

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

**EXECUTIVE OFFICER SUMMARY REPORT**

**MARCH 9, 2022**

**ITEM NO. 4**

**SUBJECT**

Consideration of Tentative Order No. R9-2022-0011, *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* (Tentative Order No. R9-2022-0011). (Brandon Bushnell)

**STAFF RECOMMENDATION**

Staff recommends adoption of Tentative Order No. R9-2022-0011.

**KEY ISSUES**

Tentative Order No. R9-2022-0011 (**Supporting Document 1**), if adopted, rescinds Order No. R9-2009-0147, *Waste Discharge Requirements for Rite Time Pharmaceuticals Inc., Anza Commercial Center Onsite Wastewater Treatment System, Riverside County* (Order No. R9-2009-0147). Rite Time Pharmaceuticals Inc. (Discharger) never constructed the onsite wastewater treatment system (OWTS) at the Anza Commercial Center (Facility).

San Diego Water Board staff reviewed Order No. R9-2009-0147 and the associated file record, as part of the routine administrative file review process. Staff determined the OWTS, as proposed, is eligible for oversight by the County of Riverside Department of Environmental Health (County of Riverside) under the *Local Agency Management Program for Onsite Wastewater Treatment Systems* (LAMP)<sup>1</sup>, should the Discharger proceed with construction in the future.

**PRACTICAL VISION**

Tentative Order No. R9-2022-0011 is consistent with the Strategize for Healthy Waters chapter of the *San Diego Water Board Practical Vision*.<sup>2</sup> Working to eliminate unneeded

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<sup>1</sup> County of Riverside LAMP: <https://www.rivcoeh.org/Portals/0/PDF/Land-Use/LAMP.pdf?ver=2018-12-05-133532-290>

<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/)

orders helps the San Diego Water Board focus staff resources on larger projects and facilities within the region that pose a greater threat to water quality.

## DISCUSSION

The purpose of this item is to provide the Board with information to assist in its consideration of Tentative Order No. R9-2022-0011. If adopted, Tentative Order No. R9-2022-0011 will rescind Order No. R9-2009-0147.

The proposed Facility is located at the corner of Highway 371 and Bailiff Road in Anza, Riverside County (**Supporting Document 2**). San Diego Water Board staff contacted the County of Riverside on October 7, 2021, and verified that the Discharger never constructed the Facility's OWTS.

San Diego Water Board staff reviewed Order No. R9-2009-0147 and the associated file record, including the Discharger's report of waste discharge. Staff determined the OWTS, as proposed, is eligible for oversight by the County of Riverside LAMP. The purpose of the LAMP is to allow continued use of OWTS within the jurisdiction of local agencies and expand the local program to permit and regulate alternative OWTS while protecting water quality and public health. The County of Riverside LAMP was developed in accordance with the State Water Resources Control Board's *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy).<sup>3</sup> The OWTS Policy establishes a statewide, risk-based, tiered approach for regulation and management of OWTS installations and replacements and recognizes the effectiveness of local permitting agencies. The OWTS Policy allows local agencies to approve OWTS, based on a local ordinance, after the Regional Water Quality Control Board approves the LAMP. The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) approved the County of Riverside LAMP on November 17, 2016.<sup>4</sup>

The San Diego Water Board notified the County of Riverside on October 7, 2021, that if constructed, the proposed OWTS will be eligible for regulation under the authority of the County of Riverside's LAMP. While the Discharger may request to be regulated under individual waste discharge requirements, the County of Riverside's regulation of the Facility allows the San Diego Water Board to effectively and efficiently regulate OWTS that pose a greater threat to water quality, while prioritizing the use of its limited resources.

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<sup>3</sup> OWTS Policy:

[https://www.waterboards.ca.gov/water\\_issues/programs/owts/docs/owts\\_policy.pdf](https://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf)

<sup>4</sup> Attachment 3 of the OWTS Policy designates the Colorado River Basin Water Board as the regional board to review and approve the County of Riverside's LAMP.

## **SIGNIFICANT CHANGES**

The significant differences between the County of Riverside LAMP and Order No. R9-2009-0147 are:

1. The Discharger will no longer need to submit monitoring reports or pay fees to the San Diego Water Board.
2. The Discharger will be required to submit all proposed OWTS upgrades and septage pumping records, upon request, to the County of Riverside.

## **COMPLIANCE RECORD**

Since the issuance of Order No. R9-2009-0147, no violations have occurred.

## **PUBLIC NOTICE**

San Diego Water Board staff sent notification of this action to the Discharger and known interested parties on December 13, 2021 (**Supporting Documents 3 and 4**). Additionally, the San Diego Water Board posted Tentative Order No. R9-2022-0011 on its website on December 16, 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. R9-2022-0011
2. Vicinity and Facility Map
3. Transmittal Letter
4. Notice of Public Hearing and Comment Period