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## San Diego Regional Water Quality Control Board

April 17, 2018

**Sent By Email Only**

Mr. Christopher Lee  
Contracting Officer  
U.S. General Services Administration  
Public Buildings Service  
Acquisition Management Division  
50 United Nations Plaza  
3rd Floor South Rm. 3675  
San Francisco, CA 94102  
[christopher.lee@gsa.gov](mailto:christopher.lee@gsa.gov)

**In reply refer to / attn:**  
**829236:KYaeger**

**Subject: Staff Enforcement Letter (SEL) Related to Violations of General Waste Discharge Requirements for Groundwater Extraction Discharges to Surface Waters Within the San Diego Region, Order R9-2015-0013, NPDES No. CAG919003 (General Order)**

**San Ysidro Land Port of Entry Phase III, 5775 Camiones Way, San Diego, CA (Project)**

Mr. Lee:

Attached is a summary of the California Regional Water Quality Control Board, San Diego Region's (San Diego Water Board's) findings regarding the following reports submitted by U.S. General Services Administration pursuant to Order No. R9-2015-0013:

- Monthly self-monitoring reports – January 2017 through February 2018
- Quarterly self-monitoring reports – April 2017 through December 2017
- Semiannual self-monitoring reports – July 2017 through December 2017

Please take steps to ensure that the violation(s) noted in the attached violation summary table does 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.

Pursuant to CWC section 13385(h), certain violations, such as late reporting and deficient monitoring, are subject to mandatory minimum penalties (MMPs) of \$3,000 for each violation. MMPs for late or missing monitoring reports will be assessed for each 30-day period following the deadline for submission until the monitoring report is received by the San Diego Water Board. If no monitoring was conducted, the Discharger must submit a written statement signed under penalty of perjury in accordance with Title 40 of the Code of Federal Regulations (40 CFR) section 122.41(k) and 40 CFR section 122.22(a)(1) stating the following:

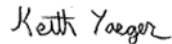
- 1) That no monitoring was conducted during the relevant monitoring period;
- 2) The reason(s) the required monitoring was not conducted; *and*

- 3) The reason(s) the required discharge monitoring report was not submitted to the San Diego Water Board by the requisite deadline if the written statement is submitted after the deadline for submitting the monitoring report.

The San Diego Water Board will issue MMP enforcement actions under separate cover.

In the subject line of any response, please include the following: 829236:KYaeger. For questions or concerns regarding this letter, please contact me by phone at 619-521-5899 or by email at [Keith.Yaeger@waterboards.ca.gov](mailto:Keith.Yaeger@waterboards.ca.gov).

Respectfully,



Keith Yaeger  
Environmental Scientist  
Source Control Regulation Unit

cc by email:

Brandi Outwin-Beals, San Diego Water Board, [Brandi.Outwin-Beals@waterboards.ca.gov](mailto:Brandi.Outwin-Beals@waterboards.ca.gov)  
Ben Neill, San Diego Water Board, [ben.neill@waterboards.ca.gov](mailto:ben.neill@waterboards.ca.gov)  
Chiara Clemente, San Diego Water Board, [chiara.clemente@waterboards.ca.gov](mailto:chiara.clemente@waterboards.ca.gov)  
Drew Kleis, City of San Diego, [akleis@sandiego.gov](mailto:akleis@sandiego.gov)  
Joann Weber, County of San Diego, [Joann.Weber@sdcounty.ca.gov](mailto:Joann.Weber@sdcounty.ca.gov)  
Stephanie Gaines, County of San Diego, [Stephanie.Gaines@sdcounty.ca.gov](mailto:Stephanie.Gaines@sdcounty.ca.gov)  
Chris Peregrin, Tijuana River National Estuarine Research Reserve,  
[Chris.Peregrin@parks.ca.gov](mailto:Chris.Peregrin@parks.ca.gov)

Tech Staff Info & Use		
Order No.	R9-2015-0013	
NPDES No.	CAG919003	
CW Place ID (GW Extraction, San Ysidro Land Port of Entry Phase 3, 5775 Camiones Way)	829236	
CW Party/Organization ID (General Services Administration)	537696	
CW Party/Person ID (Peter Watson)	560256	
CW Regulatory Measure (General Order)	400619	
CW Regulatory Measure (SEL)	420910	
WDID	9 000003111	
Violation IDs		
1. 1042046	21. 1042066	41. 1042086
2. 1042047	22. 1042067	42. 1042087
3. 1042049	23. 1042068	43. 1042088
4. 1042050	24. 1042069	44. 1042089
5. 1042048	25. 1042070	45. 1042090
6. 1042051	26. 1042071	46. 1042091
7. 1042052	27. 1042072	47. 1042092
8. 1042053	28. 1042073	48. 1042093
9. 1042054	29. 1042074	49. 1042094
10. 1042055	30. 1042075	50. 1042095
11. 1042056	31. 1042076	51. 1042096
12. 1042057	32. 1042077	52. 1042097
13. 1042058	33. 1042078	53. 1042098
14. 1042059	34. 1042079	
15. 1042060	35. 1042080	
16. 1042061	36. 1042081	
17. 1042062	37. 1042082	
18. 1042063	38. 1042083	
19. 1042064	39. 1042084	
20. 1042065	40. 1042085	

**Summary of Violations**  
**San Ysidro Land Port of Entry Phase III, 5775 Camiones Way, San Diego, CA (Project)**

	Violation ID(s)	Date(s)	Section of the Order Violated	Violation Type	Description of Violation	Additional Notes
1	1042046	04/30/17	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the month of March 2017. This report was due on April 30, 2017	Please submit this report.
2	1042047	05/30/17	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the month of April 2017. This report was due on May 30, 2017	Please submit this report.
3	1042049	06/30/17	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of May 2017 was submitted on July 10, 2017. This report was due on June 30, 2017.	
4	1042050	06/30/17	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for May 2017.	Please submit the analytical laboratory reports.
5	1042048	06/26/17	Attachment E section III.A.1.a of the General Order	Effluent	The chronic toxicity test for the green algae ( <i>Selenastrum capricornutum</i> ) cell density endpoint resulted in a 'Fail' and greater than 50 percent effect.	
6	1042051	06/30/17	Attachment E section III.A.1.b of the General Order	Deficient Monitoring	Failed to conduct chronic toxicity test on water flea ( <i>Ceriodaphnia dubia</i> ) for the second quarter of 2016.	Chronic toxicity test was conducted on the freshwater amphipod <i>Hyalella azteca</i> . However, <i>Hyalella azteca</i> is not approved species for effluent chronic toxicity testing. Please submit the chronic toxicity results for the water flea ( <i>Ceriodaphnia dubia</i> ).
7	1042052	07/10/17	Attachment E section III.A.1.d of the General Order	Deficient Reporting	Failed to conduct additional chronic toxicity test within two weeks of being notified of the failed green algae chronic toxicity test on June 26, 2017.	Please submit the results to the accelerated chronic toxicity testing.
8	1042053	07/30/17	Attachment E section V.B.7 and V.B.8 of the General Order	Deficient Reporting	The effluent violation during the June 2017 monitoring period was not identified in the cover letter of the monthly self-monitoring report.	The Discharger is required to attach a cover letter to each self-monitoring report that clearly identify any violations of the Order.
9	1042054	07/30/17	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for June 2017.	Please submit the analytical laboratory reports.
10	1042055	07/19/17	Section V.A.3 of the General Order	Serious Effluent	Total recoverable manganese exceeded the instantaneous maximum effluent limitation of 0.05 mg/L with a reported value of 87.9 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.

**Summary of Violations**  
**San Ysidro Land Port of Entry Phase III, 5775 Camiones Way, San Diego, CA (Project)**

	<b>Violation ID(s)</b>	<b>Date(s)</b>	<b>Section of the Order Violated</b>	<b>Violation Type</b>	<b>Description of Violation</b>	<b>Additional Notes</b>
11	1042056	07/19/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the instantaneous maximum effluent limitation of 2 mg/L with a reported value of 16.9 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
12	1042057	07/19/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the average monthly effluent limitation of 1 mg/L with a reported value of 16.9 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
13	1042058	08/30/17	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of July 2017 was submitted on September 11, 2017. This report was due on August 30, 2017.	
14	1042059	08/30/17	Attachment E section V.B.7 and V.B.8 of the General Order	Deficient Reporting	The effluent violations during the July 2017 monitoring period were not identified in the cover letter of the monthly self-monitoring report.	
15	1042060	08/30/17	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for July 2017.	Please submit the analytical laboratory reports.
16	1042061	08/31/17	Section V.A.3 of the General Order	Serious Effluent	Total recoverable manganese exceeded the instantaneous maximum effluent limitation of 0.05 mg/L with a reported value of 96.1 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
17	1042062	08/31/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the instantaneous maximum effluent limitation of 2 mg/L with a reported value of 5.7 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
18	1042063	08/31/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the average monthly effluent limitation of 1 mg/L with a reported value of 5.7 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
19	1042064	09/30/17	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of August 2017 was submitted on October 11, 2017. This report was due September 30, 2017.	
20	1042065	09/30/17	Attachment E section V.B.7 and V.B.8 of the General Order	Deficient Reporting	The effluent violations during the August 2017 monitoring period were not identified in the cover letter of the monthly self-monitoring report.	

**Summary of Violations**  
**San Ysidro Land Port of Entry Phase III, 5775 Camiones Way, San Diego, CA (Project)**

	<b>Violation ID(s)</b>	<b>Date(s)</b>	<b>Section of the Order Violated</b>	<b>Violation Type</b>	<b>Description of Violation</b>	<b>Additional Notes</b>
21	1042066	09/30/17	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for August 2017.	Please submit the analytical laboratory reports.
22	1042067	09/14/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the instantaneous maximum effluent limitation of 2 mg/L with a reported value of 4.7 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
23	1042068	09/14/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the average monthly effluent limitation of 1 mg/L with a reported value of 4.7 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
24	1042069	10/30/17	Attachment E section V.B.7 and V.B.8 of the General Order	Deficient Reporting	The effluent violations during the September 2017 monitoring period were not identified in the cover letter of the monthly self-monitoring report.	
25	1042070	10/30/17	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the third quarter of 2017. This report was due October 30, 2017.	Please submit this report.
26	1042071	10/30/17	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of September 2017 was submitted on November 3, 2017. This report was due October 30, 2017.	
27	1042072	10/30/17	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for September 2017.	Please submit the analytical laboratory reports.
28	1042073	10/17/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the instantaneous maximum effluent limitation of 2 mg/L with a reported value of 6.05 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
29	1042074	10/17/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the average monthly effluent limitation of 1 mg/L with a reported value of 6.05 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
30	1042075	11/30/17	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of October 2017 was submitted on December 1, 2017. This report was due November 30, 2017.	

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	<b>Violation ID(s)</b>	<b>Date(s)</b>	<b>Section of the Order Violated</b>	<b>Violation Type</b>	<b>Description of Violation</b>	<b>Additional Notes</b>
31	1042076	11/30/17	Attachment E section V.B.7 and V.B.8 of the General Order	Deficient Reporting	The effluent violations during the October 2017 monitoring period were not identified in the cover letter of the monthly self-monitoring report.	
32	1042077	11/30/17	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for October 2017.	Please submit the analytical laboratory reports.
33	1042078	11/16/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the instantaneous maximum effluent limitation of 2 mg/L with a reported value of 4.625 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
34	1042079	11/16/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the average monthly effluent limitation of 1 mg/L with a reported value of 4.625 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
35	1042080	11/16/17	Section V.A.3 of the General Order	Serious Effluent	Total recoverable manganese exceeded the instantaneous maximum effluent limitation of 0.05 mg/L with a reported value of 0.08 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
36	1042081	12/30/17	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of November 2017 was submitted on February 13, 2018. This report was due December 30, 2017.	
37	1042082	12/30/17	Attachment E section V.B.7 and V.B.8 of the General Order	Deficient Reporting	The effluent violations during the November 2017 monitoring period were not identified in the cover letter of the monthly self-monitoring report.	
38	1042083	12/30/17	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for November 2017.	Please submit the analytical laboratory reports.
39	1042084	12/19/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the instantaneous maximum effluent limitation of 2 mg/L with a reported value of 6.325 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
40	1042085	12/19/17	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the average monthly effluent limitation of 1 mg/L with a reported value of 6.325 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.

**Summary of Violations**  
**San Ysidro Land Port of Entry Phase III, 5775 Camiones Way, San Diego, CA (Project)**

	<b>Violation ID(s)</b>	<b>Date(s)</b>	<b>Section of the Order Violated</b>	<b>Violation Type</b>	<b>Description of Violation</b>	<b>Additional Notes</b>
41	1042086	01/30/18	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of December 2017 was submitted on February 13, 2018. This report was due on January 30, 2018.	
42	1042087	01/30/18	Attachment E section V.B.7 and V.B.8 of the General Order	Deficient Reporting	The effluent violations during the December 2017 monitoring period were not identified in the cover letter of the monthly self-monitoring report.	
43	1042088	01/30/18	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for December 2017.	Please submit the analytical laboratory reports.
44	1042089	01/30/18	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the fourth quarter of 2017. This report was due on January 30, 2018.	Please submit this report.
45	1042090	01/30/18	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit a self-monitoring report for the second semiannual period of 2017. This report was due January 30, 2018.	Please submit this report.
46	1042091	01/31/18	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the instantaneous maximum effluent limitation of 2 mg/L with a reported value of 4.15 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
47	1042092	01/31/18	Section V.A.3 of the General Order	Serious Effluent	Total nitrogen exceeded the average monthly effluent limitation of 1 mg/L with a reported value of 4.15 mg/L.	Group 1 pollutant exceeded the effluent limitation by over 40%.
48	1042093	03/01/18	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of January 2018 was submitted on April 5, 2018. This report was due on March 1, 2018.	
49	1042094	03/01/18	Attachment E section V.B.7 and V.B.8 of the General Order	Deficient Reporting	The effluent violations during the January 2018 monitoring period were not identified in the cover letter of the monthly self-monitoring report.	
50	1042095	03/01/18	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for January 2017.	Please submit the analytical laboratory reports.



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	<b>Violation ID(s)</b>	<b>Date(s)</b>	<b>Section of the Order Violated</b>	<b>Violation Type</b>	<b>Description of Violation</b>	<b>Additional Notes</b>
51	1042096	03/30/18	Table 6 of the Notice of Applicability	Deficient Reporting	Failed to submit laboratory results for analytes with a once per month monitoring frequency for the February 2018 monitoring period.	The Discharger submitted a self-monitoring report for the month of February. However, the sampling date for the analytes with a once per month monitoring frequency was on January 31, 2018. Please submit results for the February monitoring period.
52	1042097	03/30/18	Attachment E section V.B.3 of the General Order	Late Reporting	The self-monitoring report for the month of February 2018 was submitted on April 5, 2018. This report was due on March 30, 2018.	
53	1042098	03/30/18	Attachment E section V.B.4 of the General Order	Deficient Reporting	Failed to report with each sample result the applicable reported Minimum Level (ML) and Method Detection Limit (MDL) in the monthly self-monitoring report for February 2017.	Please submit the analytical laboratory reports.