

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

ADDENDUM NO. 1 TO ORDER NO. 88-16

AN ADDENDUM TRANSFERRING RESPONSIBILITY  
FOR ORDER NO. 88-16  
FROM  
V.R DENNIS CONSTRUCTION COMPANY  
TO  
SUPERIOR READY MIX CONCRETE, L.P.  
SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

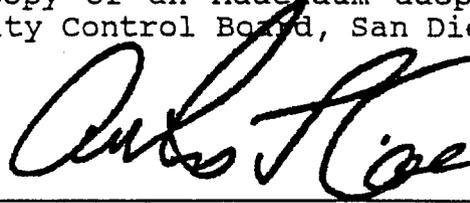
1. On April 25, 1988, this Regional Board adopted Order No. 88-16, **Waste Discharge Requirements for the V.R. Dennis Construction Company, San Diego County.** Order No. 88-16 established requirements for the operation of a sand and gravel facility in the Mission Gorge area of San Diego County.
2. By letter dated December 21, 1992, Mark Kuski, Superior Ready Mix Concrete, L.P., notified the Regional Board that the ownership of the former V.R Dennis site (and thus the responsibility for compliance with Order No. 88-16) was transferred from V.R. Dennis Construction Company to Superior Ready Mix Concrete, L.P. on July 8, 1991.
3. The Regional Board has notified all known interested parties of its intent to modify Order No. 88-16 to reflect the transfer of responsibility for complying with Order No. 88-16.
4. The Regional Board in a public hearing heard and considered all comments pertaining to the modification of Order No. 88-16.
5. This facility is an existing facility and as such is exempt from the provisions of the California Environmental Quality Act, in accordance with Title 14, California Code of Regulations Article 19, Section 15301.

IT IS HEREBY ORDERED that Order No. 88-16 is modified as follows:

1. Order No. 88-16 shall henceforth be referred to as **Waste Discharge Requirements for Superior Ready Mix Concrete, L.P., Mission Gorge Facility, San Diego County.**
2. The waste discharge requirements contained in Order No. 88-16 shall be applicable to Superior Ready Mix Concrete, L.P. and shall remain in full force and effect.

3. The word discharger as it appears in Order No. 88-16 shall hereafter be construed to refer to Superior Ready Mix Concrete L.P.

I Arthur L. Coe, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Addendum adopted by the California Regional Water Quality Control Board, San Diego Region, on February 1, 1993.



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ARTHUR L. COE  
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

ORDER NO. 88-16

WASTE DISCHARGE REQUIREMENTS  
FOR THE  
V.R. DENNIS CONSTRUCTION COMPANY  
SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) finds that:

1. On April 15, 1974, this Regional Board adopted Order No. 74-33 (NPDES Permit No. CA0000043), a federal discharge permit for the discharge of wastewater from the V.R. Dennis Construction Company into the San Diego River, a navigable water of the United States. Order No. 74-33 expired January 1, 1978.
2. Provision 3 of Order No. 74-33 provided a time schedule to achieve by July 1, 1977 (1) the protection of all waste treatment and containment facilities to withstand, without discharge, the waters of a once-in-one-hundred-year flood, and (2) the termination of all discharges of wastes or pollutants to navigable waters.
3. By letter dated August 4, 1977, Mr. Richard J. Eskelson of V.R. Dennis Construction Company notified this Regional Board that their plant, at 7000 Mission Gorge Road in San Diego, has permanently terminated the discharge of waste or pollutants to navigable waters. In the same letter Mr. Eskelson stated that once-in-one-hundred-year flood protection in the form of a berm between V.R. Dennis property and the San Diego River had been provided, thus bringing this facility into full compliance with Order No. 74-33 and eliminating the need for an NPDES permit.
4. Mr. Richard J. Eskelson of V.R. Dennis Construction Company submitted an incomplete Report of Waste Discharge dated September 8, 1977, requesting waste discharge requirements for the discharge of wastes from the sand and gravel washing operation at 7000 Mission Gorge Road. After receipt of additional information requested by staff, the complete Report of Waste Discharge was accepted on November 1, 1977.
5. On November 28, 1977, this Regional Board adopted Order No. 77-41, *WASTE DISCHARGE REQUIREMENTS FOR V.R. DENNIS CONSTRUCTION COMPANY*. Order No. 77-41 established requirements for the discharge of up to 252,000 gallons per day of process washwater from a sand and gravel plant.
6. As part of the fiscal year 1987/88 waste discharge order update program, Order No. 77-41 has been reviewed by Regional Board staff in accordance with criteria established in the Administrative Procedures Manual adopted by the State Water Resources Control Board. Order No. 88-16 supersedes Order No. 77-41, and updates requirements for the V.R. Dennis Construction Company.

7. On January 12, 1988, Regional Board staff inspected the V.R. Dennis Construction Company sand and gravel operations north of Mission Gorge Road in San Diego.
8. V.R. Dennis Construction Company operates a rock mining and processing plant on approximately 250 acres of land on the north side of Mission Gorge Road between the extensions of Old Cliffs Road and Margeron Avenue. V.R. Dennis Construction Company also operates an asphalt batch plant on the same site. Water is used in the rock crushing and washing operation to remove fine sediment and in the asphalt batch operation for dust control
9. Sediment-laden washwater is discharged to a series of five settling ponds where solids are allowed to settle. Clarified water is pumped from the final ponds to the processing plant where it is reused. Makeup water is supplied to the plant from surface water in the San Diego River.
10. Settling ponds are periodically dredged to remove settled material. Dredged material is placed beside the settling ponds for drying. Any runoff from drying dredged material goes back into settling ponds. The berm constructed by V.R. Dennis Company prevents any plant runoff from carrying dredged materials into the San Diego River. After dredged material from settling ponds has dried, it is hauled to a site where rock has been mined and used as fill. The site is an excavation well above the San Diego River and is not subject to flooding or storm water runoff.
11. The V.R. Dennis Construction Company is located in the West 1/2 of Section 3, T16S, R2W, SBB&M in the Mission San Diego Hydrographic Subarea (7.11) of the Lower San Diego Hydrographic Subunit of the San Diego Hydrographic Unit near Mission Gorge Road, approximately two miles northeast of its intersection with Friars Road in the City of San Diego.
12. The *Comprehensive Water Quality Control Plan Report, San Diego Basin (9)* (Basin Plan) was adopted by this Regional Board on March 17, 1975; approved by the State Water Resources Control Board on March 20, 1975 and updated by the Regional Board on February 27, 1978, March 23, 1981, January 23 and October 3, 1983, August 27, 1984, December 16 1985, and March 24, 1986. The updates were subsequently approved by the State Board.
13. The Basin Plan established the following beneficial uses for the surface waters of the Mission San Diego Hydrographic Subunit.
  - a. Agricultural Supply
  - b. Industrial Service Supply
  - c. Water Contact Recreation
  - d. Non-Contact Water Recreation
  - e. Warm Fresh-Water Habitat
  - f. Cold Fresh-Water Habitat
  - g. Wildlife Habitat
  - h. Preservation of Rare and Endangered Species
14. The Basin Plan established the following beneficial uses for the ground waters of the Lower San Diego Hydrographic Subunit.

- a. Municipal and Domestic Supply
- b. Agricultural Supply
- c. Industrial Service Supply
- d. Industrial Process Supply (Potential Beneficial Use)
- e. Ground Water Recharge (Potential Beneficial Use)

15. The Basin Plan established the following water quality objectives for the waters of the Mission San Diego Hydrographic Subarea.

Constituent	Ground Water		Surface Water	
	Concentration	Unit	Concentration	Unit
Total Dissolved Solids	1500	mg/L*	1500	mg/L
Chloride	400	mg/L*	400	mg/L
Percent Sodium Sulfate	60	%	60	%
Nitrogen & Phosphorus	---		---	**
Nitrate (as NO <sub>3</sub> )	45	mg/L*	---	
Iron	0.3	mg/L*	1.0	mg/L
Manganese	0.05	mg/L*	1.0	mg/L
Methylene Blue Active Substances	0.5	mg/L*	0.5	mg/L
Boron	0.5	mg/L	1.0	mg/L
Odor		None	20.0	None
Turbidity	5.0	NTU	20.0	NTU
Color	15.0	Units		Units
Fluoride	1.0	mg/L	---	mg/L

- \* Detailed salt balance studies are recommended for this area to determine limiting mineral concentration levels for discharges. On the basis of existing data, the tabulated objections would probably be maintained for most areas. Upon completion of the salt balance studies, significant water quality objective revisions may be necessary. In the interim period of time, projects of groundwater recharge with water quality inferior to the tabulated numerical values may be permitted following individual review and approval by the Regional Board if such projects do not degrade existing groundwater quality in the aquifer affected by the recharge.
- \*\* Concentrations of nitrogen and phosphorus, by themselves or in combination with other nutrients, shall be maintained at levels below those which stimulate algae and emergent plant growth. Threshold total phosphorus (P) concentrations shall not exceed 0.05 mg/L in any stream at the point where it enters any standing body of water, nor 0.025 mg/L in any standing body of water. A desired goal in order to prevent plant nuisances in streams and other flowing waters appears to be 0.01 mg/L total P. These values are not to be exceeded more than 10 percent of the time unless studies of the specific water body in question clearly show that water quality objective changes are permissible and changes are approved by the Regional Board. Analogous threshold values have not been

Note: NTU = Nephelometric Turbidity Units  
mg/L = Milligrams per liter

set for nitrogen compounds; however, natural ratios of nitrogen to phosphorus are to be determined by surveillance and monitoring and upheld. If data are lacking, a ratio of N:P = 10:1 shall be used.

15. The Basin Plan contains the following objectives for inland surface waters which are applicable to this facility:

a. *Color*

Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses.

b. *Tastes and Odors*

Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that cause nuisance or adversely affect beneficial uses.

c. *Floating Material*

Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

d. *Suspended Material*

Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.

e. *Settleable Materials*

Waters shall not contain substances in concentrations that result in the deposition of material that cause nuisance or adversely affect beneficial uses.

f. *Oil and Grease*

Waters shall not contain oils, greases, waxes or other materials in concentrations that result in a visible film or coating on the surface of the water, or on objects in the water, that cause nuisance or that otherwise adversely affect beneficial uses.

g. *Biostimulatory Substance*

Waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growths cause nuisance or adversely affect beneficial uses.

h. *Sediment*

The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial use.

*i. Turbidity*

Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses.

The transparency of waters in lagoons and estuaries shall not be less than 50 percent of the depth at location where measurement is made by means of a standard Secchi disk, except where lesser transparency is caused by rainfall runoff from undisturbed natural areas and dredging projects conducted in conformance with waste discharge requirements of the Regional Board. With these two exceptions, increases in turbidity attributable to controllable water quality factors shall not exceed the following limits:

- (1) Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20 percent.
- (2) Where natural turbidity is between 50 and 100 NTU, increases shall not exceed 10 NTU.
- (3) Where natural turbidity is greater than 100 NTU, increases shall not exceed 10 percent.

*j. Hydrogen Ion Concentrations*

Changes in normal ambient pH levels shall not exceed 0.2 units in waters with designated marine (MAR) or saline (SAL) beneficial uses nor 0.5 units in fresh waters with designated COLD or WARM beneficial uses.

In inland surface waters the pH shall not be depressed below 6.5 nor raised above 8.5.

*k. Dissolved Oxygen*

Dissolved oxygen levels shall not be less than 5.0 mg/L in inland surface waters with designated MAR or WARM beneficial uses or less than 6.0 mg/L in waters with designated COLD beneficial uses. The annual mean dissolved oxygen concentration shall not be less than 7.0 mg/L more than 10 percent of the time.

16. The Basin Plan contains the following prohibitions which are applicable to this facility;

"Discharge of treated or untreated sewage or industrial wastewater, exclusive of cooling water or other waters which are chemically unchanged, to a watercourse, is prohibited except in cases where the quality of said discharge complies with the receiving body's water quality objectives."

"Discharging of treated or untreated sewage or industrial wastes in such manner or volume as to cause sustained surface flow or ponding on lands not owned or under the control of the discharger is prohibited except in cases defined in the previous paragraph and in cases in which the responsibility for all downstream adverse effects is accepted by the discharger."

"Dumping or disposition of oil, garbage, trash or other solid municipal, industrial, or agricultural waste into natural or excavated sites below historic water levels or deposition of soluble industrial wastes at any site is prohibited, unless such site has been specifically approved by the Regional Board for that purpose."

"Land grading and similar operations causing soil disturbance which do not contain provisions to minimize soil erosion and limit suspended matter in area runoff are prohibited."

"The dumping or deposition of oil, garbage, trash or other solid municipal, industrial or agricultural waste directly into inland waters or watercourses or adjacent to the watercourses in any manner which may permit its being washed into the watercourse is prohibited."

17. Waste as defined by the California Water Code Section 13050(d) has been interpreted to include changes in the physical or chemical characteristics of receiving waters caused by extraction of sand, gravel or other materials from a streambed.
18. The City of San Diego has approved a Negative Declaration for V.R. Dennis Construction Company dated January 25, 1983, in accordance with the California Environmental Act (Public Resources Code Section 21000 et seq.)
19. The project, as approved by the City of San Diego, will not have a significant effect on water quality.
20. The Regional Board has considered all water resource related environmental factors associated with the discharge.
21. The Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to, the following:
  - a. Beneficial uses to be protected and the water quality objectives reasonably required for that purpose;
  - b. Other waste discharges;
  - c. The need to prevent nuisance;
  - d. Past, present, and probable future beneficial uses of water;
  - e. Environmental characteristics of the hydrographic unit under consideration including the quality of water available thereto;
  - f. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
  - g. Economic considerations; and
  - h. The need for developing housing within the region.

22. The Regional Board has notified the discharger and all known interested parties of its intent to prescribe waste discharge requirements for the discharge.
23. The Regional Board in a public meeting heard and considered all comments pertaining to the discharge.

*IT IS HEREBY ORDERED, That* V.R. Dennis Consturction Company (hereinafter discharger), in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. *PROHIBITIONS*

1. Discharges of waste to lands which have not been specifically described to the Regional Board and for which valid waste discharge requirements are not in force are prohibited.
2. The discharge of any radiological, chemical or biological warfare agent, or high-level radiological waste is prohibited.
3. The disposal of wastewater in a manner that would result in ponding or surfacing of wastewater on lands beyond the disposal area, as described in the findings of this Order, is prohibited.
4. The discharge of wastewater or other waste shall not:
  - a. Cause the occurrence of coliform or pathogenic organisms in waters pumped from the basin;
  - b. Cause the occurrence of objectionable tastes and odors in water pumped from the basin;
  - c. Cause waters pumped from the basin to foam;
  - d. Cause the presence of toxic materials in waters pumped from the basin;
  - e. Cause the pH of waters pumped from the basin to fall below 6.0 or rise above 9.0;
  - f. Cause this Regional Board's objectives for the inland surface waters in general or ground or surface waters of the Mission San Diego Hydrographic Subareas as established in the Basin Plan, to be exceeded;
  - g. Cause odors, septicity, mosquitos or other vectors, weed growth or other nuisance conditions in the San Diego River or its tributaries; or
  - h. Cause a pollution, contamination, or nuisance, or adversely affect beneficial uses of the ground or surface waters of the Mission San Diego Hydrographic Subarea as established in the Basin Plan.

5. The bypassing of untreated or partially treated wastewater from the wastewater treatment facility or any intermediate unit process is prohibited.
6. The discharge of waste in a manner other than as described in the findings of this Order or the Report of Waste Discharge is prohibited unless the discharger obtains revised waste discharge requirements that provide for the proposed change.
7. The discharge of wastewater or other waste to the San Diego River or its tributaries is prohibited.
8. Materials discharged to the settling ponds shall consist of only runoff or washwater from the sand and gravel washing and truck washing operations. Discharge of grease, oil or other chemicals which would not occur naturally in the runoff or washwater are prohibited.
9. Land grading and similar operations causing soil disturbance which do not include provisions to minimize soil erosion and limit suspended matter in the runoff are prohibited. Runoff from all disturbed soil areas shall be managed, controlled and/or treated so that the discharge shall contain no more suspended solids than would be contained in runoff from the undisturbed state. The runoff shall be managed and/or treated until such time as all disturbed soil areas have been restored to a state which will produce runoff with a suspended solids concentration not greater than that found from original undisturbed soil areas.
10. The dumping of waste concrete and/or asphalt into the San Diego River or tributaries thereto is prohibited.

**B. DISCHARGE SPECIFICATIONS**

1. All waste treatment, containment and disposal facilities (including storage ponds and percolation ponds) shall be protected against 100-year peak stream flows as defined by the San Diego County flood control agency.
2. All waste treatment, containment and disposal facilities (including storage ponds and percolation ponds), shall be protected against erosion, overland runoff, and other impacts resulting from a 100-year frequency 24-hour storm.
3. All unused sediment and washwater shall be discharged as described in the Report of Waste Discharge and in the findings of this Order. The waste sediment shall be deposited in a manner that will prevent its erosion when subjected to the effects of up to a 100-year frequency flood as defined by the San Diego County flood control agency.
4. The excavation and sediment disposal shall be conducted in a manner that will ensure that the normal quality and quantity of groundwater underflow of the San Diego River will be maintained.

5. All domestic wastes shall be disposed of to a public sewer or in subsurface disposal systems in compliance with all applicable ordinances and regulations of the San Diego County Department of Health Services. Subsurface disposal systems shall be located so that there will be no surfacing of leachate or flow of leachate into excavated areas or any other areas where water is ponded.
6. Sediment removed from process wash water or runoff shall be placed only in protected areas where precautions have been taken to minimize erosion.

C. *PROVISIONS*

1. Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code.
2. The discharger must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for (a) enforcement action; (b) termination, revocation and reissuance, or modification of this Order; or (c) denial of a Report of Waste Discharge submitted in application for new or revised waste discharge requirements.
3. In an enforcement action it shall not be a defense for the discharger that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost.
4. The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the non-compliance.
5. The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.
6. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:
  - a. Violation of any terms or conditions of this Order;

- b. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts; or
- c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

The filing of a request by the discharger for the modification, revocation and reissuance or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

- 7. This Order is not transferable to any person except after notice to the Executive Officer. The Regional Board may require modification or revocation and reissuance of this Order to change the name of the discharger and incorporate such other requirements as may be necessary under the California Water Code. The discharger shall submit notice of any proposed transfer of this Order's responsibility and coverage to a new discharger as described under Reporting Requirement D.3.
- 8. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from his liability under federal, state or local laws, nor create a vested right for the discharger to continue his waste discharge.
- 9. The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:
  - a. Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this Order; and
  - d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.
- 10. A copy of this Order shall be maintained at a prominent location and shall be available to operating personnel at all times.
- 11. The requirements prescribed by this Order supersede the requirements prescribed by Order No. 77-41. Order No. 77-41 is hereby rescinded when this Order becomes effective.

12. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
13. The plant grounds and drainage shall be maintained so that no pollutants enter the storm drainage system. Storm runoff shall be routed to preclude contact with raw materials, chemicals or contaminants.
14. The discharger shall implement a program to minimize soil erosion and limit suspended matter in runoff from the plant site.

D. *REPORTING REQUIREMENTS*

1. The discharger shall file a new Report of Waste Discharge at least 120 days prior to the following:
  - a. Addition of a major industrial waste discharge of essentially domestic sewage, or the the addition of a new process or product by an industrial facility resulting in a change in the character of the wastes.
  - b. Significant change in the treatment or disposal method (e.g., change in the method of treatment which would significantly alter the nature of waste).
  - c. Change in the disposal area from that described in the findings of this Order.
  - d. Other circumstances which result in a material change in character, amount, or location of the waste discharge.
  - e. Any planned change in the regulated facility or activity which may result in noncompliance with this Order.
2. The discharger shall furnish to the Executive Officer of this Regional Board, within a reasonable time, any information which the Executive Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The discharger shall also furnish to the Executive Officer, upon request, copies of records required to be kept by this Order.
3. The discharger must notify the Executive Officer, in writing, at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on.

4. The discharger shall comply with the attached Monitoring and Reporting Program No. 88-16. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 88-16.
5. Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information.
6. The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Officer within 24 hours:
  - a. Any violation of the prohibitions of this Order.
  - b. Any discharge to the San Diego River caused by a flood of lesser magnitude than a once in one hundred year flood.
7. All applications, reports, or information submitted to the Executive Officer shall be signed and certified as follows:
  - a. The Report of Waste Discharge shall be signed as follows:
    - (1) *For a corporation* - by a principal executive officer of at least the level of vice-president.
    - (2) *For a partnership or sole proprietorship* - by a general partner or the proprietor, respectively.
    - (3) *For a municipality, state, federal or other public agency* - by either a principal executive officer or ranking elected official.
  - b. All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:
    - (1) The authorization is made in writing by a person described in paragraph (a) of this provision;

- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
- (3) The written authorization is submitted to the Executive Officer.

- c. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possibility of fine and imprisonment."

8. The discharger shall submit reports required under this Order, or other information required by the Executive Officer, to:

Executive Officer  
Regional Water Quality Control Board  
9771 Clairemont Mesa Blvd, Suite B  
San Diego, California 92124-1331

#### E. *NOTIFICATIONS*

1. These requirements have not been officially reviewed by the United States Environmental Protection Agency and are not issued pursuant to Section 402 of the Clean Water Act.
2. The California Water Code provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by this Regional Board is subject to a civil monetary remedy of up to twenty dollars per gallon of waste discharged or, if a cleanup and abatement order is issued, up to fifteen thousand dollars per day of violation or some combination thereof.
3. The California Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor under Division 7, Chapter 4, Article 4, Section 13268 of the California Water Code and may be subject to imposition of Administrative Civil Liabilities of up to one thousand dollars for each day of violation
4. This Order becomes effective on the date of adoption by the Regional Board.

4. This Order becomes effective on the date of adoption by the Regional Board.

*I, Ladin H. Delaney, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, April 25, 1988.*

*Ladin H. Delaney*

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Ladin H. Delaney  
Executive Officer  
April 25, 1988

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

MONITORING AND REPORTING PROGRAM NO. 88-16

FOR

V.R. DENNIS CONSTRUCTION COMPANY  
SAN DIEGO COUNTY

A. *MONITORING PROVISIONS*

1. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this Order and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification and the approval of the Executive Officer.
2. Monitoring must be conducted according to United States Environmental Protection Agency test procedures approved under Title 40, Code of Federal Regulations CFR, Part 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants Under the Clean Water Act" as amended, unless other test procedures have been specified in this Order.
3. All analyses shall be performed in a laboratory certified to perform such analyses by the California Department of Health Services or a laboratory approved by the Executive Officer.
4. Monitoring results must be reported on discharge monitoring report forms approved by the Executive Officer.
5. If the discharger monitors any pollutants more frequently than required by this Order, using test procedures approved under 40 CFR, Part 136, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharger's monitoring report. The increased frequency of monitoring shall also be reported.
6. The discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

7. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling or measurements;
  - c. The date(s) the analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or method used; and
  - f. The results of such analyses.
8. Calculations for all limitations which require averaging or measurements shall utilize an arithmetic mean unless otherwise specified by the Executive Officer or in this Order.
9. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
10. The discharger shall report all instances of noncompliance not reported under Reporting Requirement D.6 of this Order at the time monitoring reports are submitted. The reports shall contain the information listed in Reporting Requirement D.6.
11. The monitoring reports shall be signed by an authorized person as required by Reporting Requirement No. D.7.
12. A grab sample is an individual sample of at least 100 milliliters collected at a randomly selected time over a period not exceeding 15 minutes.

**B. *SETTLING POND MONITORING***

Where there is more than one pond in series, samples shall be collected from the pond which is furthest downstream. Where there are several washwater or dust control streams, samples shall be collected from the pond in each stream which is furthest downstream. Samples shall be collected and analyzed as follows:

Constituent	Units	Sample Type	Sampling Frequency	Reporting Frequency
Total Dissolved Solids	mg/L	Grab	*Annually	Annually
pH	pH Units	Grab	*Annually	Annually
Grease & Oil	mg/L	Grab	*Annually	Annually

\*Samples shall be collected between May and September, inclusive.

Note: mg/l = milligrams per liter

C. *WASHWATER VOLUME MONITORING*

The discharger shall submit the following water volume information annually:

1. An estimate of the average daily volume of water recycled.
2. An estimate of the average daily volume of water drawn from the makeup water source.

The average daily volume shall, in each case be based on the number of days the plant was in operation in any given month, thus the annual report shall show the average daily volume of water for each month.

D. *PLANT FACILITIES*

The discharger shall annually submit one or more facility diagrams to show the following:

1. Buildings, stationary equipment, and machinery (such as batch plant, crusher, conveyor belts, etc.).
2. Excavation areas, stockpiles of mined material and stockpiles of sediment removed from settling ponds.
3. Present location of settling ponds.
4. Present location and description of facilities (i.e., berms, etc.) that provide flood and storm protection as required in Discharge Specifications B.1 and B.2.
5. A topographic map showing the drainage pattern for all land regulated by this Order.

E. *COMPLIANCE REPORT*

The discharger shall submit annually:

1. A statement signed by a registered civil engineer certifying that flood and storm protection (as specified in Discharge Specifications B.1 and B.2) are adequate. Inspections of these facilities shall be done during the month of October.
2. A statement certifying compliance with all requirements of the Prohibitions and Discharge Specifications sections of this Order. Any noncompliance with these sections shall be specifically identified.

F. *REPORT SCHEDULE*

Monitoring reports shall be submitted to the Executive Officer in accordance with the following schedule:

<u>Reporting Frequency</u>	<u>Report Period</u>	<u>Report Due</u>
Annually	January - December	January 30

Ordered by Ladin H. Delaney  
Ladin H. Delaney  
Executive Officer