

State of California
Regional Water Quality Control Board
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT
April 10, 2013

ITEM: 6

SUBJECT: NPDES Permit Amendment: Waste Discharge Requirements for SeaWorld Parks & Entertainment, Inc. A Delaware Corporation, SeaWorld LLC DBA SeaWorld San Diego (Tentative Order No. R9-2013-0034)
(Michelle Mata)

PURPOSE: To amend Order No. R9-2011-0032, NPDES Permit No. CA0107336 with the adoption of Tentative Order No. R9-2013-0034.

RECOMMENDATION: Adoption of Tentative Order No. R9-2013-0034 is recommended.

KEY ISSUE: The Tentative Order revises the compliance evaluation period for the fecal and total coliform effluent limitations in Order No. R9-2011-0032 from a continuous 30-day period to a monthly calendar period. The revisions are not expected to result in a change to bacterial water quality in the receiving water. The revisions will make the fecal and total coliform effluent limitations consistent with the effluent limitations for other constituents in Order No. R9-2011-0032 which are expressed as calendar monthly averages.

DISCUSSION: SeaWorld San Diego (Discharger) currently discharges to Mission Bay (**Supporting Document No. 1**) pursuant to Order No. R9-2011-0032. Order No. R9-2011-0032 established requirements for the discharge of up to 9.36 million gallons per day (MGD) of wastewater from exhibit pools and aquaria, intermittent flows during pool draining and cleaning operations, runoff from landscape irrigation, and facility wash down water to Mission Bay.

By letter dated February 4, 2013, the Discharger submitted a request to amend Order No. R9-2011-0032 to revise the compliance evaluation period for fecal and total coliform effluent limitations from a continuous 30-day period to a monthly calendar period. The Discharger contends that a monthly calendar compliance evaluation period would be

consistent with effluent limitations for other constituents in Order No. R9-2011-0032 which are expressed as calendar monthly averages. The Discharger also asserts that the requested revisions would eliminate the possibility of being penalized multiple times for one fecal coliform or total coliform effluent limitation exceedance in the event of an enforcement action (**Supporting Document No. 2**).

The Tentative Order (**Supporting Document No. 3**) would revise the compliance evaluation period for fecal and total coliform from a continuous 30-day period to a monthly calendar period. The revisions will make the fecal and total coliform effluent limitations consistent with the remaining effluent limitations of Order No. R9-2011-0032 which are expressed as calendar monthly averages. The revisions in the compliance evaluation period are not expected to result in a change to bacterial water quality in the receiving water. The revisions will also eliminate inconsistencies in compliance determinations for the SeaWorld San Diego discharges.

By letter dated March 14, 2013, SeaWorld San Diego submitted comments in support of the Tentative Order (**Supporting Document No. 4**). To date, no other comments have been received.

LEGAL ISSUES:

None

PUBLIC NOTICE:

On March 8, 2013, a public notice was published in the San Diego Union Tribune, and copies of the Tentative Order were emailed to the Discharger and to all known interested persons and posted on the San Diego Water Board's website.

SUPPORTING DOCUMENT:

1. Site Map
2. SeaWorld San Diego Request for Permit Amendment (dated February 4, 2013)
3. Tentative Order No. R9-2013-0034
4. Comment Letter from SeaWorld San Diego (dated March 14, 2013)