

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
Summary of Board Actions and Proceedings
at the November 18, 2009 Board Meeting

MINUTES

Minutes of October 14, 2009 Board Meeting.

CONSENT ITEMS

Modification of Waste Discharge Requirements:
Mr. Larry Tardie, Lilac Oaks Campground, San Diego County (Tentative Addendum No. 1 to Order No. 94-074) (*Fisayo Osibodu*)

Administrative Civil Liability against the City of Laguna Beach, Bluebird SOCWA Lift Station Sanitary Sewer Overflow to the Pacific Ocean. The Regional Board will consider adoption of a Tentative Order that would impose liability in the amount of \$70,680 recommended in Complaint R9-2009-0040 for a 591,000 gallon sanitary sewer overflow in violation of State Board Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Section 301 of the Clean Water Act and California Water Code Section 13376. The City of Laguna Beach has waived its right to a public hearing. The Regional Board may approve, modify, or reject assessment of the recommended penalty. If the Regional Board rejects the Tentative Order, the matter may be rescheduled to a future public hearing at which time the Regional Board will receive evidence and testimony and consider assessment of liability. (Tentative Order R9-2009-0168) (*Rebecca Stewart*)

Waste Discharge Requirements: Rite Time Pharmaceuticals Inc., Anza Commercial Center Onsite Wastewater Treatment System, Riverside County (Tentative Order No. R9-2009-0147) (*Fisayo Osibodu*)

NPDES Permit Rescissions: (*Kristin Schwall*)
a) An Order rescinding Waste Discharge Requirements for Van Ommering Dairy, San Diego County, Order No. R9-2004-0065, NPDES No. CA0109207 (Tentative Order No. R9-2009-0165); b) An Order rescinding Waste Discharge Requirements for Frank J. Konyn Dairy, San Diego County, Order No. 2000-163, NPDES No. CA0109053 (Tentative Order No. R9-2009-0166); and, c) An Order rescinding Waste Discharge Requirements for the Tom Van Tol T.D. Dairy, San Diego County, Order No. 2001-28, NPDES No. CA0109339 (Tentative Order No. R9-2009-0167).

REGIONAL BOARD ACTIONS

Approved minutes.

Approved Addendum No. 1 to Order No. 94-074.

Affirmed Order R9-2009-0168.

Approved Order No. R9-2009-0147.

Approved Order No. R9-2009-0167.

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NON-CONSENT ITEMS

Gregory Canyon Bridge 401 Water Quality Certification. The Regional Board will consider certification, in accordance with Section 401 of the Clean Water Act, for the Gregory Canyon Bridge. The Regional Board will hear testimony on the bridge component of the Gregory Canyon Landfill and direct the Executive Officer to amend, postpone, certify, or deny water quality certification No. R9-2009C-073. Comments and testimony will be limited to the impacts of certification of the bridge. The Board is not considering and will not accept testimony on Waste Discharge Requirements for the landfill. The WDRs for the landfill project will be considered by the Board at a future public meeting. (Draft Cert. No. R9-2009C-073)
(Chiara Clemente)

Administrative Assessment of Civil Liability, City of San Diego, Sewage Collection System: The Regional Board will consider adoption of a Tentative Order that would impose \$620,278 in civil liability recommended in Complaint No. R9-2009-0042 for violations of State Board Order No. R9-2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems. The Regional Board may approve, modify, or reject assessment of the recommended liability. The deadline for the submission of rebuttal evidence and legal argument pertaining to the Complaint is Monday, November 5, 2009. (Tentative Order No. R9-2009-0172) (Frank Melbourn)

Reissuance of NPDES Waste Discharge Requirements for Discharges of Runoff from the Municipal Separate Storm Sewer Systems (MS4s) draining the watersheds of the County of Orange, the Orange County Flood Control District, and the incorporated Cities of Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente, and San Juan Capistrano within the San Diego Region (South Orange County Municipal Storm Water Requirements). The Board will hear comments and consider adoption of Tentative Order No. R9-2009-0002 (formerly Tentative Orders No. R9-2008-0001 and R9-2007-0002). (Tentative Order No. R9-2009-0002) (Ben Neill)

REGIONAL BOARD ACTIONS

The item was heard, public comments were taken, then the Board postponed action until a future meeting.

Affirmed Order No. R9-2009-0172
w/amendment.

The item was heard, public comments were taken, then the Board postponed action until the December 16, 2009 Board Meeting.

The schedule was approved.