

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

**EXECUTIVE OFFICER SUMMARY REPORT
August 12, 2020**

ITEM NO. 10

SUBJECT

Consideration of Tentative Order No. R9-2020-0133, *An Order Rescinding Order Nos. 93-69 and 95-84* (Tentative Order R9-2020-0133). (Brandon Bushnell)

STAFF RECOMMENDATION

Adoption of Tentative Order No. R9-2020-0133 is recommended.

KEY ISSUES

Tentative Order No. R9-2020-0133 (**Supporting Document 1**), if adopted, would rescind Order No. 93-69, *Oak Crest Estates, Inc. and Rainbow Municipal Water District, Oak Crest Treatment Plant, San Diego County* (Order No. 93-69) and Order No. 95-84, *Waste Discharge Requirements for Mr. Charles Knapp, Tucalota Springs R.V. Park, Riverside County* (Order No. 95-84). The Oak Crest Treatment Plant at Oak Crest Estates is owned and operated by Oak Crest Estates, Inc.¹ The onsite wastewater treatment systems (OWTS) at the Tucalota Springs R.V. Park is owned and operated by R-FAM Investments Inc.² Both facilities will be regulated under State Water Resources Control Board Order WQ 2014-0153-DWQ, *General Waste Discharge Requirement for Small Domestic Wastewater Treatment Systems* (General Order).³

PRACTICAL VISION

Tentative Order No. R9-2020-0133 is consistent with the Strategizing for Healthy Waters chapter of the Practical Vision.⁴ Utilizing statewide general permits helps the San Diego Water Board focus staff resources on larger projects and facilities within the region that pose a greater threat to water quality. Additionally, enrolling dischargers in the General Order maintains consistent regulation of small domestic wastewater systems throughout the State.

¹ Rainbow Municipal Water District no longer operates the Oak Crest Treatment Plant.

² Mr. Charles Knapp is no longer associated with the Tucalota Springs R.V. Park OWTS.

³ General Order:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo_2014_0153_dwq.pdf.

⁴ Practical Vision:

https://www.waterboards.ca.gov/sandiego/water_issues/programs/practical_vision/docs/PV-WQCC_Version.pdf

DISCUSSION

The Oak Crest Treatment Plant is located at 4747 Oak Crest Road, Fallbrook in San Diego County (**Supporting Document 2**). San Diego Water Board staff conducted an inspection of the Oak Crest Treatment Plant on February 14, 2019, and did not observe any violations of the requirements included in Order No. 93-69.

Tucalota Springs is located at 41601 Benton Road, Hemet in Riverside County (**Supporting Document 3**). San Diego Water Board staff conducted an inspection of Tucalota Springs R.V. Park OWTS on January 15, 2020, and did not observe any violations of the requirements included in Order No. 95-84.

Based on the review of each facilities Report of Waste Discharge, and Order Nos. 93-69 and 95-84, San Diego Water Board staff determined these small domestic wastewater treatment systems are eligible for enrollment in the General Order. Furthermore, Order Nos. 93-69 and 95-84 are outdated and not as protective of water quality as the requirements in the General Order. Implementation of the General Order provides a more appropriate, consistent, and streamlined statewide approach to regulating small domestic wastewater treatment systems. Discharges from small domestic wastewater treatment systems have certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, flow ranges, and require the same or similar treatment standards. While discharger's may request to be regulated under individual waste discharge requirements, the enrollment of these facilities in the General Order allows the San Diego Water Board to effectively and efficiently regulate discharges from small domestic wastewater treatment systems, while prioritizing the agency's limited resources.

SIGNIFICANT CHANGES

The significant differences between the General Order and Order Nos. 93-69 and 95-84 are:

1. Order Nos. 93-69 and 95-84 are individual Waste Discharge Requirements for each facility; the General Order regulates small domestic wastewater facilities statewide.
2. The General Order's monitoring requirements are less stringent than the monitoring included in Order Nos. 93-69 and 95-84, however the monitoring and reporting program required by the General Order is more appropriate and consistent with facilities of similar size and discharge across the State.

COMPLIANCE RECORD

The Oak Crest Treatment Plant has been cited for 37 violations of Order No. 93-69. The violations include deficient monitoring, effluent exceedances for total dissolved solids, and the discharge of waste from a sludge drying bed to Rainbow Creek. San Diego Water Board staff issued six staff enforcement letters (SEs) to the Oak Crest Treatment Plant for the deficient monitoring and effluent exceedances. San Diego Water Board staff also issued an investigative order and notice of violation for the discharge of sludge into Rainbow Creek. Oak Crest Estates, Inc. cooperatively responded to all information requests and made changes to the treatment system to ensure the discharge of sludge to Rainbow Creek will not reoccur.

Tucalota Springs has been cited for eight violations for deficient or late reporting and an illegal cross connection with the sewer in 1994. The cross connection was corrected by the owner in 1995. San Diego Water Board staff issued three SEs to the Tucalota Springs R.V. Park for the deficient and late monitoring. In 1994, the San Diego Water Board imposed an administrative civil liability for failure to pay permitting fees. Since 2017, the Tucalota Springs R.V. Park has been under new management and no violations of Order No. 95-84 have occurred.

PUBLIC NOTICE

Notification of this action was sent to known interested parties by email and mail on June 1, 2020 (**Supporting Documents 4, 5 and 6**). Additionally, Tentative Order No. R9-2020-0133 was posted on the San Diego Water Board website on June 1, 2020, for a period of 30 days. No comments were received during the public comment period. These actions satisfy the 30-day public notification and comment period requirements of Water Code, division 7, section 13167.5.

SUPPORTING DOCUMENTS

1. Tentative Order No. R9-2020-0133
2. Oak Crest Treatment Plant Vicinity and Facility Map
3. Tucalota Springs Vicinity and Facility Map
4. Tentative Order No. R9-2020-0133 Transmittal Letter for Oak Crest
5. Tentative Order No. R9-2020-0133 Transmittal Letter for Tucalota Springs
6. Notice of Public Hearing and Written Comment Period