



# California Regional Water Quality Control Board San Diego Region



**Matthew Rodriguez**  
Secretary for  
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

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[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

**Edmund G. Brown, Jr.**  
Governor

September 13, 2011

In reply refer to:  
CIWQS Place No. 246018: WGhoram  
WDID No. 9 000000469

Mr. Thomas F. Sullivan, Vice President  
America Plaza Owners Association  
600 West Broadway, Suite 920  
San Diego, CA 92101

**SUBJECT: REVIEW OF SELF MONITORING REPORTS; ORDER NO. R9-2007-0034;  
NPDES NO. CAG919001**

**FACILITY: ONE AMERICA PLAZA PERMANENT GROUNDWATER DEWATERING  
1202 KETTNER BLVD., SAN DIEGO, CA 92101**

Dear Mr. Sullivan:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has reviewed the following reports:

MONITORING REPORTS REVIEWED FOR ORDER NO R9-2007-0034			
FREQUENCY	PERIOD	REPORT DATE	DATE RECEIVED
Monthly	April 2011	May 17, 2011	June 2, 2011
Monthly	May 2011	May 31, 2011	June 2, 2011
Monthly	June 2011	July 20, 2011	July 27, 2011
Quarterly	April – June 2011	July 20, 2011	July 27, 2011
Monthly	July 2011	July 28, 2011	August 3, 2011

Based upon our review of the information contained in the April – June 2011 monitoring report, the San Diego Water Board has the following comments:

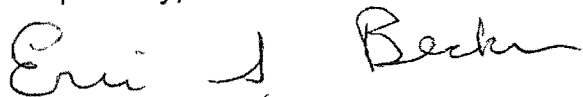
The echinoderm growth portion of the chronic toxicity test exceeded the effluent limitation (limit) of 1.0 TUc with a value of 2.0 TUc. This exceedance is a violation of Order No. R9-2007-0034.

The California Water Code (CWC) includes provisions for a variety of enforcement actions for violations of the terms and conditions of Order No. R9-2007-0034, the CWC, and the Clean Water Act. Violations of Order No. R9-2007-0034 may subject America Plaza Owners Association to further enforcement including Cleanup and Abatement Orders, Cease and Desist Orders, Administrative Assessment of Liability, and/or termination of enrollment under Order No. R9-2007-0034. Liability could be administratively imposed to a maximum of \$10,000 per violation plus \$10 per gallon of waste discharged. After an initial violation of the terms and conditions of the Order is discovered, prevention of further violations is necessary to prevent further enforcement actions.

Please review the monitoring and reporting schedule of Order No. R9-2007-0034 and ensure that monitoring reports are received at the San Diego Water Board office by the due dates indicated in the Order.

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 Ms. Whitney Ghoram by e-mail at [WGhoram@waterboards.ca.gov](mailto:WGhoram@waterboards.ca.gov), or by phone at (858) 467-2967.

Respectfully,



ERIC S. BECKER, P.E.  
Senior Water Resource Control Engineer  
Southern Watershed Unit

Cc: Cc: Mr. Jay Lynch, Senior Geologist, Construction Testing & Engineering, Inc., 1441 Montiel Road, Suite 115, Escondido, CA 92026

Order No: R9-2007-0034  
NPDES No: CAG919001  
File No: 14-0469.01&02  
WDID No: 9 000000469  
CIWQS: Place: 246018  
Regulatory Measure 213847  
Party: 1503

V: (1) 908515  
RM: 381327

ESB:wjg  
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