

San Diego
Regional Water Quality
Control Board



Executive Officer's
Report

February 13, 2008

TABLE OF CONTENTS

PART A – SAN DIEGO REGION STAFF ACTIVITIES

1	Storm Water Coordination Meetings	1
2	Enforcenomics Workshop	2
3	San Diego Unified Port District, Environmental Advisory Committee	2

PART B – SIGNIFICANT REGIONAL WATER QUALITY ISSUES

1	Clean Water Act Section 401 Water Quality Certification Actions Taken	3
2	Significant Enforcement Actions in January 2008	3
3	2007 Calendar Year Status of UST Program Cases, San Diego Region	4
4	Enforcement Status: U.S. Marine Corps Camp Pendleton, Las Pulgas Landfill	5
5	Proposed Settlement of ACL Against the Cities of Vista and Carlsbad	5
6	Proposed Settlement of ACL Against the Fallbrook Public Utility District	6
7	Water Quality Concerns with City of San Juan Capistrano Municipal Wells	6
8	Status of Compliance from North County Transit District Sprinter Rail Site	7

PART C – STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

	There are no items to report in Part C this month.	
--	--	--

Attachments for B-1, B-2, B-3, B-5, B-6, and B-7 are included at the end of the report. Also included as an attachment are the Significant NPDES Permits, WDRs and RB Actions.

SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

EXECUTIVE OFFICER'S REPORT

February 13, 2008

PART A

SAN DIEGO REGION STAFF ACTIVITIES *(Staff Contact)*

1. Storm Water Coordination Meetings *(Jimmy Smith)*

On January 11, 2008 Mike McCann, David Gibson, Jody Ebsen, Christina Arias, Ben Neill and Chad Loflen attended the CASQA (California Stormwater Quality Association) meeting in San Diego. The focus of this meeting was an annual Federal and State Stormwater and Water Quality Regulatory Programs Update. Presentations were given by the USEPA and the State Water Resources Control Board. Staff from other Regional Boards, as well as consultants and dischargers, were in attendance.

On January 17, 2008, Christina Arias of the Southern Watershed Unit attended a bi-monthly meeting coordinated by the San Diego County Municipal Stormwater Copermittees. Ms. Arias informed the Copermittees that the Regional Board does not intend to take any enforcement action as a result of the MS4 inspections conducted in September 2007. Inspections were specifically conducted on the City of San Marcos, City of San Diego, and the County of San Diego for this group of Copermittees regulated under Order No. R9-2007-0001. Inspections focused on the Standard Urban Stormwater Mitigation Plan and the Illicit Discharge and Elimination program elements. Additionally, Ms. Arias informed the group that additional inspections by PG Environmental would take place during the next quarter and that storm water program managers would be notified at least one week prior to the scheduled inspections.

On January 24, 2008 Chad Loflen attended an Orange County Coastal Coalition (an association of government agencies, non-profit organizations, private industry and the public whose role is to advocate, educate and coordinate activities along the Orange County coast) Meeting focusing on the upcoming Marine Life Protected Areas (MLPAs) coming to Southern California. Speakers included the Department of Fish and Game as well as a member of the scientific committee. Storm water pollution, and its impact on future MLPAs, was addressed as an issue of concern. Multiple Orange County dischargers were present at the meeting, as well as three Regional Board members. The board members included Kris Webber, Susan Ritschel and Wayne Rayfield.

On January 30, 2008 Jeremy Haas and Chad Loflen attended the quarterly Aliso Creek Watershed Meeting. The meeting was attended by Copermittees under the Orange County MS4 permit whose jurisdiction includes the Aliso Creek Watershed. Topics of discussion included the upcoming MS4 permit reissuance, trash cleaning, and possible ordinances against landscape over-watering.

On Monday February 4, 2008, Peter Peuron and Ben Neill of the Regional Board met with Sandra Walker and Derek Gade of the County of San Diego's Department of Public Works. The meeting discussed termination of construction at the Bridges of Rancho Santa Fe (Bridges). The State's Construction Storm Water Permit at the Bridges will be terminated following final hydro seeding of bare areas. In addition, ongoing drainage problems, from an orchard onto an adjacent street, were discussed. The County of San Diego is expected to follow-up on correcting the road's grade to improve drainage while the local homeowner's association will implement sediment and erosion controls in the orchard to minimize sediment in the runoff.

2. Enforcenomics Workshop (*Mark Alpert, Frank Melbourn*)

On January 9 - 11, 2008, Mark Alpert and Frank Melbourn of the Compliance Assurance Unit attended the State Board Training Academy's Enforcenomics Workshop in Berkeley, California. The workshop focused on the economic principles of regulatory enforcement. Frank Melbourn also was a presenter at the workshop, reviewing the factors used to calculate liability and penalties for certain Water Code violations. Other speakers during the workshop included economists from CSU Sacramento, UC Berkeley, UC Davis, UCLA, National Oceanic and Atmospheric Administration (NOAA), and California Department of Fish & Game. Topics presented ranged from foundational economic principles to specific economic enforcement principles (i.e., methods of valuing the environment, assessment of natural resource damage, and effectiveness of penalties on defendants and defendants' peers.). Workshop attendees included representatives of the State and Regional Boards, other Cal EPA agencies, and several District Attorney's Offices. Overall, the workshop offered a good mix of theoretical and practical lectures that should improve the quality of future Regional Board enforcement actions.

3. San Diego Unified Port District, Environmental Advisory Committee (*Christina Arias, Frank Melbourn*)

On January 22, 2008, Christina Arias and Frank Melbourn of the Regional Board attended the bimonthly Environmental Advisory Committee meeting at the Port Administration Building. The committee includes Port Commissioners Laurie Black, Mike Najera, and Rocky Spane. Other participants include representatives from government, academia, port tenants, and the environmental community. Frank Melbourn briefed the committee on the current status of Cleanup and Abatement Order Nos. R9-2006-0101 and 0102, which are presently being petitioned in San Diego County Superior Court by the Coronado homeowners named in the CAOs (Dickersons and Gunnings). Other topics discussed during the meeting included the following: Alternative hull paint study; Proposed time frame for implementation of a Port Environmental Sustainability Study; Efforts to reduce pollutants under the Port's Clean Air Program; and Status of projects funded by the Port. The next meeting will be on March 18, 2008.

PART B
SIGNIFICANT REGIONAL WATER QUALITY ISSUES

1. Clean Water Act Section 401 Water Quality Certification Actions Taken in December 2007 and January 2008 (*Chiara Clemente*) (*Attachment B-1*)

Section 401 of the Clean Water Act requires that any person applying for a federal permit which may result in a discharge of pollutants into Waters of the United States must obtain a water quality certification that that specific activity complies with all applicable state water quality standards, limitations, requirements, and restrictions. The most common federal permit that requires a 401 Certification is a CWA Section 404 permit, issued by the Army Corps of Engineers, for the placing of fill (sediment, rip rap, concrete, pipes, etc.) in Waters of the U.S. (i.e. Ocean, bays, lagoons, rivers and streams).

Upon receipt of a complete 401 certification application, the Regional Board may either certify the project or deny certification, with or without prejudice. In cases where there are impacts to Waters of the U.S., the Regional Board may issue a conditional certification. The certification can be either in the form of a conditional certification document approved by the Regional Board Executive Office, or Waste Discharge Requirements (WDRs), adopted by the Regional Board. And, in the case where a federal permit is not required because impacts have been determined to be only to Waters of the State, the Regional Board may adopt WDRs. Table B-2 (attached) contains a list of actions taken during the months of December 2007 and January 2008. Public notification of pending 401 Water Quality Certification applications can be found on our web site at: <http://www.waterboards.ca.gov/sandiego/programs/401cert.html>. Starting in January 2008, issued certifications can also be found on our web site at: <http://www.swrcb.ca.gov/rwqcb9/programs/401cert/certprojects/401projects.html>.

2. Significant Enforcement Actions in January 2008 (*Frank Melbourn*) (*Attachment B-2*)

The following is a summary of all enforcement actions during the month of January 2008. During this period, the Regional Board issued two enforcement actions (1 Staff Enforcement Letter, and 1 Cleanup and Abatement Order). Information on sewage spills will be provided as a separate discussion topic entitled "Sewage Spills" in next month's Executive Officer Report.

AGENCY/ FACILITY NAME	CITY	PROGRAM ¹	ACTION DATE
Staff Enforcement Letter (SEL)			
John Konyn & Son Dairy	Valley Center	WDR	01/08/2008
Cleanup and Abatement Order (CAO)			
Jim Barbour Residence	Poway	LNDISP	01/28/2008

¹Program Acronyms

CER	Clean Water Act Section 401 Certification
CONSTW	Construction Storm Water
DoD	Department of Defense
INDSTW	Industrial Storm Water
LNDISP	Land Disposal
MNSTW	Municipal Storm Water
NPDES	National Discharge Elimination System
WDR	Waste Discharge Requirements
SSO	Sanitary Sewer Overflow
SLIC	Spills, Leaks, Investigations, and Cleanup
TANKS	Underground Storage Tank

3. 2007 Calendar Year Status of Underground Storage Tank Program Cases, San Diego Region (Robert Morris) (Attachment B-3)

The Regional Board's Tanks Site Mitigation & Cleanup (TSMC) Unit provides technical and regulatory oversight for the investigation and cleanup of sites impacted by leaking underground storage tanks. An underground storage tank (UST) is defined by law as "any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground".

Table B-3 (attached) contains a list of 80 Leaking Underground Storage Tank (LUST) cases that were assigned to the TSMC Unit at some point during 2007. The table is presented in three sections. The first section lists 43 cases that were initiated prior to 2007 and remain active into 2008. The second section identifies 28 cases that were added to the program and the third section, the 9 cases that were closed during 2007. The table provides a status of each case, highlighting achievement of any major milestones that occurred during 2007.

The Regional Board's authority for requiring investigation and cleanup exists in the Porter-Cologne Water Quality Control Act, Health and Safety Code, Underground Storage Tank Regulations, Regional Board Basin Plans, and State Board Policies. The regulations define corrective action as "any activity necessary to investigate and analyze the effects of an unauthorized release, propose a cost-effective plan to adequately protect human health, safety and the environment and to restore or protect current and potential beneficial uses of water, and implement and evaluate the effectiveness of the activity(ies)." (Cal. Code Regs., tit. 23, § 2720). Corrective action consists of one or more of the following phases: (1) preliminary site investigation, (2) soil and water investigation, (3) corrective action plan implementation, and (4) verification monitoring (Cal. Code Regs, tit. 23, § 2722, subd. (a)). Policies contain in the *Water Quality Control Plan for the San Diego Basin* provide guidance for determining the appropriate conditions for site closure.

Reports on the status of underground storage tank cases will be included periodically in future Executive Officer reports to inform the Regional Board on the progress of investigations and cleanup at these sites.

4. Enforcement Status: U.S. Marine Corps Camp Pendleton, Las Pulgas Landfill
(Amy Grove)

On January 29, 2008, the Regional Board's Land Disposal Unit staff met with representatives of U.S. Marine Corps Base (USMC) Camp Pendleton and the County of San Diego Local Enforcement Agency (LEA) to discuss the Base's Corrective Action Plan (CAP) for its Las Pulgas Landfill. This CAP was prepared to address problems with the waste containment system (composite liner, leachate collection and removal system, and the foundation/subgrade) in the Phase 1 expansion area of the landfill. The failure of the landfill's containment system has resulted in slumping of the operations layer and side-slope liner system, and surfacing of leachate at the north-east end of Phase 1.

The requirements for the preparation a CAP are specified in Cleanup and Abatement Order No. R9-2006-0016 as amended by the Regional Board on April 13, 2007. As described in the CAP, the USMC proposes to conduct corrective construction in the Phase 1 expansion area. Corrective construction will include the removal of the waste currently disposed of in the Phase 1 area and the side-slope liner system and conducting a leak detection survey of the basal liner system. Depending on the results of the survey, a determination will be made on whether the basal liner system is salvageable or must be removed and reconstructed.

Consistent with Title 27 of the California Code of Regulations, requirements for the implementation of the CAP and monitoring provisions to assess its effectiveness should be included in the Waste Discharge Requirements (WDRs) for the Las Pulgas Landfill. Accordingly, a tentative addendum to the WDRs containing the revised requirements should be completed sometime in the next few months for consideration by the Regional Board. With the adoption of this tentative Addendum, Cleanup and Abatement Order R9-2006-0016 could be rescinded.

5. Proposed Settlement of Administrative Civil Liability Against the Cities of Vista and Carlsbad, Sewage Spill Complaint: Buena Vista Lagoon
(Eric Becker)
(Attachment B-5)

The City of Vista and City of Carlsbad have offered to settle the proposed administrative civil liability for violations alleged in Complaint No. R9-2007-0099. The Complaint recommends imposition of civil liability in the amount of \$1,095,000 on the City of Vista and the City of Carlsbad for the discharge of 7.3 million gallons of untreated sewage from March 31 to April 3, 2007 from a 24-inch diameter sewer main at the Buena Vista Pump Station to Buena Vista Lagoon, a water of the United States. The settlement includes payment of \$200,000 to the State Water Resources Control Board, funding a \$500,000 Supplemental Project, and suspension of \$395,000 liability when the Cities undertake specified actions.

Additional information on the settlement and complaint can be found at the following URL:

http://www.waterboards.ca.gov/sandiego/units/compliance%20unit/acl_complaints.html.

A public notification (Attachment B-5) of the proposed settlement and request for public comment by March 5, 2008 has been sent to interested parties, posted on the Regional Board website, and published in local newspapers. A public hearing on this matter is scheduled for consideration by the Regional Board on March 12, 2008.

6. Proposed Settlement of Administrative Civil Liability Against the Fallbrook Public Utility District, Sewage Spill Complaint: Fallbrook Creek (Joann Cofrancesco) (Attachment B-6)

The Fallbrook Public Utility District has offered to settle the proposed administrative civil liability for violations alleged in Complaint No. R9-2007-0101. The Complaint recommends imposition of civil liability in the amount of \$29,300 on the Fallbrook Public Utility District for the discharge of 146,625 gallons of untreated sewage from June 17 to 20, 2006 from a 6-inch diameter sewer pipe located near 526 Aviation Road, Fallbrook. The settlement includes payment of \$20,000 to the State Water Resources Control Board and suspension of \$9,300 liability when the Fallbrook Public Utility District undertake specified actions.

Additional information on the settlement and complaint can be found at the following URL:

http://www.waterboards.ca.gov/sandiego/units/compliance%20unit/acl_complaints.html.

A public notification (Attachment B-6) of the proposed settlement and request for public comment by March 5, 2008 has been sent to interested parties, posted on the Regional Board website, and published in local newspapers. A public hearing on this matter is scheduled for consideration by the Regional Board on March 12, 2008.

7. Water Quality Concerns with City of San Juan Capistrano Municipal Wells (Susan Pease)

Low levels of methyl tertiary butyl ether (MTBE) have recently been detected in two of the wells supplying a portion of the City of San Juan Capistrano's municipal drinking water. As noted in the Orange County Register article dated January 24, 2008 (see attachment B-7), MTBE was detected at a concentration of 1.3 microgram per liter ($\mu\text{g/L}$) in the municipal well described as the Dance Hall well, which is located at the south end of Paseo Adelanto in the City of San Juan Capistrano. This concentration is below both the primary drinking water standard (established for the protection of public health) of 13 $\mu\text{g/L}$ and the secondary drinking water standard (established at taste and odor threshold) of 5

µg/L. On February 1st, the City announced that MTBE also has been detected at concentrations between 2.9 and 4.0 µg/L in a second well, described as the Kinoshita well, which is located approximately 3/4 miles downgradient of the Dance Hall well. To address community concerns, the City suspended the use of both wells.

A Chevron Station located at 32001 Camino Capistrano, San Juan Capistrano, has been identified as the most likely source of the MTBE detected in the Dance Hall well. The Chevron site is an active gas station, which has had two releases of fuel from the underground storage tanks (UST's) in 1988. The UST's were removed and replaced with new UST's in 1990. Free phase petroleum and contaminated soil were removed from the excavation at that time.

Further site assessment has taken place since 1988, however the full extent of the groundwater plume has not been determined. Analysis for MTBE in groundwater started in 1996, and is evaluated each quarter in all Chevron monitoring wells. Additional monitoring wells at different depths are currently being installed and evaluated by Chevron. In addition, it is not known at this time whether the release from the Chevron station is the source of the MTBE in the Kinoshita well.

Staff from the Regional Board's Underground Storage Tank (UST) Program Unit have been in contact with representatives from the City; the Orange County Department of Environmental Health's Local Oversight Program, which is the lead agency for overseeing underground storage tank investigations and cleanup in the area; and with Chevron, the potentially responsible party.

The County will continue to update the Regional Board's UST Program Unit on the progress being made by Chevron to assess and cleanup the MTBE groundwater plume. If necessary, regulatory assistance would be provided to the County to expedite cleanup efforts.

8. Status of Compliance from North County Transit District Sprinter Rail Site (Chiara Clemente)

Cleanup and Abatement Order (CAO) No. R9-2007-0226 was issued on December 31, 2007 to the North County Transit District (District) for delays in correcting violations noted and achieving compliance with construction storm water requirements along the Sprinter Rail Project. The CAO directs the District to implement measures to comply immediately and to report to the Regional Board when compliance is achieved (as determined by an independent party). The CAO also requires the District to submit a prioritized schedule to achieve compliance, and submit status reports on measures taken to comply with that schedule, and submit a Best Management Practices (BMP) effectiveness evaluation after each significant rainfall event.

On January 24, 2008 the Regional Board met with the District to discuss the District's recent and planned measures to achieve compliance. On January 30, the District submitted their first status report, as well as the first rainfall report (16

days late). On February 7, the Regional Board received a second rainfall report in compliance with the CAO. Both the status report and the two rainfall reports are currently under review by the Regional Board. To date, the District has not reported to the Regional Board that compliance has been achieved. The second status report is due February 14, and the February 3-4 (third) rainfall report is due February 12.

Since the issuance of the CAO, the Regional Board has conducted three site inspections, on January 7, 22, and 25. The inspections indicate an overall improvement in construction BMP implementation. There remain significant concerns, however, regarding the lack of soil stabilization within the earthen channels alongside the Sprinter Rail tracks.

PART C
STATEWIDE ISSUES OF IMPORTANCE TO THE SAN DIEGO REGION

There are no items to report in Part C this month.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

**SIGNIFICANT NPDES
PERMITS, WDRs, AND
REGIONAL BOARD
ACTIONS**

February 13, 2008

APPENDED TO EXECUTIVE OFFICER REPORT

SIGNIFICANT NPDES PERMITS, WDRS, AND RB ACTIONS

DATE OF REPORT	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish./RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
February 13, 2008	MARCH 12, 2008 RB MEETING San Diego Regional Board Office									
	GENERAL PERMIT GROUNDWATER EXTRACTION DISCH. OTHER THAN SD BAY	NPDES Permit Reissuance	100%	100%	100%	20%	March 12, 2008	No	NPDES Workplan 2006-07	Rodriguez
	CITIES OF VISTA AND CARLSBAD SEWAGE DISCHARGE TO BUENA VISTA LAGOON	Adoption: Admin Civil Liability	NA	100%	100%	0%	March 12, 2008	Yes		Becker
	FALLBROOK PUBLIC UTILITY DISTRICT SEWAGE DISCHARGE TO FALLBROOK CRK.	Adoption: Admin Civil Liability	NA	100%	100%	0%	March 12, 2008	Yes	Administrative Civil Liability for \$29,300	Cofrancesco
	APRIL 9, 2008 RB MEETING San Diego Regional Board Office									
	WORKSHOP: NPDES PERMIT-DISCHARGE FROM BAJAGUA'S MINUTE 311 SANITATION PROJECT IN MEXICO TO THE U.S. SO. BAY OCEAN OUTFALL	Workshop: NPDES Permit	50%	80%	0%	0%	April 9, 2008	No		Valdivinos
	TOTAL MAX. DAILY LOAD BASIN PLAN AMEND. REFERENCE SYSTEM APPROACH/INSE	Hearing: Basin Plan Amendment	NA	NA	90%	0%	April 9, 2008	No	Stakeholder Advisory Group reviewing draft amendment	Chan
	NASSCO/GENERAL DYNAMICS CORP. SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	0%	0%	April 9, 2008	No	NPDES Workplan 2007-08	Kelley
	CONTINENTAL MARITIME OF SAN DIEGO SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	0%	0%	April 9, 2008	No	NPDES Workplan 2007-08	Kelley
	BAE SYSTEMS SAN DIEGO SHIP REPAIR SHIPYARD SAN DIEGO BAY	NPDES Permit Reissuance	100%	100%	0%	0%	April 9, 2008	No	NPDES Workplan 2007-08	Kelley
	MAY 14, 2008 RB MEETING San Diego Regional Board Office									
	US NAVY NAVAL BASE PT. LOMA SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	May 14, 2008	No	NPDES Workplan 2007-08	Kelley
	US NAVY NAVAL BASE SAN DIEGO SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	May 14, 2008	No	NPDES Workplan 2007-08	Kelley
	US NAVY NAVAL BASE CORONADO SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	May 14, 2008	No	NPDES Workplan 2007-08	Kelley
	OCEAN DISCHARGER RECEIVING WATER MONITORING PROGRAM UPDATES	NPDES Permits Revisions	NA	50%	0%	0%	May 14, 2008	No		Kelley

SIGNIFICANT NPDES PERMITS, WDRS, AND RB ACTIONS

DATE OF REPORT	NAME OF PERMIT/WDR/RB ACTION	Action Type	Initial Document Application Complete	Dish./RWQ Limits and Monitoring Plan Known	Draft Complete	Public Rev. & Comment	BOARD HEARING & ADOPTION	Consent Item	COMMENTS	Staff
February 13, 2008	MAY 28, 2008 RB MEETING TBD									
	PROPOSED GREGORY CANYON LANDFILL NORTH SAN DIEGO COUNTY	Hearing: New WDRS	100%	85%	85%	0%	May 28, 2008	No		Tarnaki
	JUNE 11, 2008 RB MEETING San Diego Regional Board Office									
	CITY OF SAN DIEGO POINT LOMA OCEAN OUTFALL PACIFIC OCEAN	NPDES Permit Reissuance	90%	100%	0%	0%	June 11, 2008	No	NPDES Workplan 2007-08	Kelley
	NPDES GENERAL PERMIT HYDROSTATIC TESTING AND POTABLE WATER DISCH.	NPDES Permit Reissuance	NA	0%	0%	0%	June 11, 2008	No	NPDES Workplan 2006-07	Kelley
	AUGUST 13, 2008 RB MEETING San Diego Regional Board Office									
	US NAVY GRAVING DOCK SAN DIEGO BAY	NPDES Permit Reissuance	0%	100%	0%	0%	August 13, 2008		NPDES Workplan 2008-09	
	USMC CAMP PENDLETON DISCHARGE TO OCEANSIDE OCEAN OUTFALL	NPDES Permit Reissuance	0%	100%	0%	0%	August 13, 2008		NPDES Workplan 2008-09	
	IDEC PHARMACEUTICALS--OCEANSIDE DISCH. TO OCEANSIDE OCEAN OUTFALL	NPDES Permit Reissuance	0%	100%	0%	0%	August 13, 2008		NPDES Workplan 2008-09	
	SEPTEMBER 10, 2008 RB MEETING Rancho Californiat Water Dist., Temecula									
	2008 FED. CLEAN WATER ACT SEC. 303(d) LIST OF WATER QUALITY SEGMENTS	Adoption: CWA 303(d) WQ List	NA	NA	10%	0%	September 10, 2008	No		Hammer
	UNSCHEDULED ACTION ITEM									
	HUBBS RESEARCH FACILITY CARLSBAD AGUA HEDIONDA LAGOON	NPDES Permit Reissuance	100%	80%	90%	80%		No		Becker

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF DECEMBER 1, 2007 THROUGH JANUARY 31, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
12/06/07	International Industrial Park and Rancho Vista del Mar, San Diego County	MUP 98-001, Log No. 93-19-006G	The project consists of developing areas for automobile storage, scrap and recycling operations, and wood and green material recycling, along with 200 employee parking spaces and three administration trailers.	Unnamed tributary to Otay River	0.19 acre (2,110 linear feet) of Streambed (P)	Purchase of 0.285 acre of creation credits at the Rancho Jamul Mitigation Bank	Technically Conditioned Certification & Waiver of Waste Discharge Requirements
12/07/07	Riverside County Transportation Department, Murrieta	Clinton Keith Road Extension Project	The proposed project consisted of the widening and extension of Clinton Keith Road in both directions.	Warm Springs Creek and French Valley Creek	Not Applicable	Not Applicable	Withdrawn by Applicant

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF DECEMBER 1, 2007 THROUGH JANUARY 31, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
12/19/07	Cameo Homes, Murrieta	Murrieta 180	The project consists of the construction of 9 residential building units, comprising of 180 units, a swimming pool and recreational facilities, 418 paved parking spaces, access roads, and underground utilities.	Unnamed tributary to Warm Springs Creek	1.4 acres (366 linear feet) of Wetlands (P)	Creation of 0.7 acre of vernal pools on the preservation and enhancement of 11.48 acres Moore Property located on the Santa Rosa Plateau which contains a 1.0 acre vernal pool.	Technically Conditioned Certification & Waiver of Waste Discharge Requirements
12/21/07	Regency Centers, Murrieta	Murrieta Marketplace (originally The Commons at French Valley)	The project consists of the development of a commercial center, park and ride facilities, and associated road improvements.	French Valley Creek and an Unnamed tributary	Permanent: 1.29 acres of Wetland; 0.32 acre (1,300 linear feet) of Streambed	Create: 1.0 acre (1,000 linear feet) of Streambed; Restore: 0.76 acre of Wetland; 0.34 acre of Streambed Enhance: 3.06 acres of Wetland; 0.63 acre of Streambed	Technically Conditioned Certification & Waiver of Waste Discharge Requirements

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF DECEMBER 1, 2007 THROUGH JANUARY 31, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
12/24/07	California Department of Transportation District 11, Escondido	I-15 Managed Lanes North Segment Unit 2	The project consists of the widening of the north and southbound bridges to accommodate the managed lanes, and the replacement of the southbound I-15 off-ramp to Valley Parkway with a widened bridge that is realigned to the west.	Escondido Creek	0.01 acre (104 linear feet) of Streambed (T)	Temporary impacts will be restored to pre-existing conditions and therefore no compensatory mitigation is proposed.	Technically Conditioned Certification & Waiver of Waste Discharge Requirements
01/07/08	Southern California Edison, San Clemente	Phase 2 Mitigation Reef of the SONG Units 2 & 3 Kelp Artificial Mitigation Reef	The project consists of the placement of 100,800 tons of quarry rock in a single layer to create 127.6 acres of kelp reef habitat.	Pacific Ocean	127.6 acres of Ocean	No compensatory mitigation is proposed, as this is a mitigation project and is expected to increase habitat value and beneficial uses in the marine environment offshore of San Onofre.	Technically Conditioned Certification & Enrollment in SWRCB Order No. 2003-017-DWQ

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF DECEMBER 1, 2007 THROUGH JANUARY 31, 2008**

DATE	APPLICANT	PROJECT TITLE	PROJECT DESCRIPTION	WATERBODY	IMPACT (Acres) ¹	MITIGATION (Acres) ¹	CERTIFICATION ACTION ²
01/16/08	San Diego County Water Authority, San Diego	San Diego County Water Authority Mission Trails FRS 11 Pipeline Tunnel and Vent Demolition	The project consists of the removal of two pipelines and ten vents, the construction of two 96-inch diameter pipelines, the construction of an underground 19 million gallon reservoir, the removal of an Arizona crossing, and the widening of an existing Arizona crossing.	San Diego River, Unnamed ephemeral tributaries to San Diego River, Vernal pools and vernal basins	Permanent: 0.1153 acre (606 linear feet) of Streambed; 0.042 acre (47 linear feet) of Wetlands; 0.051 acre (229 linear feet) of Vernal Pool and Basin Temporary: 0.0425 acre (53 linear feet) of Streambed; 0.398 acre (94 linear feet) of Wetland	Create: 0.265 acre of Wetland; 0.153 acre of Vernal Pool Enhance: 0.1123 acre of Wetland	Technically Condition Certification, Enrollment in SWRCB Order No. 2003-017-DWQ & Enrollment in SWRCB Order No. 2004-004-DWQ

1. Wetland refers to vegetated waters of the U.S. and streambed refers to unvegetated waters of the U.S. (P) = permanent impacts. (T) = temporary impacts.
2. Low impact certification is issued to projects that have minimal potential to adversely impact water quality. Conditional certification is issued to projects that have the potential to adversely impact water quality, but by complying with technical conditions, will have minimal impacts. Denials are issued when the project will adversely impact water quality and suitable mitigation measures are not proposed or possible. Time expired refers to projects that may proceed due to the lack of an action

**CLEAN WATER ACT SECTION 401 WATER QUALITY CERTIFICATION ACTIONS
FOR THE PERIOD OF DECEMBER 1, 2007 THROUGH JANUARY 31, 2008**

by the Regional Board within specified regulatory timelines. Withdrawn refers to projects that the applicant or Regional Board have withdrawn due to procedural problems that have not been corrected within one year.

Number of Projects Received Between December 1, 2007 and December 31, 2007: 7
Number of Projects Received Between January 1, 2007 and December 31, 2007: 120
Number of Certifications Issued Between January 1, 2007 and December 31, 2007: 68
Number of Projects Withdrawn Between January 1, 2007 and December 31, 2007: 14
Number of Projects Where Time-Expired Between January 1, 2007 and December 31, 2007: 7
Number of Projects Denied Between January 1, 2007 and November 30, 2007: 0

Number of Projects Received Between January 1, 2008 and January 31, 2008: 6
Number of Certifications Issued Between January 1, 2008 and January 31, 2008: 2
Number of Projects Withdrawn Between January 1, 2008 and January 31, 2008: 0
Number of Projects Where Time-Expired Between January 1, 2008 and January 31, 2008: 0
Number of Projects Denied Between January 1, 2008 and January 31, 2008: 0

Agency/Entity: Facility:	John Konyon Sr. John Konyon & Son Dairy Valley Center, CA	01/08/2008
Program:	Waste Discharge Requirements	
Enforcement Action:	Staff Enforcement Letter	
Description:	The reported total milking cow herd size of 473 milking cows exceeds Waste Discharge Requirements Order No. 95-013's limit of 440 milking cows.	

Agency/Entity: Facility:	Jim Barbour Barbour Residence Single family residential home Poway, CA	01/28/2008
Program:	Land Disposal	
Enforcement Action:	Cleanup and Abatement Order No. R9-2008-0018	
Description:	<p>Issued for the unauthorized discharge of sediment and rock into an unnamed ephemeral stream tributary to Poway Creek.</p> <p>The Cleanup and Abatement Order contains the following directives: 1. By February 29, 2008, cleanup and abate existing and threatened pollution associated with the unauthorized discharge; 2. Implement all necessary management measures during cleanup activities to prevent additional discharges of waste; 3. Dispose of all sand, silt, clay, or other earthen materials that are to be removed from the property in compliance with the CAO at a licensed waste disposal site approved for such wastes, and in accordance with all federal, state, and local laws, regulations, orders, resolutions, and ordinances; and 4. By March 14, 2008, submit a report documenting the cleanup and abatement activities.</p>	

STATUS OF UNDERGROUND STORAGE TANK CASES - CALENDAR YEAR 2007
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

Site Name	Address	Leak Reported On	ONGOING CASES Milestones Achieved in 2007
ARCO #5500	41555 Winchester Rd Temecula, CA	5/27/2003	Remediation using a soil vapor extraction system continues. Total of 63 lbs of hydrocarbons reportedly removed in 2007 and 202 lbs removed since system start up in June 2006.
ARCO #5695	44239 Margarita Rd Temecula, CA	8/23/2000	Continued quarterly groundwater monitoring. Groundwater extraction system reportedly recovered 400,000 gallons of water in 2007 and was shut down for a rebound test in September. Very low levels of VOCs remain at the site.
BIANCHI INTERNATIONAL INC	100 Calle Cortez Temecula, CA	1/24/1994	Site assessment continuing, waiting for pre-approval from Cleanup Fund to utilize dual-phase extraction as remediation. Investigative Order R9-2007-227 issued December 27, 2007.
BUDGET TRADE AND GAS	510 5th Ave W Escondido, CA	10/11/1989	Remediation utilizing dual phase extraction continued. November report indicates plume has stabilized. Request for site closure being considered by Regional Board. Currently in monitored natural attenuation phase.
BUY-RITE GAS STATION #206	7731 Balboa Ave San Diego, CA	10/13/1992	Remediation utilizing an oxygen release compound to enhance biodegradation continued.
CALIFORNIA HIGHWAY PATROL	27685 Commerce Ctr Dr #A Temecula, CA	3/14/2000	Site Assessment Report received by Regional Board in December. Site needs additional assessment.
CALTRANS - HWYS 78 AND 79	HWYS 78 and 79 Santa Ysabel, CA	6/17/2003	Meeting with Responsible Party in November. Possibly comingled plume with nearby Former Chevron station cleanup site.
CHEVRON #204029	31669 Highway 79 Temecula, CA	4/17/2001	Groundwater monitoring continued.
CHEVRON SERVICE STATION 9-1870	28900 Rancho California Rd Temecula, CA	5/21/1984	Groundwater monitoring continued.
CHEVRON STATION #201241	40500 California Oaks Rd Murrieta, CA	2/26/1993	Site Assessment Report received by Regional Board in August. Remedial Action Plan proposing intrinsic biodegradation received in October. Additional assessment needed. IRAP addendum submitted in December.
CHEVRON JEFFERSON ST	27560 Jefferson St Temecula, CA	3/6/1996	Groundwater monitoring continued. Remediation utilizing soil vapor extraction was continued but is not operated now during a rebound test. Possible reactivation in 2008.
CHULA VISTA MIDDLE SCHOOL	415 5th Ave Chula Vista, CA	10/29/1990	Workplan for further site assessment received by Regional Board in December.
CONOCO PHILLIPS (FORMER AZTEC)	1540 E 8th St National City, CA	8/4/1989	Remediation using a soil vapor extraction system continued with additional remediation utilizing dual phase extraction proposed in Corrective Action Plan of October. Two groundwater extraction wells installed in July, removing approximately 33,000 gallons of impacted groundwater. 13.75 gallons of free product reportedly removed in 2007.
DELTA DISCOUNT GAS (NARAIN OIL)	28111 Front St. Temecula, CA	2/7/1994	Site assessment and groundwater monitoring continued documenting reduction in contaminants in the groundwater. Site visit/inspection in March.
FORMER UNION 76	NW Corner Intersection HWYS 78 and 79 Santa Ysabel, CA	5/27/1986	Site assessment pursuant to Order R9-2003-0195. Scheduling meeting to discuss site status.
GREEN OAK RANCH	1237 Green Oak Rd Vista, CA	1/14/1998	Responsible Party not responsive. Need to issue an investigative order.

STATUS OF UNDERGROUND STORAGE TANK CASES - CALENDAR YEAR 2007
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

Site Name	Address	Leak Reported On	ONGOING CASES Milestones Achieved in 2007
HILLTOP HIGH SCHOOL	555 Claire Ave Chula Vista, CA	1/7/1991	Workplan for site assessment received by Regional Board in December.
JUST ANOTHER PARTNERSHIP PRPTY	9263 Mission Gorge Rd, Santee, CA	5/17/1996	Environmental Assessment Report received by Regional Board in October. Site closure under consideration.
MAHRS TEXACO	312 S Main Ave Fallbrook, CA	7/15/1997	Corrective Action Plan received by Regional Board in June proposes remedial action to remove MTBE. Meeting in October to discuss site status.
MOBIL #18-A0J	29500 Rancho California Rd Temecula, CA	3/14/2000	Groundwater monitoring continued. Corrective Action Plan received by Regional Board in March. Remediation utilizing soil vapor extraction initiated in September.
MOBIL #18-HJ4	44520 Bedford Ct Temecula, CA	2/17/2005	Groundwater monitoring continued. Considering site closure.
MOBIL SERVICE STATION 18-BX6	39850 Los Alamos Murrieta, CA	2/17/2005	Closure being considered by the Regional Board.
MURRIETA NURSERY	41541 Ivy St Murrieta, CA	7/27/2006	Site Assessment began in October.
MWD LAKE SKINNER WORK AREA 7	33740 Borel Rd Winchester, CA	11/13/2002	Workplan for further site assessment received by Regional Board in December. Investigative Order R9-2007-228 issued December 27, 2007.
ORANGE GLEN MARKET	2741 E Valley Pkwy Escondido, CA	6/10/1999	Site Assessment began in May, first action since submittal of 2002 workplan. Subsurface Assessment Report received by Regional Board in July. Interim Remedial Action Plan received by RB in August.
PALOMAR VILLAGE SHELL	42197 Margarita Rd Temecula, CA	8/13/2002	Site failed enhanced leak detection. Need to issue an investigative order.
PARSLEY-KENNEDY INC	3148 Midway Dr San Diego, CA	11/10/1993	Workplan for soil and groundwater evaluation received by Regional Board in October, first action since 2003 assessment.
PLAVAN PETROLEUM	321 S Quince St Escondido, CA	2/27/1998	Risk assessment complete. Verification monitoring continued.
RANCHO CAR WASH	27278 Jefferson Ave Temecula, CA	2/6/2003	Site assessment and monitoring continued. Site Conceptual Model submitted to Regional Board in November.
RANCHO CAR WASH	2661 Via de la Valle Del Mar, CA	7/14/1994	Site assessment and monitoring continued. Waiting for adjacent property access to continue site assessment.
SAM'S SUPER SHELL	28676 Front St Temecula, CA	11/24/1992	Ongoing remediation of contaminated soil. Soil vapor monitoring probes installed and tested regularly. Vertical site assessment still in progress. Delineation Workplan received by Regional Board in July.
SAN DIEGO EQUIPMENT RENTALS	6990 Mission Gorge Rd San Diego, CA	1/24/1995	Responsible Party awaiting approval of Workplan from the UST Cleanup Fund as of November.
SANTA YSABEL (FORMER CHEVRON)	30350 HWY 78 Santa Ysabel, CA	6/12/1997	Remediation utilizing vapor extraction of soil contamination began in August.

STATUS OF UNDERGROUND STORAGE TANK CASES - CALENDAR YEAR 2007
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

Site Name	Address	Leak Reported On	ONGOING CASES Milestones Achieved in 2007
SHELL (FORMER TEXACO REDHAWK)	44260 Redhawk Temecula, CA	9/28/2001	Additional Site Assessment Report received by Regional Board in June. Case closure in process.
SHELL SERVICE STATION	39614 Los Alamos Murrieta, CA	2/6/2003	Workplan for further site assessment received by Regional Board in December.
STAN'S SERVICE	41991 Ivy St Murrieta, CA	5/3/1999	Remediation began in January. Ozone Treatment Bench Report received by Regional Board in July, recommends ozone sparge installation at site.
TEXACO CAL OAKS	40735 California Oaks, Murrieta, CA	9/28/2004	Currently in monitored natural attenuation phase. Possible site closure in late 2008.
THRIFTY SERVICE STATION #112*	1484 Washington El Cajon, CA	3/16/1992	Continued site assessment and remediation. Request for site closure in December. Approximately 170,000 gallons of groundwater reportedly treated and .77 lbs of hydrocarbons removed from groundwater in 2007.
THRIFTY SERVICE STATION #118*	4202 Clairemont Mesa San Diego, CA	3/6/2002	Corrective Action Plan received by Regional Board in May. 8.27 gallons of free product reportedly removed in 2007.
THRIFTY SERVICE STATION #158*	7974 University Ave La Mesa, CA	4/28/1989	Remediation utilizing ozone sparging from March-May and overpurging through June.
TONY'S AUTO TECH	9605 Carlton Hills Blvd Santee, CA	10/30/1993	Soil and groundwater investigation Workplan finalized in August.
UNOCAL #6519	28903 Rancho California Rd Temecula, CA	3/21/1989	Site assessment and remediation continued utilizing a soil vapor extraction system: 1133 lbs hydrocarbons reportedly recovered in 2007. Ozone sparging continued.
YNEZ SHELL FOOD MART	26680 Ynez Temecula, CA	8/20/2002	Remediation continued. Operation of oxygen diffusion system began in May. Soil vapor extraction system activated in July.

Site Name	Address	Leak Report Date	NEW CASES Milestones Achieved in 2007
AIR RESORTS AIRLINES	2188 Palomar Airport Rd Carlsbad, CA	11/17/1997	Case transferred from LOP to Regional Board at beginning of year. Four years after workplan was approved, site assessment was initiated in 2007.
APRO #18	303 S Escondido Bl Escondido, CA	10/8/1985	Case transferred from LOP to Regional Board at beginning of year. Site Conceptual Model w/ Corrective Action Plan received by RB in September.
APRO #19	555 W Grand Ave Escondido, CA	2/3/1999	Case transferred from LOP to Regional Board at beginning of year. Site Conceptual Model w/ Corrective Action Plan received by RB in September.
APRO #20	710 N 2nd St El Cajon, CA	12/5/1997	Case transferred from LOP to Regional Board at beginning of year. Site Conceptual Model w/ Workplan received by RB in August.
APRO #23	12462 Poway Rd Poway, CA	2/2/1999	Case transferred from LOP to Regional Board at beginning of year. Site Conceptual Model w/ Corrective Action Plan received by RB in November. 0.73 gallons of free product reportedly removed in 2007.

STATUS OF UNDERGROUND STORAGE TANK CASES - CALENDAR YEAR 2007
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

Site Name	Address	Leak Report Date	NEW CASES Milestones Achieved in 2007
APRO #26	3010 Market St San Diego, CA	4/19/1990	Case transferred from LOP to Regional Board at beginning of year. Site Conceptual Model w/ Corrective Action Plan received by RB in September. 21.6 gallons of free product reportedly removed in 2007.
APRO #30	485 N Melrose Dr Vista, CA	6/10/1985	Case transferred from LOP to Regional Board at beginning of year. Site Conceptual Model w/ Workplan received by RB in November. Enhanced bioremediation proposed for site clean-up.
ARCO #3012	27641 Ynez Rd Temecula, CA	8/19/1988	Treatment of groundwater by soil vapor extraction initiated in March. 443 gallons of groundwater reportedly treated in 2007.
ARCO FACILITY #9543	7594 University La Mesa, CA	7/12/2004	Case transferred from LOP to Regional Board in April. Site Assessment Workplan received by RB in April.
CIRCLE K	4984 Voltaire St San Diego, CA	1/14/1988	Case transferred from LOP to Regional Board at beginning of the year. Letter sent to landowner.
CUNOCAR ACCOUNTING SERVICE	425 25th St San Diego, CA	10/1/1991	Case transferred from LOP to Regional Board at beginning of the year. Letter sent to landowner.
DOWNTOWN TIRES	2717 Imperial Ave San Diego, CA	4/30/2001	Case transferred from LOP to Regional Board at beginning of the year. Letter sent to landowner.
EL GUERO TIRE SHOP & REPAIR	2401 Imperial Ave. San Diego, CA	7/10/1996	Case transferred from LOP to Regional Board at beginning of the year. Letter sent to landowner.
FLAGG STATION	422 Avenida de la Estrella San Clemente, CA	10/9/1996	Case transferred from LOP to Regional Board in December. Scheduling meeting to discuss site status.
GARYS AUTO/RV SERVICE	1540 S Coast HWY Oceanside, CA	3/26/1999	Case transferred from LOP to Regional Board in March. Letter sent to landowner.
JET SOURCE	2036 Palomar Airport Rd Carlsbad, CA	7/19/2004	Case transferred from LOP to Regional Board in February.
KSQUARE FINANCIAL INC	1602 E Valley Pkwy Escondido, CA	7/28/2003	Case transferred from LOP to Regional Board in February.
MISSION BAY AUTOMOTIVE	1125 Morena Blvd San Diego, CA	10/30/1989	Case transferred from LOP to Regional Board at beginning of the year. Letter sent to landowner.
MONTGOMERY FIELD ATCT	4298 Ponderosa Ave San Diego, CA	7/29/1998	Case transferred from LOP to Regional Board at beginning of year. Workplan for additional site assessment activities received by Regional Board in September.
NORTH COUNTY AUTO SERVICE	1520 S. Coast HWY Oceanside, CA	12/9/1998	Case transferred from LOP to Regional Board at beginning of the year. Letter sent to landowner.
PARADISE VALLEY HOSPITAL	2400 E 4th St National City, CA	11/2/1998	Case transferred from LOP to Regional Board at beginning of the year. Meeting held with the Responsible Party in May.
SOS METALS	635 Anita St Chula Vista, CA	6/30/2003	Case transferred from LOP to Regional Board at beginning of year. Revised Workplan approved by Regional Board in August.

STATUS OF UNDERGROUND STORAGE TANK CASES - CALENDAR YEAR 2007
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

Site Name	Address	Leak Report Date	NEW CASES Milestones Achieved in 2007
TEXACO USA (TERMINAL)	9966 San Diego Mission Rd San Diego, CA	7/1/1986	Case transferred from LOP to Regional Board at beginning of year. Enforcement Directive Issued. Cleanup is part of the Mission Valley Terminal cleanup. Considering case closure.
THRIFTY #65	7594 University La Mesa, CA	7/12/2004	Case transferred from LOP to Regional Board at beginning of year.
TOWNE CENTER SERVICE STATION	9305 Mission Gorge Road San Diego, CA	2/7/2001	Case opened in August 2007. Site assessment and remedial activities initiated.
WESTERN FLIGHT INC	2210 Palomar Airport Rd Carlsbad, CA	2/26/1992	Case transferred from LOP to Regional Board at beginning of year. Working with other Palomar Airport UST Responsible Parties to investigate pollution.
WM REYNOLDS CONSTRUCTION CO	7959 Lemon Grove Lemon Grove, CA	3/15/1994	Case transferred from LOP to Regional Board at beginning of year.
YELLOW FREIGHT SYSTEM	9525 Padgett St San Diego, CA	12/17/1986	Case transferred from LOP to Regional Board at beginning of year. Site Assessment began in September, first action since 2001 Workplan approval.

Site Name	Address	Leak Report Date	Milestones Achieved in 2007 CLOSED CASES
BIG CITY LIQUOR	3883 Euclid Ave San Diego, CA	12/7/1999	Closed 11/08/07
DUDLEY'S BAKERY	30218 Hwy 78 Santa Ysabel,	6/17/2003	Closed 10/17/2007
NAVY SOUTHWESTERN DIVISION HQ (Tank 1220)	1220 Pacific Hwy San Diego, CA	9/1/1991	Closed 2/5/2007
NEW PALACE ASSOC	1814 5th Ave San Diego, CA	11/27/1991	Closed 11/08/07
SAN DIEGO & IMPERIAL VALLEY RR	2711 E Beyer Blvd San Diego, CA	6/26/1998	Closed 8/9/2007
THE PEP BOYS #647	6714 El Cajon Blvd San Diego, CA	10/26/1998	Closed 8/9/2007
THATCHER'S MARKET	45140 Hwy 79 Aguanga, CA	1/25/2002	Closed 10/17/2007
TOWNE CENTER SERVICE STATION	9305 Mission Gorge Rd Santee, CA	2/7/2001	Closed 2/2/2007 by San Diego DEH
ULTRAMAR STATION #3743	4405 Home Ave San Diego CA	3/1/1989	Closed 6/21/2007

California Regional Water Quality Control Board,
San Diego Region

**NOTICE OF PROPOSED SETTLEMENT OF ADMINISTRATIVE CIVIL LIABILITY
AGAINST THE CITIES OF VISTA AND CARLSBAD
FOR VIOLATIONS ALLEGED IN COMPLAINT NO. R9-2007-0099**

OPPORTUNITY FOR PUBLIC COMMENT

WRITTEN COMMENTS DUE MARCH 5, 2008

PUBLIC HEARING ON MARCH 12, 2008

On March 12, 2008, the Regional Water Board will consider an offer by the Cities of Vista and Carlsbad to settle proposed civil liability for violations alleged in Complaint No. R9-2007-0099. The Complaint recommends imposition of civil liability in the amount of \$1,095,000 on the City of Vista and the City of Carlsbad for the discharge of 7.3 million gallons of untreated sewage from March 31 to April 3, 2007 from a 24-inch sewer main at the Buena Vista Pump Station to Buena Vista Lagoon, a water of the United States.

The settlement includes payment of \$200,000 to the State Water Resources Control Board, funding a \$500,000 Supplemental Project, and suspension of \$395,000 liability when the Cities undertake specified actions.

If the Regional Water Board accepts the proposed settlement, the Regional Water Board will consider tentative Order R9-2008-0004 in settlement of the complaint during its regular meeting scheduled for March 12, 2008. The tentative Order is available for public review on-line, at the following URL:
http://www.waterboards.ca.gov/sandiego/units/compliance%20unit/acl_complaints.html

Interested persons will be given 30 days from February 5, 2008, to submit written comments on the proposed settlement. Written comments on this matter received after 5:00 P.M. on March 5, 2008 will not be considered by the Regional Board.

Written material should be submitted to the Regional Board's office located at 9174 Sky Park Court, Suite 100, San Diego, California 92123. If the submitted written material is more than 5 pages or contains foldouts, maps, etc., 20 copies must be submitted for distribution to the Regional Board members and staff, and for distribution to the public at the Regional Water Board meeting. E-mail comments on this matter will be accepted and provided to the Regional Board as long as the total submittal (including attachments) does not exceed five printed pages in length and they are received by March 5, 2008. E-mail comments on the proposed settlement should clearly indicate their relation to the proposed Vista-Carlsbad settlement and should be sent to: EBecker@waterboards.ca.gov.

The Regional Board's March 12, 2008 meeting will be at the Regional Board office located at 9174 Sky Park Court, San Diego, California. The meeting will begin at 9:00

a.m. Oral comments for this item may be made during the meeting upon receipt of a request to speak at the meeting. If you have any questions regarding this matter, please contact Mr. Eric Becker at (858) 492-1785, or at Ebecker@waterboards.ca.gov. You also may visit the Regional Board website for more information on this project at www.waterboards.ca.gov/sandiego



Michael P. McCann
ASSISTANT EXECUTIVE OFFICER

Feb. 4, 2008

Date

The RWQCB San Diego Region will consider a proposed settlement from the Fallbrook Public Utility District regarding Administrative Civil Liability complaint No. R9-2007-0101. The public hearing will occur on March 12, 2008 meeting at the Regional Board office located at 9174 Sky Park Court, San Diego, California. The meeting will begin at 9:00 a.m. A copy of the Tentative Order implementing the terms of the settlement is on file at the above stated address or can be viewed on-line, at the following URL:
http://www.waterboards.ca.gov/sandiego/units/compliance%20unit/acl_complaints.html.

For further information about this matter, please contact Ms. Joann Cofrancesco at (858) 637-5589, or at JCofrancesco@waterboards.ca.gov. You also may visit the Regional Board website for more information on this project at www.waterboards.ca.gov/sandiego

The Orange County Register

Thursday, January 24, 2008

San Juan Capistrano shuts well where banned chemical found

Gas additive MTBE linked to decade-old leaks at 2 nearby Chevron stations.

By SEAN EMERY and VIK JOLLY
The Orange County Register

SAN JUAN CAPISTRANO – The discovery of trace amounts of a now-banned fuel additive prompted city officials Thursday to shut down one of the six city wells that feed into the community's groundwater recovery plant.

The discovery of the additive – called methyl tertiary butyl ether, or MTBE – in the well marks the first time that a more than decade-old leak at two Chevron stations has been found to have entered the city's water system.

MTBE was once added to gasoline throughout the state to help reduce air pollution. It was banned in 2003, but not before it leaked from underground storage tanks statewide, in some cases contaminating water supplies.

San Juan officials stressed that the MTBE level is still "way below" one that would pose a threat to public health, but said the shutdown is a proactive step to quell public concern.

"As miniscule as the MTBE may be, any trace of MTBE in our groundwater is

unacceptable," Mayor Joe Soto said. "Our staff will ensure that Chevron's feet are held to the fire on this thing."

The leaks, at the intersections of Camino Capistrano and Del Obispo and Ortega Highway and the I-5, occurred during the late '80s, according to Chevron representatives, when the MTBE entered an aquifer under the stations.

The aquifer was not used for drinking water at the time of the leaks, but two wells were dug nearby during construction of the city's groundwater recovery plant in 2004.

Richard Sanchez, director of environmental health with the Orange County Health Care Agency, said that the county has 418 cases of chemical leaks from storage tanks, about 375 of them MTBE, undergoing cleanup. The agency has handled more than 2,000 cases of leaks from tanks involving a variety of chemicals since 1984, he said.

"It's very common for underground tanks to leak," Sanchez said.

The chemical is considered a possible carcinogen. But even at levels too small to be a likely cancer threat, it can lend a foul smell and odor to drinking water.

The first signs of groundwater contamination in Orange County turned up in 1995, though drinking water hasn't been affected. But in Santa Monica, 75 percent of municipal drinking water wells were contaminated. The problem also plagued South Lake Tahoe and other communities.

In the late 1980s, underground storage tanks were reinforced and new technology enabled leak detection systems to be installed.

While Chevron officials say they reported the situation to the county health care agency at the time of the spill, city leaders are angry that they didn't learn of the leaks until last year. City leaders in May hired a consulting firm to oversee Chevron's cleanup efforts, which involve the installation of monitoring wells to track the movement of the MTBE plume.

Sanchez said the city was notified of the leak when the plume approached city-owned wells earlier last year. "We've been monitoring the movement of a plume underground," he said.

The first confirmed MTBE detection was found Jan. 9 at the dance hall well, near the Old Hot Springs Dance Hall at the south end of Paseo Adelanto, city officials said.

The maximum contaminant level allowed under state and federal environmental standards is 13 micrograms per liter, officials said, with a contaminant level of 5 micrograms per liter considered safe to drink but aesthetically unappealing. The contaminant level at the dance hall well is 1.3 micrograms per liter, officials said.

"I understand they are going ahead and taking that action, but it is a surprise to us," Chevron Spokesman Juan Garcia said of the decision to close the well. "Right now it is at levels that pose no human health risk whatsoever."

The City Council on Feb. 5 will get an update on Chevron's cleanup efforts. The meeting is at 6:30 p.m. at City Hall, 32400 Paseo Adelanto.

Contact the writer: 949-454-7329 or semery@ocregister.com