

EXECUTIVE OFFICER SUMMARY REPORT
April 14, 2010

- ITEM: 6
- SUBJECT: NPDES Permit Rescission: Mountain Water Ice Company, Oceanside, San Diego County - An Order Rescinding Order No. R9-2005-0015, NPDES Permit No. CA0108391 (Tentative Order No. R9-2010-0028) (*Joann Cofrancesco*)
- PURPOSE: To rescind Order No. R9-2005-0015, NPDES Permit No. CA0108391, *Waste Discharge Requirements for Mountain Water Ice Company*, and Time Schedule Order No. R9-2009-0047, *Requiring Mountain Water Ice Company, Oceanside, California, To Comply with Requirements Prescribed in Order No. R9-2005-0015 (NPDES Permit No. CA0108391)*.
- PUBLIC NOTICE: Copies of the tentative order were mailed on February 25, 2010 to the Mountain Water Ice Company and to all known interested parties and agencies and posted on the San Diego Water Board website on February 25, 2010. Mountain Water Ice Company and all known interested parties were notified that this item was rescheduled from the March 10, 2010 Board meeting to the April 14, 2010 Board meeting.
- DISCUSSION: On March 9, 2005, the San Diego Water Board adopted Waste Discharge Requirements Order No. R9-2005-0015 (NPDES No. CA0108391), for Mountain Water Ice Company (hereinafter Discharger), for the discharge of up to 85,000 gallons per day of untreated wastewater to the San Luis Rey River, a water of the United States and a tributary to the Pacific Ocean. Order No. R9-2005-0015 contains an expiration date of March 9, 2010.
- On May 13, 2009, the Discharger was issued Time Schedule Order No. R9-2009-0047 (TSO). The TSO specifies the actions the Discharger is required to take in order to correct violations and come into compliance with the NPDES Order.

The San Diego Water Board action to rescind Order No. R9-2005-0015 is based on 1) the March 9, 2010 expiration date for Order No. R9-2005-0015, 2) the Discharger's decision not to submit a Report of Waste Discharge in application for reissuance of the NPDES permit, and 3) an inspection conducted on March 4, 2010 by San Diego Water Board staff, verifying that the wastewater discharge to San Luis Rey River was terminated. As of the end of December 2009, the discharge to surface waters was terminated and the Discharger subsequently requested that the San Diego Water Board rescind the NPDES Permit and the Time Schedule Order.

SIGNIFICANT
CHANGES:

N/A

COMPLIANCE:

This facility is in compliance with Order No. R9-2005-0015, NPDES Permit No. CA0108391 and Time Schedule Order No. R9-2009-0047 and has terminated its wastewater discharge to the San Luis Rey River.

LEGAL ISSUES:

None

SUPPORTING DOCS:

1. Location Map
2. Transmittal Letter for Tentative Order No. R9-2010-0028
3. Tentative Order No. R9-2010-0028
4. Letter from Mountain Water Ice Company, request for terminations

RECOMMENDATION:

Adoption of Tentative Order No. R9-2010-0028 is recommended.