

**California Regional Water Quality Control Board
San Diego Region**

Response to Comments Report

Tentative Time Schedule Order No. R9-2015-0027

**Time Schedule Order
Requiring the City of Escondido, Hale Avenue
Resource Recovery Facility to Comply with
Requirements Prescribed in Order Number R9-2015-
0026, NPDES Permit No. CA0108944**

June 24, 2015

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

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**California Regional Water Quality Control Board
San Diego Region**

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Introduction

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has prepared this Response to Comments Report on Tentative Time Schedule Order No. R9-2015-0027, for the City Of Escondido, Hale Avenue Resource Recovery Facility, Intermittent Wet Weather Discharge to Escondido Creek, San Diego County (Tentative TSO). This Report addresses written comments received from the interested party listed below on the Tentative Order. Public notice of the Tentative TSO was published in the newspaper on April 17, 2015 and the Tentative TSO was made available for public review and comment with the comment period ending on May 18, 2015.

<u>Written comments were received from:</u>	<u>Page No.</u>
City of Escondido	6

Comments and Responses

The summarized written comments and San Diego Water Board responses to the comments are listed in the table that follows. The comments are organized according to the party that made the comment. The table indicates if the Tentative TSO was revised in response to the comment. All of the original comment letters are provided on the San Diego Water Board website at the following link:

http://www.waterboards.ca.gov/sandiego/board_info/agendas/2015/Jun/Jun24.shtml

No.	Comment	Response	Action Taken												
Dennis Sperino, Deputy Utilities Manager, Wastewater, City of Escondido															
1	<p>Table 4. Interim Effluent Limitations.</p> <p>As documented within Table 3 of Tentative Time Schedule Order (TSO) No. R9-2015-0027, the maximum observed Hale Avenue Resource Recovery Facility (HARRF) un-ionized ammonia concentration during August 2009 through August 2013 was 32.6 mg/l, and the maximum observed total nitrogen concentration during August 2009 through August 2013 was 37.4 mg/l. Similar maximum concentrations have been observed in the HARRF effluent subsequent to August 2013. The City requests that the interim maximum effluent concentration limits of Table 4 of the TSO be revised as follows to reflect the historically achievable (and maximum anticipated) HARRF effluent ammonia and total nitrogen values.</p>	<p>As requested by the Discharger, the following changes have been made to Table 4 of the Tentative TSO:</p> <table border="1" data-bbox="982 586 1556 781"> <tbody> <tr> <td>Ammonia,</td> <td>mg/L</td> <td>25<u>32.6</u></td> </tr> <tr> <td>Un-ionized (NH3)</td> <td>lbs/day</td> <td>1334<u>1,740</u></td> </tr> <tr> <td>Total nitrogen</td> <td>mg/L</td> <td>35<u>37.4</u></td> </tr> <tr> <td></td> <td>lbs/day</td> <td>1,868<u>1,996</u></td> </tr> </tbody> </table>	Ammonia,	mg/L	25<u>32.6</u>	Un-ionized (NH3)	lbs/day	1334<u>1,740</u>	Total nitrogen	mg/L	35<u>37.4</u>		lbs/day	1,868<u>1,996</u>	<p>Tentative TSO, Table 4.has been revised.</p>
Ammonia,	mg/L	25<u>32.6</u>													
Un-ionized (NH3)	lbs/day	1334<u>1,740</u>													
Total nitrogen	mg/L	35<u>37.4</u>													
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No.	Comment	Response	Action Taken
2	<p>D. Compliance Schedule Reporting Requirements.</p> <p>Compliance Schedule Reporting Requirement D.2 requires the City to prepare and submit quarterly progress reports that detail efforts taken by the City to achieve the milestones established within Table 5 of Tentative TSO No. R9-201 5-0027.</p> <p>The City does not believe that the nature of the proposed compliance work justifies or warrants the need for quarterly progress reports.</p> <p>Because of the nature of the City's proposed compliance effort, progress reports will be largely limited to identifying dates when design is completed, construction is initiated, and construction is completed. A total of 21 of the 23 compliance deadlines identified within in Table 5 of the TSO occur in January, and 2 of the 23 compliance deadlines occur in July. Because compliance task start-up and completion dates are almost exclusively in January, the only progress to address in most quarterly progress reports would be to note that ongoing design and construction activities remain in progress and on schedule.</p> <p>In lieu of requiring quarterly reports, the City proposes that Compliance Schedule Reporting Requirement D.2 of the TSO be modified to require that compliance reports be submitted to the Regional Board within 60 days of each of the compliance task dates listed in Table 5 of the TSO. The effect of this requirement would be that the City</p>	<p>Water Code section 13385(j)(3)(C)(iii) states the following:</p> <p>“If the time schedule exceeds one year from the effective date of the order, the schedule shall include interim requirements and the dates for their achievement. The interim requirements shall include both of the following:</p> <p>“(I) Effluent limitations for the pollutant or pollutants of concern.</p> <p>“(II) Actions and milestones leading to compliance with the effluent limitation.”</p> <p>The Tentative TSO requires that the quarterly reports include the following: 1) the progress to date; 2) the activities conducted during that quarter; 3) the activities planned for the upcoming quarters; 4) information regarding all delays encountered or anticipated that may affect the future schedule for completion of the actions required; and 5) a description of all efforts made to mitigate those delays or anticipated delays. The reports must also state whether or not the Facility was in compliance with the interim effluent limitations during the reporting period.</p> <p>These quarterly report requirements are</p>	<p>No changes have been made to the Tentative TSO.</p>

	<p>would be required to submit compliance reports in:</p> <ul style="list-style-type: none">• March 2016 (reporting on 1/4/2016 compliance tasks),• March 2017 (reporting on 1/2/2017 compliance tasks),• March 2018 (reporting on 1/2/2018 compliance tasks),• March 2019 (reporting on 1/2/2019 compliance tasks),• March 2020 (reporting on 1/2/2020 compliance tasks),• September 2020 (reporting on 7/1/2020 compliance tasks), and• March 2021 (reporting on 1/4/2021 compliance tasks). <p>In accordance with the requirements of the Tentative TSO, the City would identify compliance tasks that are completed, and would detail efforts and schedules associated with implementing future required compliance tasks. The City believes that the above proposed schedule of compliance reporting (the submittal of annual compliance reports, except for semiannual reports submitted in 2020) would be more than adequate for allowing the Regional Board to track the City's compliance progress, and would result in considerably more effective use of City and Regional Board staff time.</p>	<p>necessary to evaluate if the City of Escondido's actions are leading to compliance with the requirements of the Tentative TSO.</p>	
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