

EXECUTIVE OFFICER SUMMARY REPORT
June 24, 2015

- ITEM: 13.b
- SUBJECT: Public Hearing: City of Escondido, Hale Avenue Resource Recovery Facility (HARRF), Escondido, California. (*Vicente Rodriguez*)
- b. Time Schedule Order - A Time Schedule Order Requiring the City of Escondido to Comply with Requirements Prescribed in Order No. R9-2015-0026, NPDES No. CA0108944.
- PURPOSE: To receive public testimony and consider adoption of Tentative Time Schedule Order No. R9-2015-0027 (Tentative TSO).
- RECOMMENDATION: Adoption of the Tentative TSO (**Supporting Document No. 1**) is recommended.
- KEY ISSUES:
1. The discharge from the City of Escondido, Hale Avenue Resource Recovery Facility (Facility) to Escondido Creek is expected to be infrequent. The last discharge to Escondido Creek occurred in 2005.
 2. The City of Escondido (City) cannot immediately comply with proposed NPDES Permit effluent limitations for seven regulated effluent constituents, n-nitrosodimethylamine, total trihalomethanes (THMs), un-ionized ammonia (NH₃), total phosphorus (TP), total nitrogen (TN), total dissolved solids (TDS), and manganese.
 3. The City has submitted a plan for achieving long-term compliance, with milestones and an ultimate date of compliance that are consistent with California Water Code section 13385 and state and federal compliance schedule policies.
 4. Interim effluent limitations, based on maximum effluent concentration (MEC) considerations, have been established in the Tentative TSO, consistent with the *Policy for Implementation of Toxics Standards for Inland Surface Waters, and Enclosed Bays, and Estuaries of California*

and US Environmental Protection Agency Technical Support Document for Water Quality-based Toxics Control.

PRACTICAL VISION: The City plans to address compliance issues by expanding their recycled water system to produce and serve agricultural users in the eastern part of the City. The proposed issuance of the Tentative TSO will support the City's recycled water system expansion project and is consistent with the *Strategy for a Sustainable Local Water Supply* chapter of the Practical Vision document.

DISCUSSION: The City owns and operates the Facility, a publicly-owned treatment works (POTW) in Escondido, California **(Supporting Document No. 2)**. The Facility treats up to 18 million gallons per day (MGD) to at least secondary treatment standards. Up to 9 MGD of the 18 MGD is treated to tertiary treatment standards and is delivered to recycled water customers for use as industrial supply and irrigation water. The use of the recycled water is regulated under separate water recycling requirements (Order No. R9-2010-0032). The remaining secondary treated effluent is discharged to the San Elijo Ocean Outfall (SEOO), consistent with Order No. R9-2010-0086. During extreme rain events, when effluent flows exceed the hydraulic capacity of the SEOO, the excess flows are treated to tertiary-treatment levels and discharged to Escondido Creek, consistent with Order No. R9-2003-0394.

Item 13.a on today's agenda is the proposed reissuance of the Tentative Order No. R9-2015-0026 (Tentative Order), to regulate the discharge to Escondido Creek. If adopted, the Tentative Order will replace Order No. R9-2003-0394.

The effluent limitations in the Tentative Order for seven regulated effluent constituents, n-nitrosodimethylamine, total trihalomethanes (THMs), un-ionized ammonia (NH₃), total phosphorus (TP), total nitrogen (TN), total dissolved solids (TDS), and manganese, are new and/or more stringent than the previous Order (Order No. R9-2003-0394). Based on a finding that the City is unable to immediately comply with the effluent limitations, the Tentative TSO proposes interim effluent limitations and a time schedule calling for implementation of the City's preferred method for achieving compliance, the Recycled Water Easterly Main Extension Project (Project),

The Project is summarized in Finding 14 of the Tentative

TSO and will expand the City's recycled water system to serve agricultural users in the eastern part of the City of Escondido. Pursuant to Directive B of the Tentative TSO, the City proposes to implement the Project in five phases over a period of 5.5 years and to complete the Project no later than January 4, 2021. Completion of the Project will enable the City to create 12.0 MGD of net reuse or storage of the tertiary effluent and eliminate the need to discharge tertiary treated effluent to Escondido Creek during extreme wet weather events. The termination of this discharge will eliminate the need to maintain NPDES permit coverage under the Tentative Order for the discharge.

Water Code section 13385 (j) authorizes conditional exceptions to mandatory minimum penalties for violations of effluent limitations set forth in NPDES permits. The Tentative TSO is intended to provide a basis for an exception to minimum penalties for the aforementioned effluent limitation violations and Findings 18 through 25 establish the conditions for this exception.

The Tentative TSO was noticed on April 17, 2015 and released for formal public comment on April 20, 2015. Comments were received from the City on May 12, 2015 (**Supporting Document No. 3**). A Response to Comments document containing the San Diego Water Board responses to these comments is provided as **Supporting Document No. 4**.

Modifications to the Tentative TSO have been made to address some of the comments identified by the City and to correct a few other minor errors. The modifications are shown in Supporting Document No. 1 in underline/strikeout format.

LEGAL CONCERNS:	None
SUPPORTING DOCUMENTS:	<ol style="list-style-type: none"> 1. Tentative Order No. R9-2015-0027 (as revised in responses to comments) 2. Location Map 3. Comment letter from City of Escondido 4. San Diego Water Board Response to Comments Report
COMPLIANCE RECORD:	The City has not discharged to Escondido Creek since 2005.
PUBLIC NOTICE:	On April 17, 2015, a public notice was published in the San

Diego Union Tribune. The Tentative Order was released for formal public review and comment on April 20, 2015. Notice was also provided in the meeting notice and agenda for the June 24, 2015, Board meeting, which is posted on the San Diego Water Board's website.