

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

ORDER NO. R9-2010-0028

AN ORDER RESCINDING

**WASTE DISCHARGE REQUIREMENTS
ORDER NO. R9-2005-0015
NPDES PERMIT NO. CA0108391
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)**

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

1. On March 9, 2005, the Regional 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.
2. Order No. R9-2005-0015 expired on March 9, 2010 and requires the Discharger to file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days prior to this expiration date as application for reissuance of waste discharge requirements. The Discharger has not submitted a Report of Waste Discharge to continue the wastewater discharge to the San Luis Rey River.
3. On May 13, 2009, the Discharger was issued Time Schedule Order No. R9-2009-0047 (TSO) to achieve compliance with certain effluent limitations in Order No. R9-2005-0015. The TSO specified the actions the Discharger was required to take in order to correct violations and come into compliance with the NPDES Order.
4. The Discharger has terminated the wastewater discharges to the San Luis Rey River regulated under the NPDES Permit and accordingly has requested that the Regional Water Board rescind Order No. R9-2005-0015 and the associated TSO. In a report dated January 6, 2010, the Discharger stated that there have been no discharges from the Mountain Water Ice facility under Order No. R9-2005-0015 since the end of December 2009. This report also stated that the Discharger anticipates meeting all

the deadlines within the TSO with the completed construction of a Reverse Osmosis System and approved brine discharge to the City of Oceanside sewage collection system.

5. The Regional Board in a public meeting heard and considered all comments pertaining to the rescission of Order No. R9-2005-0015 (NPDES No. CA0108391).

IT IS HEREBY ORDERED that Order No. R9-2005-0015 (NPDES No. CA0108391) and Time Schedule Order No. R9-2009-0047 are rescinded.

I, David W. Gibson, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on March 10, 2010.

David W. Gibson
Executive Officer

TENTATIVE