

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF MAY 9, 2008**  
Revised on March 21, 2008

**ITEM NUMBER: 14**

**SUBJECT: Rescission of Waste Discharge Requirements Order No. R3-2004-0130 for Local Wastewater Collection Agencies Tributary to The Goleta Sanitary District Wastewater Treatment Facility, Santa Barbara County; regulation by the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems Water Quality Order No. 2006-0003-DWQ (General WDR).**

**KEY INFORMATION**

<b>Discharges</b>	Goleta West Sanitary District, Santa Barbara Municipal Airport, University of California at Santa Barbara, County of Santa Barbara
<b>Location</b>	Santa Barbara County
<b>Discharge Type</b>	Sanitary Sewer Systems tributary to the Goleta Sanitary District Wastewater Treatment Facility
<b>Existing Order</b>	Waste Discharge Requirements Order No. R3-2004-0130 for Local Wastewater Collection Agencies Tributary to the Goleta Sanitary District Wastewater Treatment Facility
<b>This Action</b>	<b>Rescind Waste Discharge Requirements Order No. R3-2004-0130</b>

**SUMMARY**

On October 30, 2004, the Central Coast Water Board adopted Waste Discharge Requirements Order No. R3-2004-0130 to regulate wastewater collection systems tributary to the Goleta Sanitary District Wastewater Treatment Facility. Collection systems agencies include Goleta West Sanitary District, University of California at Santa Barbara, Santa Barbara Municipal Airport, and County of Santa Barbara. Since then, each collection system agency has separately filed an application for enrollment under the Statewide Waste Discharge Requirements for Sanitary Sewer Systems Water Quality Order No. 2006-0003-DWQ (General WDR), except for the County of Santa Barbara. Goleta West Sanitary District received formal enrollment notification on May 2, 2006. The Santa Barbara Municipal Airport received formal enrollment notification on January 8, 2007. The University of California at Santa Barbara received formal enrollment notification on November 8, 2006. The County of Santa Barbara owns and operates a collection system that is approximately 5,100 linear feet discharging to the Goleta Sanitary District Wastewater Treatment Facility. In this case, the General WDR does not require enrollment for systems less than one mile in length. Furthermore, Central Coast Water Board staff believes that the County-owned sanitary system presents little to no significant impacts to water quality. Central Coast Water Board staff recommends rescinding Order No. R3-2004-0130 because the General WDR appropriately regulates the same activities.

## DISCUSSION

The collection system agencies are located in Santa Barbara County. The agencies are currently regulated by Waste Discharge Requirements Order No. R3-2004-0130, which sets requirements for the management and operations of their wastewater collection systems and upholds state water quality standards.

As part of Order No. R3-2004-0130, each collection agency is required to develop a Wastewater Collection System Management Plan (Management Plan). The collection system agency, when developing the Management Plan, is required to include goals, organization, legal authority, measures and activities, design and performance provisions; monitoring, measurement and plan modifications; overflow emergency response plan; source control program; system evaluation and capacity assurance plan; and annual updates. All collection system agencies completed the development and submitted their management plans on December 1, 2006, satisfying Order No. R3-2004-0130 requirements.

Order No R3-2004-0130 also requires notification for sanitary sewer overflows (SSO) that occur within each collection system agency's jurisdictional area.

### **Goleta West Sanitary District Settlement Agreement**

Goleta West Sanitary District commenced an action against the Central Coast Water Board in Santa Barbara Superior Court on October 27, 2005. Goleta West Sanitary District pursued a writ of mandamus ordering the Central Coast Water Board to set aside its adoption of WDR Order No. R3-2004-0130 upon various legal grounds. On November 13, 2007, Goleta West Sanitary District and Central Coast Water Board entered into a settlement agreement. Both parties agreed that Goleta West Sanitary District's compliance with the terms and requirements of the General WDR in lieu of compliance with the requirements of the WDR Order No. R3-2004-0130, with certain exceptions, is appropriate in protecting water quality. Furthermore, Agreement No. 1.a.(1) of the Settlement Agreement discusses Goleta West Sanitary District's exclusion from coverage under the WDR Order No. R3-2004-0130.

### **Statewide General Waste Discharge Requirements (General WDR)**

The State Water Board adopted the General WDR on May 2, 2006. The purpose of the General WDR is to require public entities to manage their jurisdictional collection systems in order to reduce sanitary sewer overflows. Facilities subject to the General WDR include all federal agencies, state agencies, municipalities, counties, districts, and other public entities that own and/or operate sanitary sewer systems greater than one mile in length, which collect and convey untreated or partially treated wastewater to a wastewater treatment facility.

The State Water Board understands that various regional boards have implemented specific collection systems management programs. The General WDR addresses this issue in the General WDR fact sheet, stating the following:

"It is the State Water Board's intent to have one statewide regulatory mechanism that lays out the foundation for consistent collection system management requirements and SSO reporting. In order to provide a consistent and effective SSO prevention program, as well as to develop reasonable expectations for collection system management, these General WDRs should be the primary regulatory mechanism to regulate public collection systems."

In an effort to maintain statewide consistency, the State Water Board requests that regional boards rescind redundant collection system permits. However, the General WDR provides regional boards with the discretion to impose more stringent permitting requirements for public entities that own and/or operate collection systems greater than one mile in length. Because of the essential equivalence between Order No R3-2004-0130 and the General WDR, and no known need to apply more stringent requirements to each collection system agency, staff recommends the rescission of Order No. R3-2004-0130.

The General WDR requires enrolled public entities to develop a Sewer System Management Plan and report SSOs through an online database. Section D.13 of the General WDR provides the required elements for Sewer System Management Plan development, and the General WDR Monitoring and Reporting Program describes notification requirements for SSOs. Each collection system agency management plan appear to satisfy the General WDR requirements.

### **COMPLIANCE HISTORY**

All collection systems agencies are compliant with the requirements set forth in WDR Order No. R3-2004-0130. Although some minor spills have occurred, the collection systems agencies have responded appropriately. In those cases, notices of violations and/or formal enforcement actions were not required.

### **PUBLIC NOTIFICATION**

Central Coast Water Board staff notified the collection system agencies and all known interested parties of its intent to rescind Waste Discharge Requirements Order R3-2004-0130 on February 15, 2008. The notification provided interested agencies with a copy of the proposed rescission and an opportunity to submit written comments by March 18, 2008. The following known interested agencies were notified:

Philip Demery, County of Santa Barbara Public Works  
Ali Aghayan, University of California at Santa Barbara  
Jeff McKee, City of Solvang  
Mark Nation, Goleta West Sanitary District  
Rick Merrifield, Santa Barbara County Environmental Health Services Department  
Kamil Azoury, Goleta Sanitary District  
Kira Redmond, Santa Barbara ChannelKeeper  
Hillary Hauser, Heal the Ocean  
Brian Trautwein, Environmental Defense Center

### **COMMENTS**

No written comments were submitted.

**RECOMMENDATION**

Rescind Order No. R3-2004-0130.

**ATTACHMENTS**

1. Existing Waste Discharge Requirements Order No. R3-2004-0130
2. Statewide General Waste Discharge Requirements for Sanitary Sewer Systems Water Quality Order No, 2006-0003-DWQ