

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

**EXECUTIVE OFFICER SUMMARY REPORT**

**OCTOBER 11, 2023**

**ITEM NO. 3**

**SUBJECT**

Consideration of Tentative Order No. No. R9-2023-0130, *Rescission of Order Nos. 88-15, 88-75, and 95-86, Waste Discharge Requirements for the Shamrock Sand and Rock Corporation Aguanga Sand Plant, Escondido Ready-Mix Concrete, Inc., and the Superior Ready Mix Concrete, L.P. Fallbrook Plant* (Tentative Order No. R9-2023-0130). (Brandon Bushnell)

**STAFF RECOMMENDATION**

Staff recommends adoption of Tentative Order No. R9-2023-0130.

**KEY ISSUES**

1. Tentative Order No. R9-2023-0130 (**Supporting Document 1**), if adopted, rescinds:
  - a. Order No. 88-15, *Waste Discharge Requirements for Shamrock Sand and Rock Corporation, Aguanga Sand Plant, Riverside County* (Order 88-15),
  - b. Order No. 88-75, *Waste Discharge Requirements for Escondido Ready-Mix Concrete, Inc. in the City of Escondido* (Order No. 88-75), and
  - c. Order No. 95-86, *Waste Discharge Requirements for Superior Ready Mix Concrete, L.P. Fallbrook Plant, San Diego County* (Order No. 95-86).
2. Superior Ready Mix Concrete L.P. (Discharger) terminated all operations and waste discharges at the Aguanga Sand and Fallbrook Plants.
3. The discharge and current management of wastes at Escondido Ready-Mix Concrete are more appropriately regulated through the Discharger's enrollment in the State Water Resources Control Board's (State Water Board) Order No. 2014-0057-DWQ, *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities* (Industrial General Permit)

## PRACTICAL VISION

Tentative Order No. R9-2023-0130 is consistent with the Strategize for Healthy Waters chapter of the *San Diego Water Board Practical Vision*.<sup>1</sup> The rescission of unneeded orders, 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.

## DISCUSSION

The purpose of this item is to provide the Board with information to assist in its consideration of Tentative Order No. R9-2023-0130. If adopted, Tentative Order No. R9-2023-0130 will rescind Order Nos. 88-15, 88-75, and 95-86. The Discharger owns Escondido Ready-Mix Concrete, the Aguanga Sand Plant and the Fallbrook Plant, and is responsible for complying with the respective Orders issued by the Board.

### Aguanga Sand Plant

The Aguanga Sand Plant is located at 41751 Highway 79, Aguanga, in the County of Riverside (**Supporting Document 2, Figures 1.1 and 1.2**). The Discharger notified the San Diego Water Board on February 6, 2023, that the Discharger acquired Shamrock Sand and Rock Corporation and the Aguanga Sand Plant in August 2006. The Discharger also notified the San Diego Water Board that all operations and waste discharges at the Aguanga Sand Plant are terminated. Board staff inspected the Facility on February 16, 2023, and did not observe any violations of the requirements specified in Order No. 88-15 and confirmed the termination of all operations and waste discharges at the Aguanga Sand Plant.

### Escondido Ready-Mix Concrete

The Escondido Ready-Mix Concrete facility is located at 1508 West Mission Road, Escondido in the County of San Diego (**Supporting Document 2, Figures 1.1 and 1.3**). The Discharger enrolled Escondido Ready-Mix Concrete in the State Water Board's Industrial General Permit on April 7, 1992. Board staff inspected the Facility on February 9, 2023, and did not observe any violations of the requirements specified in Order No. 88-75. Staff also confirmed that the discharge of wastewater from the concrete batch plant is now directed to concrete lined sumps, to be reused to produce concrete onsite. Staff determined that the requirements of the Industrial General Permit are sufficient to replace Order No. 88-75 regulated through enrollment in

### Fallbrook Plant

The Fallbrook Plant is located at 1415 Alturas Road, Fallbrook in the County of San Diego (**Supporting Document 2, Figures 1.1 and 1.4**). The Discharger notified the San Diego Water Board on February 6, 2023, that all operations and waste discharges

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<sup>1</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/)

at the Fallbrook Plant are terminated. Board staff inspected the Facility on February 16, 2023, and did not observe any violations of the requirements specified in Order No. 95-86 and confirmed the termination of all operations and waste discharges at the Fallbrook Plant.

## **COMPLIANCE RECORD**

### Aguanga Sand Plant

The Board issued two administrative civil liabilities, one notice of violation, and two staff enforcement letters, to the Shamrock Sand and Rock Corporation, for the following violations of Order No. 88-15:

- Failure to submit the Annual Monitoring Reports for 1992, 1993, 1994, 1995, and 1999.
- Failure to submit a complete Annual Monitoring Report in 2002.

### Escondido Ready-Mix Concrete

The Board issued one administrative civil liability and three staff enforcement letters for the following violations of Order No. 88-75:

- Failure to submit the Annual Monitoring Report for 1991, 1992, 1993, 1994, and 1999.
- Failure to submit a complete Annual Monitoring Report in 2003 and 2010.

### Fallbrook Plant

The Board issued two administrative civil liabilities and two staff enforcement letters for the following violations of Order No. 95-86:

- Failure to submit the Annual Monitoring Report for 1991, 1992, 1993, 1994, and 1995.
- Failure to submit a complete Annual Monitoring Report in 2003.

## **PUBLIC NOTICE**

Board staff notified the Discharger and known interested parties of this action on August 1, 2023 (**Supporting Document 3 and 4**). Additionally, Board staff posted Tentative Order No. R9-2023-0130 on its website on August 1, 2023. The Board did not receive any 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. R9-2023-0130
2. Vicinity Map and Facility Maps
  1. Vicinity Map
  2. Aguanga Sand Plant Facility Map
  3. Escondido Ready-Mix Concrete Facility Map
  4. Fallbrook Plant Facility Map
3. Transmittal Letter
4. Notice of Public Hearing and Written Comment Period