

RESPONSE TO WRITTEN COMMENTS

TENTATIVE ORDER NO. R9-2014-0001

An Order Rescinding Order No. R9-2009-0147, Waste Discharge Requirements for Rite Time Pharmaceuticals Inc., Anza Commercial Center Onsite Wastewater Treatment System, Riverside County

Comments were received from Mr. Soji Akanwo.

Mr. Akanwo submitted a comment letter dated October 7, 2014 (Supporting Document No. 9) to the San Diego Water Board via email. The comment letter addressed Mr. Akanwo's concerns with the status of past due fees associated with Order No. R9-2009-0147. Specifically, Mr. Akanwo's position is that the proposed Anza Commercial Center has not yet been constructed therefore there has not been a discharge of waste from the proposed onsite wastewater treatment system (OWTS). According to Mr. Akanwo, the County of Riverside required him to obtain waste discharge requirements (WDRs) before applying for a building permit with the County of Riverside. Water Code section 13260 requires all facilities that are discharging waste or proposing to discharge waste to obtain waste discharge requirements and pay a fee associated with the discharge based on threat to water quality and complexity.

The State Water Resources Control Board has prepared a Frequently Asked Questions (FAQs) document, available from its website, regarding the payment of annual fees for WDRs. The State Water Board FAQ provides the following answer to the primary issue raised by Mr. Akanwo:

IF I'M NOT DISCHARGING, IS A FEE REQUIRED?

Yes. The annual WDR fee pertains to your order, not the frequency or duration of your discharge. Since your WDR order allows you to discharge wastes as specified, you must pay an annual fee as long as your WDR order remains in force. State law requires that you report any material changes in your discharge to the Regional Board. If you are no longer discharging and think you should not be assessed future fees, you must notify the Regional Board. As appropriate, and after you have complied with all laws and permit conditions, the Regional Board may determine that your WDR order can be rescinded. If rescinded, you will not be assessed future fees but you may still be required to pay current and past annual WDR fees.

The full version of the Frequently Asked Question document can be accessed at the hyperlink below.

<http://www.waterboards.ca.gov/resources/fees/docs/wdrfaq.pdf>