

SUPPLEMENTAL EXECUTIVE OFFICER SUMMARY REPORT
November 12, 2008

- ITEM: 14
- SUBJECT: General Waste Discharge Requirements for *In-situ* Ground Water Remediation Projects within the San Diego Region (Tentative Order No. R9-2008-0081) (*Helen Yu*).
- PURPOSE: Consider the adoption of tentative Order No. R9-2008-0081
- PUBLIC NOTICE: The tentative Order (Supporting Document 1) was posted on the Regional Board web site on August 28, 2008. Selected federal, state and local agencies as well as other interested persons were notified of the tentative Order via letter or emails sent on August 28, 2008, and had opportunity to comment (Supporting Document 2). On October 29, 2008, the original Executive Officer Summary Report (EOSR), tentative Order, and Supporting Documents 1 to 3 for this Item were posted on the Regional Board web site.
- DISCUSSION: In addition to comments previously received from Delta Consultants and OnMaterial™, the Regional Board received written comments from ARCADIS on October 29 and November 5, 2008, respectively; and from SCS Engineering on November 3, 2008, and from HARGIS + ASSOCIATES on November 5, 2008.
- ARCADIS, on behalf of BAE systems in San Marcos, inquired about the effects of the tentative Order on ongoing in-situ remediation projects (discharges of wastes) implementing an existing remedial work plan. The Regional Board intends to use the following application procedures for “on-going projects” located in the San Diego Region:
- a. A new Report of Waste Discharge (ROWD) or application fee is NOT REQUIRED for ongoing discharges of wastes where the discharger previously provided the Regional Board with a ROWD and an application fee. The Regional Board will use the previously submitted information to evaluate the eligibility of the proposed discharge for coverage

under the general WDRs. The Regional Board will contact the discharger if additional information is required to make the application complete.

- b. A ROWD [including Standard Application Form (Form 200)] and filing fee ARE REQUIRED for on-going discharges of wastes that have not previously submitted a complete application. However, the discharger may submit a list of previously submitted technical reports and documents they propose that the Regional Board use as being equivalent to a ROWD for their on-going project.
- c. A ROWD (including Form 200) and filing fee ARE REQUIRED for new/proposed discharges of wastes where the discharger wishes to apply for coverage by the general WDRs.

The Regional Board will notify dischargers concerning their eligibility of their discharge (new/proposed or on-going) of wastes to be covered by the general WDRs. If the Regional Board finds that an on-going discharge to be ineligible for enrollment in the general WDRs, then the application materials may be used by the discharger/applicant to apply for individual WDRs for the affected project.

Responses to the written comments from ARCADIS, SCS Engineering, and HARGIS + ASSOCIATES are provided in Supporting Document 4.

A copy of all written comments provided on the tentative Order and received by the Regional Board are included as Supporting Document No. 5.

KEY ISSUES: None.

LEGAL CONCERNS: None

SUPPORTING DOCUMENTS: 4. Responses to Public Comments
5. Comment Letters Received

RECOMMENDATION(S): Regional Board staff recommends adoption of tentative Order No. R9-2008-0081