

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN DIEGO REGION

2375 Northside Drive, Suite 100, San Diego, CA 92108

Phone (619) 516-1990 · Fax (619) 516-1994

www.waterboards.ca.gov/sandiego

ORDER NO. R9-2016-0099 AMENDING

ORDER NO. R9-2015-0002, NPDES NO. CA0107492 WASTE DISCHARGE REQUIREMENTS FOR THE PADRE DAM MUNICIPAL WATER DISTRICT, RAY STOYER WATER RECYCLING FACILITY DISCHARGE TO SYCAMORE CREEK, SAN DIEGO COUNTY

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

Background

1. Padre Dam Municipal Water District (Discharger) is the owner and operator of the Ray Stoyer Water Recycling Facility (Facility), a tertiary wastewater treatment plant that discharges up to 2 million gallons per day (MGD) of effluent to Sycamore Creek in accordance with Order No. R9-2015-0002, National Pollutant Discharge Elimination System (NPDES) No. CA0107492, adopted by the San Diego Water Board on May 13, 2015.
2. The treatment process at the Facility consists of primary clarification, a five-stage Bardenpho process, secondary clarification, alum and polymer addition, flocculation, sedimentation, denitrification, and chlorine disinfection.

A portion of the effluent following chlorine disinfection is sent to reuse sites in the Santee and El Cajon hydrologic subareas (HSAs) for irrigating landscape areas subject to regulation under separate waste discharge requirements (WDRs). The remainder of the effluent is dechlorinated and released into a series of ponds and lakes (Santee Lakes); the Santee Lakes periodically overflow to Sycamore Creek.

3. The ponds and Santee Lakes are considered a continuation of the treatment system and are not considered waters of the United States. By letter dated September 6, 2005, the U.S. Corps of Engineers stated, "the manmade Padre Dam Municipal Water District Water Reclamation Facility ponds and Santee Lakes are part of a waste treatment system designed to meet the requirements of the Clean Water Act (CWA) and therefore are not waters of the United States [section 328.3(a)(8) of title 33 of the Code of Federal Regulations]."¹ The ponds and Santee Lakes serve to stabilize the quality of the effluent discharge to Sycamore Creek by reducing the total nitrogen concentrations before

¹ Letter from the Mark Durham, Chief, South Coast Section, Regulatory Branch, Department of the Army, Los Angeles District, Corps of Engineers, San Diego Field Office to Mary Ellis-Lindquist, Padre Dam Municipal Water District, dated September 6, 2005

discharging to Sycamore Creek, a water of the United States that is tributary to the Lower San Diego River within San Diego River watershed.

4. To ensure the discharge from the Facility does not cause or contribute to exceedances of water quality standards applicable to Sycamore Creek, Order No. R9-2015-0002 includes effluent limitations, receiving water limitations, other discharge specifications, and monitoring requirements as set forth below:

- a. Discharge and Monitoring Locations. As described in Table E-1 of Order No. R9-2015-0002, Monitoring Location EFF-001A is located after the dechlorination process at a point prior to the ponds and Santee Lakes, and Monitoring Location EFF-001B is located at a point between Santee Lakes and Sycamore Creek.

Also as described in Table E-1 of Order No. R9-2015-0002, Monitoring Location RSW-001 (upstream reference station) is located in Sycamore Creek at a point upstream of Monitoring Location EFF-001B, and Monitoring Location RSW-001a is located in Sycamore Creek at a point downstream of Monitoring Location EFF-001B.

- b. Effluent Limitations. The Santee Lakes are extensively used by the public for recreational activities, including boating and fishing. The majority of the water quality-based effluent limitations (WQBELs), including total coliform, fecal coliform, and enterococci (collectively referred to as bacterial indicators), are applied at Monitoring Location EFF-001A in order to optimize protection of the public health for recreational activities within Santee Lakes as well as water quality and beneficial uses in Sycamore Creek. Only nutrient (nitrogen and phosphorus) WQBELs and flow are applied at Monitoring Location EFF-001B.
- c. Receiving Water Limitations. Order No. R9-2015-0002 establishes receiving water limitations for bacterial indicators at Monitoring Location RSW-001a based on waste load allocations specified in Resolution No. R9-2010-0001, *A Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) to Incorporate Revised Total Maximum Daily Loads for Indicator Bacteria, Project I – Twenty Beaches and Creeks in the San Diego Region (Including Tecolote Creek)* (Bacteria TMDL), adopted by San Diego Water Board on February 10, 2010.
- d. Monitoring Requirements. Order No. R9-2015-0002 requires daily effluent monitoring for bacterial indicators at Monitoring Location EFF-001A, and monthly receiving water monitoring at Monitoring Location RSW-001a.
- e. Accelerated Monitoring. If receiving water limitations for any of the bacterial indicators are exceeded at Monitoring Location RSW-001a, Order No. R9-2015-0002 requires the Discharger to increase the frequency of effluent and receiving water monitoring until compliance with receiving water limitations is attained at Monitoring Location RSW-001a for a minimum of one week, unless the San Diego Water Board finds that Facility effluent is not a contributing source of pollution at Monitoring Location RSW-001a.

- f. Downstream Bacteria Evaluation and Action Plan. If effluent data at Monitoring Location EFF-001B and receiving water data at Monitoring Locations RSW-001 and RSW-001a indicate the Discharger is causing or contributing to exceedance(s) of receiving water limitations for any of the bacterial indicators at Monitoring Location RSW-001a, Order No. R9-2015-0002 requires the Discharger to develop and implement a Downstream Bacteria Evaluation and Action Plan to minimize the discharge of bacterial indicators to comply with receiving water limitations.

Purpose of this Order

5. By letter dated December 10, 2015, the Discharger requested that Monitoring Location EFF-001A, rather than Monitoring Location EFF-001B, be used to determine the need for accelerated monitoring for bacterial indicators, and to trigger the requirement to develop and implement a Downstream Bacteria Evaluation and Action Plan. Based on Findings 1 through 4 of this Order, the San Diego Water Board is amending Order No. R9-2015-0002 to incorporate the changes requested by the Discharger, by modifying the triggers for accelerated monitoring and development and implementation of a Downstream Bacteria Evaluation and Action Plan.
6. On May 9, 2016, the Discharger requested that the San Diego Water Board correct errors in the calculation of several performance goals in Tables 6 and F-15 of Order No. R9-2015-0002. Performance goals are assigned to parameters that do not have reasonable potential to cause or contribute to an exceedance of water quality objectives. Performance goals are not effluent limitations or standards for the regulation of the discharge. Effluent concentrations above the performance goals are not considered to be violations of Order No. R9-2015-0002 but instead serve as indicators that the effluent may be causing or contributing to a water quality exceedance. Although performance goals are not enforceable, it is important for Order No. R9-2015-0002 to have the correct calculations for the performance goals to provide all interested parties with information regarding the expected level of pollutants in the discharge that should not be exceeded in order to maintain the of water quality standards established in the Basin Plan. Thus, the San Diego Water Board is amending Order No. R9-2015-0002 to correct the performance goals for several of the constituents listed in Tables 6 and F-15 of Order No. R9-2015-0002 as requested by the Discharger.

Legal Authorities

7. Title 40 of the Code of Federal Regulations (40 CFR) section 122.48 requires NPDES permits to specify requirements for recording and reporting monitoring results. Section 122.44(i) of 40 CFR requires monitoring requirements ensure compliance with permit limitations. California Water Code (Water Code) section 13383, and 40 CFR sections 122.41(h) and (j), authorize the San Diego Water Board to require technical and monitoring reports.
8. Section 13263(e) of the Water Code provides that the San Diego Water Board may, upon application by any affected person, or on its own motion, review and revise WDRs. Section IV.C.1.c of Order No. R9-2015-0002 authorizes the San Diego Water Board to reopen the permit to modify monitoring and reporting requirements and/or special studies requirements at the San Diego Water Board's discretion.

9. Order No. R9-2015-0002 is not being reopened for any other purpose than the revisions contained herein. Except as contradicted or superseded by the findings and directives set forth in this Order, all of the previous findings and directives of Order No. R9-2015-0002 shall remain in full force and effect.

California Environmental Quality Act

10. This action is exempt from the requirement of preparation of environmental documents under the California Environmental Quality Act (Public Resources Code, division 13, chapter 3, section 21000 et seq.) in accordance with section 13389 of the Water Code.

Public Participation

11. The San Diego Water Board has notified all known interested parties of its intent to adopt this Order.
12. The San Diego Water Board in a public meeting on June 22, 2016, heard and considered all comments pertaining to the adoption of this Order.
13. Any person aggrieved by this action of the San Diego Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 *et seq.* The State Water Board must receive the petition by 5:00 p.m., 30 days after the adoption date of this Order. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

IT IS HEREBY ORDERED:

1. This Order amends Order No. R9-2015-0002, NPDES No. CA0107492, as described in the revised version included as Attachment 1 to this Order. Added text to Order No. R9-2015-0002 is displayed in red-underline text and deleted text is displayed as ~~red-strikeout~~ text. Modifications to Order No. R9-2015-0002 were made to the following sections:

Pages Nos.	Section No.
7, 10, and 11	Section IV.A.3, Table 6
E-8	Attachment E, section III.B.2, Table E-4, footnote no. 2
E-15	Attachment E, section IV.A.1, Table E-5a, footnote no. 3
E-18	Attachment E, section VI
F-35 and F39	Attachment F, section IV.E, Table F-15

2. The amended version of Order No. R9-2015-0002 included as Attachment 1 to this Order shall become effective on June 22, 2016.
3. San Diego Water Board staff is directed to prepare and post a conformed copy of Order No. R9-2015-0002 incorporating the revisions made by this Order.

I, David W. Gibson, Executive Officer, do hereby certify that this Order is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on **June 22, 2016**.

David W. Gibson
Executive Officer

IT IS HEREBY ORDERED:

1. This Order amends Order No. R9-2015-0002, NPDES No. CA0107492, as described in the revised version included as Attachment 1 to this Order. Added text to Order No. R9-2015-0002 is displayed in red-underline text and deleted text is displayed as ~~red-strikeout~~ text. Modifications to Order No. R9-2015-0002 were made to the following sections:

Pages Nos.	Section No.
<u>7, 10, and 11</u>	<u>Section IV.A.3, Table 6</u>
E-8	Attachment E, section III.B.2, Table E-4, footnote no. 2
E-15	Attachment E, section IV.A.1, Table E-5a, footnote no. 3
E-18	Attachment E, section VI
<u>F-35 and F39</u>	<u>Attachment F, section IV.E, Table F-15</u>

2. The amended version of Order No. R9-2015-0002 included as Attachment 1 to this Order shall become effective on June 22, 2016.
3. San Diego Water Board staff is directed to prepare and post a conformed copy of Order No. R9-2015-0002 incorporating the revisions made by this Order.

I, David W. Gibson, Executive Officer, do hereby certify that this Order is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on **June 22, 2016**.



David W. Gibson
Executive Officer