

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

**EXECUTIVE OFFICER SUMMARY REPORT  
November 18, 2020**

**ITEM NO. 8**

**SUBJECT**

Consideration of Tentative Order No. R9-2020-0189, *An Order Rescinding Order No. R9-2006-0063, Waste Discharge Requirements for the California Department of Transportation, Descanso Maintenance Station, San Diego County* (Tentative Order No. R9-2020-0189). (Brandon Bushnell)

**STAFF RECOMMENDATION**

Adoption of Tentative Order No. R9-2020-0189 is recommended.

**KEY ISSUES**

Tentative Order No. R9-2020-0189 (**Supporting Document 1**), if adopted, rescinds Order No. R9-2006-0063, *Waste Discharge Requirements for the California Department of Transportation, Descanso Maintenance Station, San Diego County* (Order No. R9-2006-0063) and Addendum No. 1 to Order No. R9-2006-0063, *Monitoring And Reporting Program No. R9-2006-0063: Descanso Maintenance Station*. The onsite wastewater treatment system (OWTS) at the Descanso Maintenance Station (Facility), owned and operated by the California Department of Transportation (Discharger), will be regulated by the County of San Diego under the *Local Agency Management Plan for Onsite Wastewater Treatment Systems* (LAMP).<sup>1</sup>

**PRACTICAL VISION**

Tentative Order No. R9-2020-0189 is consistent with the Strategizing for Healthy Waters chapter of the *San Diego Water Board Practical Vision*.<sup>2</sup> Working as partners with county government 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.

**DISCUSSION**

The Facility is located at 24171 Japatul Valley Road, Descanso, in San Diego County (**Supporting Document 2**). San Diego Water Board staff conducted an inspection of the Facility OWTS on April 3, 2019, and did not observe any violations of the requirements specified in Order No. R9-2006-0063.

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<sup>1</sup> County of San Diego LAMP:

<https://www.sandiegocounty.gov/content/dam/sdc/deh/lwqd/RWQCB%20Approved%20LAMP%20Final%202-24-15.pdf>

<sup>2</sup> Practical Vision:

[https://www.waterboards.ca.gov/sandiego/water\\_issues/programs/practical\\_vision/](https://www.waterboards.ca.gov/sandiego/water_issues/programs/practical_vision/)

San Diego Water Board staff reviewed the requirements specified in Order No. R9-2006-0063 and the Discharger's annual monitoring reports and determined the Facility's OWTS is eligible for oversight by the County of San Diego under the LAMP.

The purpose of the LAMP is to allow the continued use of OWTS within the jurisdiction of local agencies and expand the local program to permit and regulate alternative OWTS while protecting water quality and public health. Furthermore, Order No. R9-2006-0063 is outdated and is not as protective of water quality as the County of San Diego LAMP which was developed in accordance with the State Water Resources Control Board's *Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy). The OWTS Policy establishes a statewide, risk-based, tiered approach for regulation and management of OWTS installations and replacements, and recognizes the effectiveness of local permitting agencies. The OWTS Policy allows local agencies to approve OWTS, based on a local ordinance, after the Regional Water Quality Control Board approves the LAMP. The San Diego Water Board approved the County of San Diego LAMP on April 29, 2015.

The San Diego Water Board notified the County of San Diego Department of Environmental Health on April 15, 2019, that the Facility's OWTS is eligible for regulation under the authority of the County of San Diego's LAMP. While the Discharger may request to be regulated under individual waste discharge requirements, the Facility's transfer to the County of San Diego allows the San Diego Water Board to effectively and efficiently regulate OWTS that pose a great threat to water quality, while prioritizing its limited resources.

### **SIGNIFICANT CHANGES**

The significant differences between the County of San Diego's LAMP and Order No. R9-2006-0063 are:

1. The Facility will no longer need to submit annual monitoring reports or pay fees to the State Water Resources Control Board.
2. The Facility will be required to submit all proposed OWTS upgrades and septage pumping records, upon request, to the County of San Diego.

### **COMPLIANCE RECORD**

The San Diego Water Board issued four staff enforcement letters and one notice of violation for the following violations of Order No. R9-2006-0063:

- Failure to comply with total dissolved solids effluent limitation in 2007, 2008, 2009 and 2010.
- Failure to comply with methylene blue active substances effluent limitation in 2008

- Failure to comply with boron effluent limitation in 2007 and 2008.
- Failure to comply with total nitrogen effluent limitation in 2007, 2008, and 2009
- Failure to submit monitoring report in 2015.

Since the issuance of a staff enforcement letter in June 2017, no violations of Order No. R9-2006-0063 have occurred.

## **PUBLIC NOTICE**

Notification of this action was provided to the Discharger and known interested parties on September 17, 2020 (**Supporting Documents 3 and 4**). Additionally, the San Diego Water Board posted Tentative Order No. R9-2020-0189 on its website on September 17, 2020. No comments were received during the public comment period. These actions satisfy the 30-day public notification and comment period requirements of Water Code section 13167.5.

## **SUPPORTING DOCUMENTS**

1. Tentative Order No. R9-2020-0189
2. Vicinity and Facility Map
3. Tentative Order No. R9-2020-0189 Transmittal Letter
4. Notice of Public Hearing and Comment Period