

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

**EXECUTIVE OFFICER SUMMARY REPORT
September 9, 2020**

ITEM NO. 7

SUBJECT

Consideration of Tentative Order No. R9-2020-0174, *An Order Rescinding Order No. 94-69, Waste Discharge Requirements for Fredrick W. Gorman and Laura L. Prutch, Fallbrook Kamp Retreat, San Diego County* (Tentative Order No. R9-2020-0174). (Sherrie Komeylyan)

STAFF RECOMMENDATION

Adoption of Tentative Order No. R9-2020-0174 is recommended.

KEY ISSUES

Tentative Order No. R9-2020-0174 (**Supporting Document 1**), if adopted, rescinds Order No. 94-69, *Waste Discharge Requirements for Bertha and Mark Kirtland, Fallbrook Kamp Retreat, San Diego County*; Addendum No. 1 to Order No. 94-69, *An Addendum Transferring Responsibility for Order No. 94-69 from Bertha and Mark Kirtland to Kathleen Karen Morris, Fallbrook Kamp Retreat, San Diego County*; and Addendum No. 2 to Order No. 94-69, *An Addendum Transferring Responsibility to Fredrick W. Gorman and Laura L. Prutch, Fallbrook Kamp Retreat, San Diego County* (collectively Order No. 94-69). The onsite wastewater treatment systems (OWTS) at the Fallbrook Kamp Retreat (Facility), owned and operated by Fredrick W. Gorman and Laura L. Prutch (collectively Discharger), will be regulated under State Water Resources Control Board Order WQ 2014-0153-DWQ, *General Waste Discharge Requirement for Small Domestic Wastewater Treatment Systems* (General Order).¹

PRACTICAL VISION

Tentative Order No. R9-2020-0174 is consistent with the Strategizing for Healthy Waters chapter of the *San Diego Water Board Practical Vision*.² The use of statewide permits, like the General Order, help the San Diego Water Board to focus staff resources on larger projects and facilities within the region that pose a greater threat to water quality. Additionally, enrolling dischargers in the General Order maintains consistent regulation of small domestic wastewater systems throughout the State.

¹ General Order:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0153_dwq.pdf

² Practical Vision:

https://www.waterboards.ca.gov/sandiego/water_issues/programs/practical_vision/docs/PV-WQCC_Version.pdf

DISCUSSION

The Facility is located at 41332 De Luz Road, Fallbrook in San Diego County (**Supporting Document 2**). San Diego Water Board staff conducted an inspection of the Facility OWTS and did not observe any violations of the requirements specified in Order No. 94-69.

San Diego Water Board staff reviewed the Discharger's Report of Waste Discharge for enrollment of the Facility in the General Order and the requirements specified in Order No. 94-69. San Diego Water Board staff determined the Facility OWTS is eligible for enrollment in the General Order. Furthermore, Order No. 94-69 is outdated and is not as protective of water quality as the requirements specified in the General Order. Implementation of the General Order provides a more appropriate, consistent, and streamlined statewide approach to regulating small domestic wastewater treatment systems. Discharges from small domestic wastewater treatment systems have certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, flow ranges, and require the same or similar treatment standards. While the Discharger may request to be regulated under individual waste discharge requirements, the Facility's enrollment in the General Order allows the San Diego Water Board to effectively and efficiently regulate discharges from small domestic wastewater treatment systems, while prioritizing the agency's limited resources.

SIGNIFICANT CHANGES

The significant differences between the General Order and Order No. 94-69 are:

1. Order No. 94-69 includes specific individual waste discharge requirements for the Facility and the General Order regulates small domestic wastewater facilities statewide.
2. The monitoring required by the General Order is less stringent than the monitoring included in Order No. 94-69, however the monitoring and reporting program required by the General Order is more appropriate and consistent with facilities of similar size and discharge across the State.

COMPLIANCE RECORD

A total of two staff enforcement letters have been issued to the Facility for the failure to submit the 2001 and 2002 annual monitoring reports. San Diego Water Board staff issued enforcement letters on March 21, 2002, and March 4, 2003, for the respective violations. Since the issuance of the March 4, 2003 Staff Enforcement Letter, no violations of Order No. 94-69 have occurred.

PUBLIC NOTICE

Notification of this action was sent to the Discharger and known interested parties by mail on July 2, 2020 (**Supporting Documents 3 and 4**). Additionally, Tentative Order No. R9-2020-0174 was posted on the San Diego Water Board website on July 2, 2020.

No comments were received during the public comment period. These actions satisfy the 30-day public notification and comment period requirements of Water Code, division 7, section 13167.5.

SUPPORTING DOCUMENTS

1. Tentative Order No. R9-2020-0174
2. Vicinity and Facility Map
3. Tentative Order No. R9-2020-0174 Transmittal Letter
4. Notice of Public Hearing and Comment Period