

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

**EXECUTIVE OFFICER SUMMARY REPORT
March 5, 2020**

ITEM 6a

SUBJECT

Consideration of Tentative Order No. R9-2020-0010, *An Order Rescinding Order No. 2000-165, Waste Discharge Requirements for Eastern Municipal Water District, Temecula Valley Regional Water Reclamation Facility, Riverside County* (Tentative Order No. R9-2020-0010). (Brandon Bushnell)

STAFF RECOMMENDATION

Adoption of Tentative Order No. R9-2020-0010 is recommended.

KEY ISSUES

Tentative Order No. R9-2020-0010 (**Supporting Document 1**), if adopted, would rescind Order No. 2000-165, *Waste Discharge Requirements for Eastern Municipal Water District, Temecula Valley Regional Water Reclamation Facility, Riverside County* (Order No. 2000-165) and subsequently eliminate the duplicative regulation of the Temecula Valley Regional Water Reclamation Facility (Temecula Valley WRF) by two Regional Water Quality Control Boards (Regional Water Board(s)).

PRACTICAL VISION

Tentative Order No. R9-2020-0010 is consistent with the *Strategizing for Health Waters* and *Strategy for Achieving a Sustainable Local Water Supply* chapters of the Practical Vision. Working as partners with local water districts and other Regional Water Boards helps the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) focus staff resources on higher priority projects and facilities within the region that pose a greater threat to water quality. Furthermore, the San Diego Water Board continues to encourage the production and use of recycled water by simplifying the regulation of recycled water production at the Temecula Valley WRF.

DISCUSSION

The Temecula Valley WRF is located in the City of Temecula, near the shared border between the California Regional Water Quality Control Board, Santa Ana Region (Santa Ana Water Board) and the San Diego Water Board (**Supporting Document 2**). Currently, the production of recycled water at the Temecula Valley WRF is regulated by both the Santa Ana Water Board, under Order No. R8-2008-0008, *Waste Discharge and Producer/User Reclamation Requirements for Eastern Municipal Water District Regional Water Reclamation Facilities Discharge to Groundwater Management Zones within San Jacinto River Basin* (Order No. R8-2008-0008); and the San Diego Water Board, under Order No. 2000-165. Approximately, 89% of the recycled water produced at the Temecula Valley WRF is used at sites within the Santa Ana Water Board region and the remainder is used at sites within the San Diego Water Board region.

In a letter dated January 13, 2020, Eastern Municipal Water District (District) requested relief from duplicative regulatory requirements through the designation of the Santa Ana

Water Board as the sole Regional Water Board responsible for regulating the production of recycled water at the Temecula Valley WRF (**Supporting Document 3**). Pursuant to Water Code section 13228, dischargers regulated by more than one Regional Water Board, may request to be regulated by a single designated board. The affected Regional Water Boards must agree in writing to the designation of a single board regulating a facility, however this designation agreement does not prohibit either board from taking necessary enforcement actions related to unpermitted discharges within its region.

The San Diego Water Board, in accordance with Water Code section 13228(a)(2), issued letters to the Santa Ana Water Board (**Supporting Document 4**) and the District (**Supporting Document 5**) agreeing with the District's request to designate the Santa Ana Water Board as the sole Regional Water Board responsible for regulating the production of recycled water at the Temecula Valley WRF. Further, the San Diego Water Board's letter to the District specifies the use and distribution of recycled water from the Temecula Valley WRF within the San Diego Water Board region will continue to be regulated by the San Diego Water Board through enrollment under the State Water Resources Control Board's Order WQ 2016-0068-DDW, *Water Reclamation Requirements for Recycled Water Use* (General WRR). Enrollment in the General WRR requires the District to submit Quarterly Recycled Water Summary and Annual Compliance Reports to the San Diego Water Board and participate in Salt and Nutrient Management Planning for the groundwater basins receiving recycled water from the District.

SIGNIFICANT CHANGES

The significant changes are:

1. Adoption of Tentative Order No. R9-2020-0010 will rescind Order No. 2000-165. Rescission of Order No. 2000-165 supports the District's request to designate the Santa Ana Water Board as the sole Regional Water Board responsible for regulating the production of recycled water at the Temecula Valley WRF. This action does not preclude the San Diego Water Board from taking enforcement actions necessary to protect public health, water quality, or the environment.
2. The use and distribution of treated recycled water from the Temecula Valley WRF within the San Diego Water Board region will continue to be regulated by the San Diego Water Board through an enrollment under the General WRR.

COMPLIANCE RECORD

Since the adoption of Order No. 2000-165 in September 2000, the San Diego Water Board has recorded 274 violations, and issued one Notice of Violation, one Investigative Order, and 10 Staff Enforcement Letters to the Temecula Valley WRF. Review of the violations and the associated enforcement documents found they resulted from exceedance of effluent limits for manganese, total dissolved solids (TDS), and chloride. In an effort to address these violations the District took the following actions:

- Participated in a study, conducted by Southern California Salinity Coalition, which found TDS and chloride violations could be linked to the influx of Colorado River Water, as opposed to State Water Project water, which typically exhibits higher concentrations of these constituents.

- Investigated manganese concentrations and determined elevated concentrations were due to shallow groundwater, with naturally occurring high concentrations of manganese, mixed with the Temecula Valley WRF influent and resulted in exceedances of effluent limitations; and
- Participated in an assimilative capacity study, conducted by Rancho California Water District, which confirmed capacity in the basin for recycled water with concentrations of TDS slightly above the water quality objective for the basin.

The Santa Ana Water Board is aware of these compliance issues and has included a requirement in Order No. R8-2008-008 to consider the influent concentration when determining compliance with TDS effluent limits.

PUBLIC NOTICE

Notification of this action was sent to known interested parties by mail on January 15, 2020 (**Supporting Documents 6 and 7**). Tentative Order R9-2020-0010 was posted on the San Diego Water Board website on January 15, 2020. One comment was received during the comment period (**Supporting Document 8**) and a response is provided in **Supporting Document No. 9**. These actions satisfy the 30-day notice and public comment period requirements of Water Code, division 7, section 13167.5.

SUPPORTING DOCUMENTS

1. Tentative Order No. R9-2020-0010
2. Map of Temecula Valley Regional Water Reclamation Facility
3. January 13, 2020 - Eastern Municipal Water District Letter
4. January 29, 2020 - California Regional Water Quality Control Board, Santa Ana Region Letter
5. January 29, 2020 - Eastern Municipal Water District Letter
6. Transmittal of Tentative Order No. R9-2020-0010
7. Notice of Public Hearing and Comment Period
8. February 13, 2020 - Comment Letter from the District
9. Response to Comment