

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
Summary of Board Actions and Proceedings
at the January 12, 2011 Board Meeting

MINUTES

Minutes of the November 10, 2010 Board Meeting.

REGIONAL BOARD ACTIONS

Approved minutes.

CONSENT ITEMS

Administrative Assessment of Civil Liability, Sea World, Inc, Mandatory Minimum Penalty for violations of Order No. R9-2005-0091. The San Diego Water Board will consider adoption of a tentative Order that would impose a \$6,000 mandatory minimum penalty recommended in Complaint R9-2010-0138 for violations of effluent limitations prescribed in Waste Discharge Requirements Order No. R9-2005-0091. The San Diego Water Board may approve or reject assessment of the recommended penalty. If the San Diego Water Board rejects the tentative Order, the matter may be rescheduled to a future public hearing at which time the San Diego Water Board will consider assessment of civil liability. (Tentative Order R9-2011-0011) *(Rebecca Stewart)*

Affirmed Order No. R9-2011-0011.

Administrative Assessment of Civil Liability, Fallbrook Public Utility District, Mandatory Minimum Penalty for violations of Order No. R9-2006-0002. The San Diego Water Board will consider adoption of a tentative Order that would impose a \$3,000 mandatory minimum penalty recommended in Complaint R9-2010-0140 for violations of effluent limitations prescribed in Waste Discharge Requirements Order No. R9-2006-0002. The San Diego Water Board may approve or reject assessment of the recommended penalty. If the San Diego Water Board rejects the tentative Order, the matter may be rescheduled to a future public hearing at which time the San Diego Water Board will consider assessment of civil liability. (Tentative Order R9-2011-0012) *(Frank Melbourn)*

Affirmed Order No. R9-2011-0012.

CONSENT ITEMS Continued

Administrative Assessment of Civil Liability, Russo Tile and Marble, Inc., Mandatory Administrative Civil Liability, for violations of Order No. 97-03-DWQ. The San Diego Water Board will consider adoption of a tentative Order that would impose a \$1,700 mandatory minimum penalty recommended in Complaint R9-2010-0128 for failing to submit the Fiscal Year 2009 Annual Report required by State Water Resources Control Board Order No. 97-03, NPDES Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities. Water Code section 13399.33 requires the San Diego Water Board impose a mandatory penalty of no less than \$1,000 plus staff costs for this alleged violation. The San Diego Water Board may approve, modify, or reject assessment of the recommended penalty. (Tentative Order R9-2011-0013) (*Pete Peuron*)

Waste Discharge Requirements
Revision: Cowboy Country RV Park & Resort, Riverside County (Ownership change) (Tentative Addendum No. 2 to Order No. 94-002) (*Fisayo Osibodu*)

NON-CONSENT ITEMS

Administrative Assessment of Civil Liability, Eastern Municipal Water District, Temecula Regional Water Reclamation Facility (TVRWRF): The San Diego Board will consider adoption of a Tentative Order that would impose \$524,800 in civil liability for violations of Order No. R9-2000-0165 identified in Complaint No. R9-2010-0085 resulting from the discharge of untreated sewage from the TVRWRF on December 25-26, 2009. The San Diego Water Board may approve, modify, or reject assessment of the recommended liability. The deadline for the submission of rebuttal evidence and legal argument pertaining to the Complaint was September 22, 2010. (Tentative Order No. R9-2011-0010) (*Robert Pierce*)

REGIONAL BOARD ACTIONS

Affirmed Order No. R9-2011-0013.

Approved Addendum No. 2 to Order No. 94-002.

Affirmed Order No. R9-2011-0010 with errata.

NON-CONSENT ITEMS (Continued)

Administrative Assessment of Civil Liability, San Diego Truck Body and Equipment, Inc., Administrative Civil Liability, for violations of Order No. 97-03-DWQ. The San Diego Water Board will consider adoption of a tentative Order that would impose a \$4,916 penalty recommended in Complaint R9-2010-0129 for failing to submit the Fiscal Year 2007-08 and 2008-09 Annual Reports and failing to pay the Fiscal Year 2008-09 annual fee required by State Water Resources Control Board Order No. 97-03, NPDES Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities. Water Code section 13399.33 requires the San Diego Water Board impose a mandatory penalty of no less than \$1,000 plus staff costs for each annual report violation. The San Diego Water Board may approve, modify, or reject assessment of the recommended penalty. (Tentative Order R9-2011-0014) (*Laurie Walsh*)

a) NPDES Permit Reissuance: Waste Discharge Requirements for the City of Oceanside, San Luis Rey Water Reclamation Facility, La Salina Wastewater Treatment Plant, and Mission Basin Desalting Facility Discharge to the Pacific Ocean via the Oceanside Ocean Outfall (Tentative Order No. R9-2011-0016, NPDES No. CA0107433) (*Joann Cofrancesco*)

b) Time Schedule Order: An Order Requiring the City of Oceanside, Mission Basin Desalting Facility Discharge to the Pacific Ocean via the Oceanside Ocean Outfall to Comply With Requirements Prescribed in Order No. R9-2011-0016, NPDES No. CA0107433 (Tentative Order No. R9-2011-0017) (*Joann Cofrancesco*)

REGIONAL BOARD ACTIONS

Affirmed Order No. R9-2011-0014.

Approved Order No. R9-2011-0016 with errata.

Approved Order No. R9-2011-0017 with errata.

NON-CONSENT ITEMS (Continued)

The Board will consider designating the Chair, who may in turn designate the responsibility from time to time, to conduct prehearing conferences pursuant to Water Code section 13228.15 to address any of the matters described in Government Code section 11511.5, subdivision (b). (*Catherine Hagan*)

POSTPONED ITEM

Administrative Assessment of Civil Liability, Lite Stone Concrete, Inc., Administrative Civil Liability, for violations of Order No. 97-03-DWQ. The San Diego Water Board will consider adoption of a tentative Order that would impose a \$3,766 penalty recommended in Complaint R9-2010-0127 for failing to submit the Fiscal Year 2008-09 Annual Report and failing to pay the Fiscal Year 2009-10 annual fee required by State Water Resources Control Board Order No. 97-03, NPDES Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities. Water Code section 13399.33 requires the San Diego Water Board impose a mandatory penalty of no less than \$1,000 plus staff costs for the annual report violation. The San Diego Water Board may approve, modify, or reject assessment of the recommended penalty. (Tentative Order R9-2011-0015) (*Laurie Walsh*)

REGIONAL BOARD ACTIONS

Designated responsibility to Acting Chair Destache.

Postponed to the February 9 meeting.