

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

EXECUTIVE OFFICER SUMMARY REPORT

MAY 11, 2022

ITEM NO. 3

SUBJECT

Consideration of Tentative Order No. R9-2022-0012, *An Order Rescinding Order No. 94-48, Waste Discharge Requirements for SKP Incorporated, SKP Educational Resort of Southern California, Riverside County* (Tentative Order No. R9-2022-0012). (Brandon Bushnell)

STAFF RECOMMENDATION

Staff recommends adoption of Tentative Order No. R9-2022-0012.

KEY ISSUES

Tentative Order No. R9-2022-0012 (**Supporting Document 1**), if adopted, rescinds Order No. 94-48, *Waste Discharge Requirements for SKP Incorporated, SKP Educational Resort of Southern California, Riverside County* (Order No. 94-48). The onsite wastewater treatment systems (OWTS) at SKP Educational Resort of Southern California (Facility), owned and operated by SKP Incorporated (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).¹

PRACTICAL VISION

Tentative Order No. R9-2022-0012 is consistent with the Strategize 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 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/

DISCUSSION

The purpose of this item is to provide the Board with information to assist in its consideration of Tentative Order No. R9-2022-0012. If adopted, Tentative Order No. R9-2022-0012 will rescind Order No. 94-48 and the Facility's enrollment in the General Order will be activated.

The Facility is located at 45120 Highway 79, Aguanga in Riverside County (**Supporting Document 2**). San Diego Water Board staff inspected the Facility on May 4, 2021. San Diego Water Board staff did not observe any violations of the requirements specified in Order No. 94-48 during the inspection.

San Diego Water Board staff reviewed the requirements specified in Order No. 94-48 with the Discharger's annual monitoring reports and determined the Facility's OWTS is eligible for enrollment in the General Order. Furthermore, Order No. 94-48 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 regulate discharges effectively and efficiently 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. 94-48 are:

1. Order No. 94-48 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. 94-48. 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 four staff enforcement letters for the following violations of Order No. 94-48:

- Failure to submit annual monitoring reports in 2001 and 2018 by the required due date.

- Failure to submit complete monitoring reports in 2000 and 2001.
- Failure to submit the authorization by owner for representative to sign certification statement by the required due date in 2003.

Since 2018, no violations of Order No. 94-48 have been identified.

PUBLIC NOTICE

San Diego Water Board staff sent notification of this action to the Discharger and known interested parties on January 26, 2022 (**Supporting Documents 3 and 4**). Additionally, the San Diego Water Board posted Tentative Order No. R9-2022-0012 on its website on January 24, 2022. 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. R9-2022-0012
2. SKP Educational Resort of Southern California Vicinity and Facility Map
3. Tentative Order No. R9-2022-0012 Transmittal Letter
4. Notice of Public Hearing and Written Comment Period