

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
Summary of Board Actions and Proceedings
at the May 13, 2009 Board Meeting

MINUTES

Minutes of April 8, 2009 Board Meeting.

CONSENT ITEMS

Revision of Waste Discharge Requirements, Oakzanita Springs Park, Ownership Change, San Diego County (Tentative Addendum No. 1 to Order No. 94-014) (*Fisayo Osibodu*)

Revision of Waste Discharge Requirements, Thousand Trails Pio Pico, Name Change, San Diego County (Tentative Addendum No. 1 to Order No. 84-06) (*Fisayo Osibodu*)

Rescission of Waste Discharge Requirements, Rescission of Order No. 94-75 for Northrop Grumman Space Technology and Mission Systems Corporation in San Clemente, Orange County and Rescission of Order No. 96-58 for Oak Grove Fish Farm in Descanso, San Diego County (Tentative Order No. R9-2009-0046) (*Cathryn Henning*)

Revision of Waste Discharge Requirements, California Department of Transportation, Tecate Truck Inspection Station, San Diego County (Tentative Addendum No. 1 to Order No. R9-2007-0148) (*Cathryn Henning*)

Administrative Assessment of Civil Liability, Mountain Water Ice Company, Oceanside Ice Plant. The Regional Board will consider adoption of a tentative Order that would impose a \$243,000 mandatory minimum penalty recommended in Amended Complaint R9-2008-0161 for violations of effluent limitations prescribed in Waste Discharge Requirements Order No. R9-2005-0015, NPDES No. CA0108391. 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 consider assessment of civil liability. (Tentative Order R9-2009-0075) (*Rebecca Stewart*)

Time Schedule Order with Interim Effluent Limitations: Mountain Water Ice Company, Oceanside Ice Plant, Waste Discharge Requirements Order No. R9-2005-0015,

NPDES No. CA0108391. (Tentative Order No. R9-2009-0047) (*Rebecca Stewart*)

REGIONAL BOARD ACTIONS

Approved minutes.

Approved Addendum No. 1 to Order No. 94-014.

Approved Addendum No. 1 to Order No. 84-06.

Approved Order No. R9-2009-0046.

Approved Addendum No. 1 to Order No. R9-2007-0148.

Affirmed Order R9-2009-0075.

Approved Order No. R9-2005-0015.

NON-CONSENT ITEMS

NPDES Permit Revision and Approval of Flow, Entrainment and Impingement Minimization Plan: Poseidon Resources Corporation, Proposed Carlsbad Desalination Project (Order No. R9-2006-0065, NPDES No. CA0109223). The Regional Board will consider approval of a March 9, 2009 Flow, Entrainment and Impingement Minimization Plan, including a Marine Life Mitigation Plan, as revised March 27, 2009 (Minimization Plan), required by section VI.C.2.e. of Order No. R9-2006-0065 and will consider related amendments to Order No. R9-2006-0065 to require the Discharger to implement and comply with the Minimization Plan under specified conditions of operation. Order No. R9-2006-0065 is not being reopened for any other purposes. At its meeting on April 8, 2009, the Regional Board closed the public hearing in this matter and will not accept new evidence or testimony. The Regional Board will only accept written and oral comments on staff's proposed revisions made to the Tentative Order following the April 8, 2009 meeting. Any such written comments must be submitted by May 6, 2009 at 5:00 p.m. The Regional Board will also consider staff's responses to the comments that were previously submitted throughout the proceeding. (Tentative Order No. R9-2009-0038) (*Michelle Mata*)

Administrative Assessment of Civil Liability, South Orange County Wastewater Authority, the South Coast Water District Groundwater Recovery Facility. The Regional Board will consider adoption of a tentative Order that would impose a \$204,000 mandatory minimum penalty recommended in Complaint No. R9-2009-0028 for violations of Order No. R9-2006-0054, NPDES No. CA0107417, Waste Discharge Requirements for the South Orange County Wastewater Authority, Discharge to the Pacific Ocean Via the San Juan Creek Ocean Outfall, Orange County. The Regional Board may approve, modify, or reject assessment of the recommended penalty. The deadline for the submission of evidence and legal argument pertaining to the Complaint was Monday, April 27, 2009. (Tentative Order R9-2009-0048) (*Jeremy Haas*)

REGIONAL BOARD ACTIONS

Approved Order No. R9-2009-0038 w/errata.

The hearing was conducted and closed. A motion to continue the item failed. A motion to approve the Order failed. Regional Board staff and the South Orange County Wastewater Authority were both directed to submit legal briefs within 30 days. Action by the Board was continued to a future Board meeting.