 2008.

If adopted, tentative Resolution No. R9-2008-0139, would modify waste discharge requirements (Order No. R9-2005-0008, NPDES No. CA0107239) for the discharge of waste seawater from Scripps Institution of Oceanography (Discharger) to the San Diego Marine Life Refuge, an area that has been designated as an Area of Special Biological Significance (ASBS).

The tentative Resolution includes changes requested in a letter from the Discharger dated February 1, 2008. The following items requested in the letter, however, will remain unchanged in Order No. R9-2005-0008:

1. **An 18-month extension to the effluent limitations specified in Sections C.1.b.** Since the effluent limits became effective on February 9, 2008, an extension for compliance with existing effluent limits would effectively be a relaxation of the effluent limits and thus not be compliant with the Anti-backsliding and Anti-degradation provisions of 40 CFR Part 122.44.
2. **Acute toxicity.** Compliance monitoring for the acute toxicity objective (TUa) in Table B is required under the Ocean Plan. The Regional Board and State Water Resources Control Board understand the discrepancy in the toxicity equation

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related to results having higher survivals than controls, however, until changes are made in the Ocean Plan, permit requirements will remain unchanged. The Ocean Plan is in the process of being amended. Upon amendment of the Ocean Plan, the Regional Board will reevaluate the toxicity requirements of Order No. R9-2005-0008

The November 12, 2008 meeting will begin promptly at 9:00 a.m. and will be held at the following location:

Regional Water Quality Control Board
Regional Board Meeting Room
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Please review and comment on the tentative Resolution at your earliest convenience. The Regional Board will only be accepting comments for sections of Order No. R9-2005-0008 which have been reopened in accordance with Section 122.62 of the California Code of Regulations. It is recommended that written comments be submitted as soon as possible to enable staff to amend the tentative order, if necessary, and allow changes to the tentative order to be fully reviewed by the Regional Board and interested parties. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received by the Regional Board no later than 5:00 p.m. on Wednesday, October 22, 2008. The final deadline for submittal of written comments, however, is October 29, 2008. Per Regional Board direction, written material submitted to the Regional Board office after the submittal deadline date will not be provided to the Regional Board. Also, it is not likely that written material will be accepted by the Regional Board on the day of the meeting.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence, please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions or comments, please contact Michelle Mata at (858) 467-2981 or via email at mmata@waterboards.ca.gov.

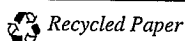
Respectfully,



David T. Barker
Supervising Engineer

DTB:bdk:mv

California Environmental Protection Agency



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Amendment of Order No. R9-2005-0008

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Enclosure

cc:

Via email only:

Doug Eberhardt, Manager
NPDES Permits Office (WTR-5)

Ken Schiff
Southern California Coastal Water Research Project

Dominic Gregorio
State Water Resources Control Board

Connie Anderson
State Water Resources Control Board

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Bruce Reznik
San Diego Coastkeeper