

ERRATA SHEET

Tentative Order No. R9-2012-0004 Waste Discharge Requirements for the Fallbrook Public Utility District Wastewater Treatment Plant No. 1 Discharge to the Pacific Ocean via the Oceanside Ocean Outfall.

The following changes have been made to Tentative Order No. R9-2012-0004. Changes below are shown in bold and underline/strikeout format to indicate added or removed language, respectfully.

Page 3, Table of Contents, List of Tables

Remove reference to Table 10.

Page 7, Finding K. Stringency of Requirements for Individual Pollutants

Modify as follows:

... ~~Collectively,~~ This Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

Page 8, Finding Q. Provisions and Requirements Implementing State Law

Add the following to end of Finding Q:

As described in the fact sheet, the requirements of this Order take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of CWC section 13241.

Page 18, Section VI.A.2.a and b, San Diego Water Board Standard Provisions

Delete sections VI.A.2.a. and b and renumber the subsequent provisions accordingly. These two provisions are duplicative of discharge prohibitions III.D. and E.

Page 18, Section VI.A.2.c, San Diego Water Board Standard Provisions

Modify as follows:

FPUD shall comply with all requirements and conditions of this Order. Any permit noncompliance may constitutes a violation of the CWA and/or the CWC and may be grounds for enforcement action, permit termination, revocation and reissuance, or modification, or for denial of an application for permit renewal, modification, or reissuance.

Page 25, Section VII. Compliance Determination

Modify as follows:

Unless otherwise provided by in this Order, such as Standard Provisions I.G and I.H of Attachment D, or for just cause to decide otherwise, cCompliance with the effluent limitations contained in section IV of this Order will be determined as specified below:

Page A-9, Definitions

Add the following definition:

Treatment Plant Capacity – For purposes of this Order, an average dry weather monthly effluent flow (May to October) of 2.7 mgd, and an average wet weather monthly effluent flow (November to April) of 3.6 mgd.

Page D-6, Section V.B.5. Signatory and Certification Requirements

Add the following footnote:

“On March 3, 2000, USEPA issued a memorandum stating that a certification of “accuracy” in information submissions is a certification that the information provided is “accurate” as the layperson uses the term, rather than “accurate” as that term is used to describe the quantifiable performance of a measurement system. In EPA documents associated with testing procedures for measuring whole effluent toxicity, the Agency stated that the “accuracy” of toxicity tests cannot be determined in a meaningful way. When a person certifies that the submission of WET testing information is “accurate” to the best of their knowledge and belief, the person certifies that the results obtained using the WET testing procedures are faithfully and truthfully transcribed on the information submission, and that the results were, in fact, results that were obtained using the specified testing procedures.”

Page E-4, Table E-3, Effluent Monitoring at M-001

Remove monitoring for BOD₅ because it is unnecessary since there is not an effluent limit for BOD₅.

Page F-7, Compliance Summary

Modify as follows:

From June 2006 to June 2010, according to the Discharger’s reports, there were ~~eight~~nine deficient monitoring violations and ~~two~~three effluent limitations violations. A notice of violation was issued for all of these violations on July 17, 2012. ~~There were no enforcement actions taken for these violations.~~

Page F-10, Add New Section III.F

Add the following:

F. Provisions and Requirements Implementing State Law

Pursuant to CWC section 13263, the provisions and requirements contained in this Order that implement State law shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of CWC section 13241.

The beneficial uses (CWC section 13241 (a)) and water quality objectives (CWC section 13241(c)) serve as the basis for the development of the water quality based effluent limitations as described in section IV. of the Fact Sheet. Other waste discharges are described in paragraph II.B of this fact sheet. There is a clear need to prevent potential nuisance conditions resulting from the inadequate treatment of sewage.

In addition to the above, CWC section 13241 requires consideration of:

Section 13241 (b) Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto. As noted in paragraph III.D, some of the receiving water monitoring locations required by this permit may be within the current 303(d) listed waterbodies.

Section 13241 (d) Economic considerations. No party has submitted current or future cost information on the facility. Based upon the State Water Board's Wastewater User Charge Survey Report, dated May 2008, the monthly rates for agencies with both collection and treatment systems ranged from \$25 to \$82.50, with an average rate of \$44.22 as compared to FPUD's reported monthly rate of \$42.78.

Section 13241 (e) The need to developing housing within the region. FPUD has not indicated that development in the area requires expansion of the capacity of the treatment facility.

Section 13241 (f) The need to develop and use recycled water. The San Diego Water Board supports FPUD's efforts to develop and to supply recycle water to users. The need to supply recycled water is the reason that the San Diego Water Board is prescribing a time schedule for FPUD to comply Ocean Plan total residual chlorine standards.

Page F-11, Rationale For Effluent Limitations and Discharge Specifications, section IV.A.3

Modify as follows:

CWC section 13243 provides that the San Diego Water Board, in a water quality control plan, may specify certain conditions where the discharge of wastes, or certain types of wastes, that could affect the quality of waters in the State is prohibited. This Order includes Order No. R9-2006-002 included the Basin Plan and Ocean Plan prohibitions as Discharge Prohibitions, section III.D and E. ~~This Order requires compliance with the prohibitions from the Basin Plan and Ocean Plan. They are included in this Order as provisions in section VI.A.2 and incorporated in Attachment G of this Order.~~

Order No. R9-2006-002 prohibited discharges of waste to Areas of Special Biological Significance and the discharge of sludge to the ocean. Because these prohibitions are expressly included in the Ocean Plan prohibitions, which are included in this Order as a provision in section VI.A.2 prohibition section III.D and incorporated for convenience listed in Attachment G of this Order, these requirements are not retained in the prohibitions of this Order.

Page F-29, Interim Effluent Limitations.

Add the following to section F and delete Not Applicable:

Order No. R9-2012-0005 supplements the requirements of Order No. R9-2012-0004 and establishes a Time Schedule for FPUD to comply with the final total residual chlorine effluent limitations prescribed in Order No. R9-2012-0004 (NPDES Permit No. CA0108031). Order No. R9-2012-0005 includes the following interim effluent limitation¹ for total residual chlorine at Monitoring Location M-001 or M-002, as described in Order No. R9-2012-0004, to be effective until **March 31, 2016** or when the Discharger achieves compliance, whichever is earlier:

Table 2: Interim Total Residual Chlorine Effluent Limitations

Parameter	Unit	Effluent Limitations			
		6-Month Median	Maximum Daily	Instantaneous Maximum	Average Monthly
Total Residual Chlorine	mg/L	5.4	11.12	11.12	
	lbs/day	122	252	252	

¹ The Interim effluent limitations are based on effluent performance data from July 1, 2010 through July 31, 2011 for the Discharger where 99.9% of the data points lie within 3.3 standard deviations of the mean.