



California Regional Water Quality Control Board San Diego Region



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November 18, 2011

Mr. Kevin M. Hardy
General Manager
Encina Wastewater Authority
6200 Avenida Encinas
Carlsbad, CA 92011-1095

In reply refer to:

CRU:

222754:jcofrancesco

WDID: 9 000000030

Dear Mr. Hardy:

**SUBJECT: Notice of Violation of Order Nos. R9-2005-0219 and R9-2011-0019,
NPDES NO. CA0107395; Review of Self Monitoring Reports**

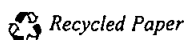
FACILITY: Encina Ocean Outfall

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) staff has reviewed the monitoring reports for the facility referenced above for January 2007 through August 2011. We have identified the following violations and included the following comments:

• **Effluent Violation of Discharge Specifications Section IV.A.1.a¹**

1. The weekly average effluent limitation (45 mg/L) for total suspended solids (TSS) was exceeded during the weeks of November 17 and 24, 2007 at Monitoring Location M-002 with the concentrations of 121.8 mg/L and 95.3 mg/L, respectively. It was also exceeded during the week of April 18, 2009 at Monitoring Location M-001 with the concentration of 50.8 mg/L.
2. The monthly average effluent limitation (30 mg/L) for TSS was exceeded during the month of November 2007 at Monitoring Location M-002 with the concentration of 88.6 mg/L. It was also exceeded during the month of April 2009 at Monitoring Location M-001 with the concentration of 31.9 mg/L.
3. The weekly average effluent limitation (40 mg/L) for carbonaceous biochemical oxygen demand (CBOD) was exceeded during the week of November 17, 2007 at Monitoring Location M-002 with the concentration of 65.1 mg/L.
4. The monthly average effluent limitation (25 mg/L) for CBOD was exceeded during the month of November 2007 at Monitoring Location M-002 with the concentration of 33 mg/L.

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5. The average monthly percent removal for TSS for the month of November 2007 was 52% at Monitoring Location M-002, which is below the minimum limitation (85%).

• **Order No. R9-2005-0219 Monitoring Violations of Section IV.A.1**

6. The Monitoring and Reported Program of Order No. R9-2005-0219 requires a monitoring frequency of three days per week for CBOD, TSS, and pH, at Monitoring Location M-001 and M-002.

- For the week of May 11th through May 17th, 2008, at Monitoring Location M-002, effluent was only discharged on May 15th (0.146 million gallon per day, MGD) and there were only two days of monitoring results for CBOD and TSS (May 13 and 14). Due to a sampling error, there was no monitoring result for May 15.

- For the week of October 12th through October 18th, 2008, at Monitoring Location M-002, effluent was discharged for two days, but only one sample was taken for pH.

- For the week of May 10th through May 16th, 2009, at Monitoring Location M-001, only two monitoring results were provided for CBOD.

• **Order No. R9-2011-0019 Monitoring Violations of Section IV.A.1**

7. The Monitoring and Reported Program of Order No. R9-2011-0019 requires a monitoring frequency of three days per week for CBOD at Monitoring Location M-001.

- For the week of May 15th through May 21st, 2011, at Monitoring Location M-001, only two monitoring results were provided for CBOD.

• **Comments**

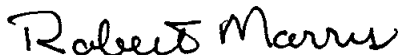
8. A total of thirty-six exceedances for the 6-month median limitation performance goal (290 ug/L) for total residual chlorine were recorded during the months of April 2008, May 2008, June 2008, May 2010, and June 2010.

¹On November 8, 2007, the Meadowlark Water Reclamation Facility (Monitoring Location M-002) started operation of their newly constructed activated sludge treatment processes. Pursuant to the California Water Code (CWC), Section 13385(j), mandatory minimum penalty do not apply to the effluent violations at Monitoring Location M-002 during the month of November 2007.

Please take steps to ensure that the violations noted above do not occur in the future. Pursuant to the California Water Code (CWC), the violations noted are subject to additional enforcement action(s) by the San Diego Water Board including a time schedule order, cease and desist order, cleanup and abatement order, imposition of administrative civil liability, referral to the district attorney for criminal prosecution, or referral to the attorney general. Administrative civil liability amounts that may be imposed by the San Diego Water Board under authority of CWC Section 13385 include up to \$10,000 per day or up to \$10 per gallon for each gallon of waste discharged.

In the subject line of any response, please include the requested "In reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Joann Cofrancesco at 858-637-5589 or jcofrancesco@waterboards.ca.gov.

Respectfully,



Robert W. Morris
Senior WRC Engineer

RWM:jlc

Order Nos.	R9-2005-0219 and R9-2011-0019
NPDES No.	CA0107395
CIWQS Place ID	222754 (Encina Ocean Outfall)
WDID	9 000000030
CIWQS Reg. Measure No.	305385 (R9-2005-0219) and 378933 (R9-2010-0019)
Violations	(1) 878765 , 878766, and 878777; (2) 878770 and 878778; (3) 878773 (4) 878774, (5) 878768, (6) 878772, 878775, 878780, and 878776; (7) 912545
Enforcement	378417 (Notice of Violation, NOV)