

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

**EXECUTIVE OFFICER SUMMARY REPORT  
AUGUST 11, 2021**

**ITEM NO. 3**

**SUBJECT**

Consideration of Tentative Order No. R9-2021-0120, *An Order Rescinding Order No. 86-48, Waste Discharge Requirements for Kathleen Rosenow and Frank Spevacek, Pinecrest Park, San Diego County* (Tentative Order No. R9-2021-0120). (Sherrie Komeylyan)

**STAFF RECOMMENDATION**

Staff recommends adoption of Tentative Order No. R9-2021-0120.

**KEY ISSUES**

Tentative Order No. R9-2021-0120 (**Supporting Document 1**), if adopted, rescinds Order No. 86-48, *Waste Discharge Requirements for Kathleen Rosenow and Frank Spevacek, Pinecrest Park, San Diego County*; Addendum No. 1 to Order No. 86-48, *An Addendum Transferring Responsibility for Order No. 86-48 from Convair Recreation Association to Warren-Neely Foundation, Inc., Pinecrest Park, San Diego County*; Addendum No. 2 to Order No. 86-48, *An Addendum Transferring Order No. 86-48 to Eldon Cornette and Dian Cornette, Pinecrest Park, San Diego County*; and Addendum No. 3 to Order No. 86-48, *An Addendum Transferring Responsibility for Order No. 86-48 from Eldon Cornette and Dian Cornette to Kathleen Rosenow and Frank Spevacek, Pinecrest Park, San Diego County* (collectively, Order No. 86-48). The onsite wastewater treatment system (OWTS) at Pinecrest Park (Facility), owned and operated by Kathleen Rosenow and Frank Spevacek (Discharger), will be regulated under State Water Resources Control Board Order WQ 2014-0153-DWQ *General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems* (General Order).<sup>1</sup>

**PRACTICAL VISION**

Tentative Order No. R9-2021-0120 is consistent with the Strategizing for Healthy Waters chapter of the *San Diego Water Board Practical Vision*.<sup>2</sup> The use of statewide permits, like the General Order, help the San Diego Water Board 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.

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<sup>1</sup> General Order:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2014/wqo2014\\_0153\\_dwq.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0153_dwq.pdf)

<sup>2</sup> Practical Vision: [https://www.waterboards.ca.gov/sandiego/water\\_issues/programs/practical\\_vision/](https://www.waterboards.ca.gov/sandiego/water_issues/programs/practical_vision/)

## **DISCUSSION**

The purpose of this item is to provide the Board with information to assist in its consideration of Tentative Order No. R9-2021-0120. If adopted, Tentative Order No. R9-2021-0120 will rescind Order No. 86-48 and the Facility's enrollment in the General Order will be activated.

The Facility is located at 3936 Highway 79, Julian, California (**Supporting Document 2**). San Diego Water Board staff inspected the Facility on July 26, 2017. San Diego Water Board staff did not observe any violations of the requirements specified in Order No. 86-48 during the inspection.

San Diego Water Board staff reviewed the requirements specified in Order No. 86-48 and determined that the Facility's OWTS is eligible for enrollment in the General Order. Furthermore, Order No. 86-48 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, and 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. 86-48 are:

1. Order No. 86-48 includes specific individual waste discharge requirements for the Facility, whereas the General Order regulates OWTS consistently statewide.
2. The monitoring required by the General Order is less stringent than the monitoring required by Order No. 86-48. The monitoring and reporting program required by the General Order, however, is more appropriate because it is consistent with the monitoring and reporting requirements for facilities of similar size and discharge across the state.

## **COMPLIANCE RECORD**

The San Diego Water Board issued five staff enforcement letters for the following seven violations of Order No. 86-48:

- Failure to meet the daily maximum discharge specifications for total dissolved solids in 2005, 2006, 2009, 2010, and 2013.
- Failure to submit complete monitoring reports in 1992 and 2002.

Since July 2013, no violations of Order No. 86-48 have occurred.

### **PUBLIC NOTICE**

San Diego Water Board staff sent notification of this action to the Discharger and known interested parties on June 1, 2021 (**Supporting Documents 3 and 4**). Additionally, San Diego Water Board staff posted Tentative Order No. R9-2021-0120 on the San Diego Water Board website on June 1, 2021. The San Diego Water Board received no comments during the public comment period. These actions satisfy the 30-day public notification and comment period requirements of Water Code section 13167.5.

### **SUPPORTING DOCUMENTS**

1. Tentative Order No. R9-2021-0120
2. Vicinity and Facility Map
3. Tentative Order No. R9-2021-0120 Transmittal Letter
4. Notice of Public Hearing and Written Comment Period