

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
Summary of Board Actions and Proceedings
at the February 11, 2009 Board Meeting

MINUTES

Minutes of January 21, 2009 Board Meeting.

REGIONAL BOARD ACTIONS

Approved minutes.

CONSENT ITEM

Administrative Assessment of Civil Liability, Studio 15 Housing Partners, Studio 15 Construction Dewatering. The Regional Board will consider adoption of a tentative Order that would impose a \$42,000 mandatory minimum penalty recommended in Amended Complaint R9-2008-0121 for violations of effluent limitations prescribed in Order 2000-90, NPDES No. CAG919001, General Waste Discharge Requirements for Temporary Groundwater Extraction and Similar Waste Discharges to San Diego Bay and Storm Drains or Other Conveyance Systems Tributary Thereto. The Regional Board may approve, modify, or reject assessment of the recommended penalty. If the Regional Board rejects the tentative Order, the matter will be rescheduled to a future public hearing at which time the Regional Board will consider assessment of civil liability. (Tentative Order R9-2009-0022) (*Frank Melbourne*)

Approved Order R9-2009-0022.

NON-CONSENT ITEMS

Poseidon Resources Corporation, Proposed Carlsbad Desalination Project (Order No. R9-2006-0065, NPDES No. CA0109223). The Regional Board will consider whether the Marine Life Mitigation Plan (MLMP) dated November 14, 2008, satisfies the conditions established in Resolution No. R9-2008-0039, Conditional Approval of Revised Flow, Entrainment, and Impingement Minimization Plan for Poseidon Resources Corporation Carlsbad Desalination Project (Resolution), or whether failure to satisfy the conditions has rendered the Resolution inoperative by its own terms. The Regional Board may also provide direction to staff concerning future actions related to this Project. (*Michelle Mata*)

The item was continued to the April 8, 2009 Board meeting.

CONSIDERATION OF SETTLEMENT: City of Escondido, Hale Avenue Resource Recovery Facility: Administrative Assessment of Civil Liability against the City of Escondido for Violations of Order No. 99-72, NPDES No. CA0107981, Waste Discharge Requirements for the City of Escondido, Hale Avenue Resources Recovery Facility, Discharge to the Pacific Ocean Via the Escondido Land Outfall and the

Approved Order No. R9-2009-0003 by a 4-3 vote.

NON-CONSENT ITEMS (CON'T)

San Elijo Ocean Outfall and Order No. R9-2003-0394, NPDES No. CA0108944, Waste Discharge Requirements for the City of Escondido, Hale Avenue Resource Recovery Facility, Intermittent Wet Weather Discharge to Escondido Creek, San Diego County. The Regional Board will consider a proposed settlement in response to Administrative Civil Liability Complaint No. R9-2005-0265. (Tentative Order No. R9-2009-0003) (*Rebecca Stewart*)

A public hearing will be held to consider the issuance of Tentative Cleanup and Abatement Order (CAO) No. R9-2008-0152. The proposed CAO would be issued to Dr. William & Lori Moritz for the alleged unauthorized discharge of fill to an unnamed, ephemeral stream that is tributary to Rattlesnake Creek and ultimately Poway Creek in violation of Sections 13260(a) and 13264(a) of the California Water Code, and waste discharge prohibitions 1, 3, and 14 contained in the in the Water Quality Control Plan for the San Diego Basin. (*Christopher Means*)

Administrative Assessment of Civil Liability, America Plaza Owners Association, One America Plaza Dewatering. The Regional Board will consider adoption of a tentative Order that would impose \$12,000 in civil liability recommended in Complaint R9-2008-0127 for violations of effluent limitations prescribed in Order 2000-90, NPDES No. CAG919001, General Waste Discharge Requirements for Temporary Groundwater Extraction and Similar Waste Discharges to San Diego Bay and Storm Drains or Other Conveyance Systems Tributary Thereto. (Tentative Order R9-2009-0019) (*Rebecca Stewart*)

POSTPONED ITEMS

NPDES Permit Revision: Dynegy South Bay, LLC, South Bay Power Plant wastewater discharge to the San Diego Bay, San Diego County, Order No. R9-2004-0154, NPDES No. CA0001368 (Order). The Regional Board will consider revising the effluent limitations for copper using a new translator and revising monitoring requirements contained in the Order. Today's action is limited to the portions of Order No. R9-2004-0154 specified in the proposed revisions. No other portions of the Order are being considered for revision at this time.

REGIONAL BOARD ACTIONS

Approved CAO No. R9-2008-0152.

Approved Order R9-2009-0019.

Item postponed.

POSTPONED ITEMS (CON'T)

Master Reclamation Permit with Waste Discharge Requirements for the United States Marine Corps: Discharges of Reclaimed Water for Landscape Irrigation at Marine Corps Base Camp Pendleton, California (Tentative Order No. R9-2009-0021) (*Robert Pierce*)

Administrative Assessment of Civil Liability, Ametek Inc., Former Ametek/Ketema Aerospace Manufacturing Facility, 790 Greenfield Drive, El Cajon, California. The Regional Board will consider adoption of a tentative Order that would impose a \$2,269,000 penalty recommended in Complaint No. R9-2008-0033 for the alleged violations of Cleanup and Abatement Order No. R9-2002-0201. The Regional Board may approve, modify, or reject assessment of the recommended penalty. (Tentative Order No. R9-2009-0024) (*Laurie Walsh/John Anderson*)

REGIONAL BOARD ACTIONS

Item postponed.

Item postponed.