

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

**TENTATIVE ORDER NO. R9-2023-0014**

**WASTE DISCHARGE REQUIREMENTS FOR GENENTECH, INC.  
INDUSTRIAL WASTEWATER REUSE FOR IRRIGATION  
SAN DIEGO COUNTY**

Genentech Inc., as described below, is subject to waste discharge requirements (WDRs) set forth in Order No. R9-2023-0014 (Order):

**Table 1. Discharger Information**

Discharger	Genentech Inc., a member of the Roche Family
Name of Facility	Genentech Inc.
Facility Address	One Antibody Way
	Oceanside, CA 92056
	San Diego County

**Table 2. Discharge Location**

<b>Discharge Point</b>	<b>Effluent Description</b>	<b>Hydrologic Area of Discharge</b>
Irrigation areas at Genentech Inc.	Industrial Wastewater	Loma Alta HSA (904.10)

**Effective Date**

This Order was adopted by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), and is effective on **October 11, 2023**.

I, David W. Gibson, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of this Order adopted by the San Diego Water Board on the aforementioned date.

**TENTATIVE**  
\_\_\_\_\_  
David W. Gibson, Executive Officer

**CONTENTS**

I FINDINGS.....1  
II. DISCHARGE PROHIBITIONS.....2  
III. DISCHARGE SPECIFICATIONS AND EFFLUENT LIMITATIONS.....3  
IV. STANDARD PROVISIONS.....4  
V. SPECIAL PROVISIONS.....7  
VI. NOTICES.....8

**ATTACHMENTS**

ATTACHMENT A – DEFINITIONS.....A-1  
ATTACHMENT B – FACILITY MAPS AND FIGURES .....B-1  
ATTACHMENT C – FACILITY SCHEMATICS.....C-1  
ATTACHMENT D – MONITORING AND REPORTING PROGRAM.....D-1  
ATTACHMENT E – FACT SHEET.....E-1

**TABLES**

Table 1. Discharger Information.....Cover Page  
Table 2. Discharge Location.....Cover Page  
Table 3. Discharge Specification.....3

## I. FINDINGS

The San Diego Water Board, finds:

- A. **Facility Information.** Genentech, Inc. (Discharger) is a biotechnology company producing bioengineered human health care products, at an industrial plant located at One Antibody Way, Oceanside, California 92056 (Facility). Sections I and II of Attachment E to this Order (Fact Sheet), provide a detailed description of the Facility. Section I of the Fact Sheet also includes information regarding the permit application for the Facility.
- B. **Legal Authorities.** The San Diego Water Board issued this Order pursuant to section 13263 of the California Water Code (Water Code), and serves as WDRs, and implements the San Diego Water Board's *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan).
- C. **Background and Rationale for Requirements.** The San Diego Water Board developed this Order based on: information submitted in the Discharger's *Report of Waste Discharge for Genentech, Inc. a Member of the Roche Family, One Antibody Drive, Oceanside, California* (ROWD),<sup>1</sup> San Diego Water Board Basin Plan, the State Water Resources Control Board (State Water Board) policies, and other available information. The Fact Sheet for this Order contains the background information and rationale for the development of requirements in this Order. The Fact Sheet and Attachments B through D are incorporated into, and constitutes findings for, this Order.
- D. **California Environmental Quality Act (CEQA).** The City of Oceanside (City) is the Lead Agency under CEQA. The City issued a Negative Declaration in 1999 and an Addendum to the Negative Declaration in 2000 for the expansion of the Facility. The City's Negative Declaration found that the expansion would not have significant adverse effects on the environment with mitigation.

The San Diego Water Board is a Responsible Agency under CEQA. The San Diego Water Board independently finds that this Order is not subject to CEQA. Any significant adverse environmental impacts within the San Diego Water Board's jurisdiction will be avoided or reduced to a less than significant level with the implementation of the requirements of this Order. Further, adoption of this Order is exempt from CEQA pursuant to categorical exemptions listed in California Code of Regulations (CCR), title 14, section 15301 for existing facilities.

- E. **Antidegradation Policy.** State Water Board established California's Antidegradation Policy in Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (Resolution No. 68-16).<sup>2</sup> Resolution No. 68-16 requires existing quality of waters be maintained unless degradation is justified based on specific findings. The Basin Plan implements and

---

<sup>1</sup> Submitted pursuant to Water Code section 13260.

<sup>2</sup> The Anti-Degradation Policy can be found on the following webpage:  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/1968/rs68\\_016.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1968/rs68_016.pdf)

incorporates by reference the State of California's (State) antidegradation policy. Section III.C of the Fact Sheet describes how the discharge of waste regulated by this Order is consistent with the Basin Plan and Resolution No. 68-16.

- F. **Executive Officer Delegation of Authority.** The San Diego Water Board, by prior resolution, delegated all matters that may legally be delegated to its Executive Officer to act on its behalf pursuant to Water Code section 13223. Therefore, the Executive Officer is authorized to act on the San Diego Water Board's behalf on any matter within this Order unless such delegation is unlawful under Water Code section 13223 or as otherwise explicitly stated in this Order.
- G. **Notification of Interested Persons.** The San Diego Water Board notified the Discharger, local agencies, and interested persons of its intent to prescribe WDRs for the discharge of waste described in this Order and provided them with an opportunity to submit written comments and recommendations. The San Diego Water Board also provided an opportunity for the Discharger, local agencies, and interested persons to submit oral comments and recommendations at a public hearing. Notification details are included in section VII.A of the Fact Sheet.
- H. **Consideration of Public Comment.** The San Diego Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Public Hearing details are included in section VII.B of the Fact Sheet.

**IT IS HEREBY ORDERED**, that, to meet the provisions contained in division 7 of the Water Code, commencing with section 13000, and applicable regulations adopted thereunder, the Discharger must comply with the requirements in this Order. The Discharger is hereby authorized to discharge industrial wastewater subject to the requirements of this Order.

## **II. DISCHARGE PROHIBITIONS**

- A. Discharges of waste to land which are not specifically described in this Order or in the ROWD, and for which valid WDRs are not in force, are prohibited.
- B. Discharges of treated or untreated solid or liquid waste to waters of the United States are prohibited unless authorized by a National Pollutant Discharge Elimination System (NPDES) permit issued by the San Diego Water Board.
- C. Discharges of treated or untreated solid or liquid waste directly or indirectly to any waters of the State (e.g., ephemeral streams and vernal pools) are prohibited unless authorized by WDRs.
- D. Treatment, storage, or disposal of waste in a manner that creates pollution, contamination, or nuisance, as defined by Water Code section 13050, is prohibited.
- E. Discharges of industrial wastewater at any location other than at the Facility is prohibited.

- F. Discharges of industrial wastewater for any reuse other than for landscape irrigation is prohibited.

### III. DISCHARGE SPECIFICATIONS AND EFFLUENT LIMITATIONS

- A. Discharges of industrial wastewater from the Facility for landscape irrigation must not exceed a daily maximum flowrate of 50,000 gallons per day (gpd).
- B. Discharges of industrial wastewater from the Facility for landscape irrigation must not contain constituents in excess of the effluent limitations in Table 3. The Discharger must measure compliance at Monitoring Location M-01, as described in Table D-1 of Attachment D to this Order (Monitoring and Reporting Program [MRP]).

**Table 3. Effluent Limitations for Landscape Irrigation**

Constituent	Units	Daily Maximum <sup>1</sup>	Monthly Average <sup>2</sup>	Annual Average <sup>3</sup>
Boron	Milligrams per Liter (mg/L)	-	-	0.75
Chloride	mg/L	-	-	400
Color Units	Apparent Color Unit (ACU)	-	-	15
Fluoride	mg/L	-	-	1.0
Iron	mg/L	-	-	0.3
Manganese	mg/L	-	-	0.05
Methylene Blue-Activated Substances (MBAS)	mg/L	-	-	0.5
Nitrate	mg/L	-	-	45
Odor	-	none <sup>4</sup>	-	-
pH	pH units	6.5 - 8.5	6.5 - 8.5	6.5 - 8.5
Sulfate	mg/L	-	-	500
Percent Sodium	Percentage	-	-	60
Total Dissolved Solids (TDS)	mg/L	-	-	1,000
Turbidity	Nephelometric Turbidity Units (NTU)	-	-	5

<sup>1</sup> The daily maximum discharge specification applies to the results of a single composite or grab sample representing non-overlapping 24-hour periods.

<sup>2</sup>The monthly average discharge specification applies to the arithmetic mean of the results of all samples collected during each calendar month.

<sup>3</sup>The annual average discharge specification applies to the arithmetic mean of the results of all samples collected in a calendar year period.

<sup>4</sup>Industrial wastewater shall not contain taste or odor producing substances at concentrations which cause a nuisance or adversely affect beneficial uses.

#### IV. STANDARD PROVISIONS

- A. The Discharger must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the Water Code and is grounds for (a) enforcement action; (b) termination and reissuance or modification of this Order; or (c) denial of an application for new or revised WDRs.
- B. The Discharger must allow the San Diego Water Board or an authorized representative, upon the presentation of credentials, to:
1. Enter upon the Discharger's premises where the regulated Facility or activity is located, conducted, or where the Discharger keeps the required records under the conditions of this Order.
  2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order.
  3. Inspect at reasonable times the Facility, equipment (including monitoring and control equipment), practices, or operations that are regulated or required under this Order.
  4. Sample or monitor, at reasonable times for the purposes of assuring compliance with this Order or as otherwise authorized by the Water Code, any substances or parameters at any location.
- C. The Discharger must provide an emergency response report<sup>3</sup> to the California Office of Emergency Services (OES), San Diego Water Board, and San Diego County Department of Environmental Health and Quality (DEHQ): (1) any noncompliance that may endanger human health, safety, or the environment; (2) any unauthorized discharge of hazardous substance, caused or permitted without regard to intent or negligence, in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State; and (3) any unauthorized discharge of industrial wastewater. The Discharger must notify OES, the San Diego Water Board, and DEHQ as soon as practicable, but not to exceed 24 hours, when: (a) the Discharger has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures.<sup>4</sup> This provision does not require reporting of any discharge that is less than a reportable quantity

---

<sup>3</sup> In accordance with section 5411.5 of the Health and Safety Code.

<sup>4</sup> In accordance with Health and Safety Code section 5411.5 and Government Code section et seq,

as provided for under Water Code section 13271, subdivisions (f) and (g)<sup>5</sup> unless the Discharger is in violation of any prohibition in the Basin Plan.

The Discharger must also provide a written after action report to the San Diego Water Board within 5 days of the time the Discharger becomes aware of the noncompliance or unauthorized discharge. The Discharger's after action report must describe in detail the noncompliance and its cause; the period of noncompliance, including exact dates and times; if the Discharger has not corrected the noncompliance, the anticipated time that the Discharger expects the noncompliance to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board may consider waiving the need for the after action report on a case-by-case basis.

- D. The Discharger must maintain a copy of this Order at the Facility. This Order must be readily accessible to all operating personnel at the Facility.
- E. The San Diego Water Board may modify, rescind and reissue, or terminate this Order at any time for reasons including, but not limited to:
  - 1. Violation of any terms or conditions of this Order,
  - 2. Obtaining this Order by misrepresentation or failing to disclose fully all relevant facts,
  - 3. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- F. The Discharger's filing of a request for the modification or rescission of this Order, or notification of planned changes or anticipated noncompliance, to the San Diego Water Board, does not stay any condition of this Order.
- G. The Discharger must submit to the San Diego Water Board a new or amended report of waste discharge, at least 120 days prior to any proposed changes to the Facility for the San Diego Water Board's review and response. The Discharger must ensure that a licensed professional properly stamps and signs the report of waste discharge. The following are examples of changes that require submittal of a new or amended report of waste discharge:
  - 1. Addition of a new process or product at the Facility resulting in a change in the character of the wastes.
  - 2. Significant change in the treatment or discharge method (e.g. change in the method of treatment which would significantly alter the nature of the waste).
  - 3. Change in the discharge area from that described in this Order.

---

<sup>5</sup> See California Code of Regulations title 23, sections 2250 and 2251.

4. Increase in discharge flowrate beyond that specified in this Order.
  5. Addition of monitoring, injection, and/or production wells not described in this Order.
  6. Other circumstances that result in a material change in character, amount, or location of the waste discharge.
  7. Any planned change in the Facility or activity which may result in noncompliance with this Order.
- H. This Order is not transferable to any party. The Discharger must ensure that the San Diego Water Board receives the written notice at least 120 days before any proposed ownership transfer takes place. The notice must include a written agreement between the existing and new dischargers containing a specific date for the transfer of this Order's responsibility and coverage between the existing and the new dischargers. This agreement must include an acknowledgment that the existing Discharger is liable for violations occurring before the transfer date and that the new discharger is liable from the transfer date and thereafter. The San Diego Water Board will consider modification or revocation and reissue of this Order to change the name of the discharger and incorporate other requirements as may be necessary.
- I. Where the Discharger becomes aware that it failed to submit any relevant facts or submitted incorrect information in the ROWD or in any report to the San Diego Water Board, the Discharger must promptly submit such facts or information.
- J. The Discharger must sign and certify all applications, reports, or information submitted to the San Diego Water Board as follows:
1. A report of waste discharge must be signed as follows:
    - a. For a corporation, a principal executive officer of at least the level of senior vice-president, or
    - b. By a licensed professional performing engineering or geological judgments. The lead professional in the appropriate field must sign and affix their license stamp to the report, plan, or document by direction of the person designated in paragraph "a" of this provision, only if:
      - i. The authorization is made in writing by a person described in paragraph "a" of this provision.
      - ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated Facility or activity.



2. All other reports required by this Order and other information required by the San Diego Water Board must be signed by a person designated in section IV.J.1 of this Order or a duly authorized representative of that person. An individual is a duly authorized representative only if all the following are true:
  - a. The authorization is made in writing by a person described in section IV.J.1.a of this Order.
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.
  - c. The written authorization is submitted to the San Diego Water Board.
3. Any person signing a document under this section must make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment."

- K. The Discharger must comply with the MRP and any future revisions specified by the San Diego Water Board. Monitoring results must be reported at the frequency specified in the MRP.
- L. The Discharger must provide to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, rescinding and reissuing, or terminating this Order. The Discharger must also furnish to the San Diego Water Board, upon request, copies of records required to be kept by this Order.
- M. The Discharger must submit reports required under this Order to the San Diego Water Board via the GeoTracker database at <https://geotracker.waterboards.ca.gov/>. The San Diego Water Board may also request hard copies and/or electronic copies on a compact disc (CD) or universal serial bus (USB) drive or other appropriate media, including electronic mail (email). Report submittals must include a signed cover/transmittal letter that includes the Facility name, Facility contact information, and reference code (**Mizadmehr: WDR100055456**), unless directed otherwise by the Executive Officer. Section V of the MRP contains additional information regarding report submittal requirements.

## V. SPECIAL PROVISIONS

- A. The Discharger shall properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) used by the Discharger to achieve compliance with conditions of this Order. Proper operation and maintenance include effective performance, adequate funding, adequate operator

staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.

- B. The waste containment and disposal features must be protected against a 100-year storm event as defined by the San Diego County Flood Control District (FCD).
- C. All waste treatment, containment, and disposal facilities must be protected against erosion, overland runoff, and other impacts resulting from a 100-year, 24-hour storm event as defined by the FCD.

## VI. NOTICES

- A. If any person uses, transports, or stores the industrial waste in a manner which creates, or threatens to create conditions of pollution, contamination, or nuisance, as defined in Water Code section 13050, the San Diego Water Board may initiate enforcement action against the Discharger, which may result in the termination of the waste discharge.
- B. This Order does not convey property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Discharger from liability under federal, State, or local laws, nor create a vested right for the Discharger to continue the waste discharge.
- C. These requirements have not been reviewed by the United States Environmental Protection Agency and are not issued pursuant to Clean Water Act section 402.
- D. Any person aggrieved by this action of the San Diego Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and CCR title 23, section 2050. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except if this date falls on a Saturday, Sunday, or State holiday, then the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order must not be affected.

**ATTACHMENT A – DEFINITIONS**  
**ORDER NO. R9-2023-0014**

**Part 1. – Abbreviations**

<b>Abbreviation</b>	<b>Definition</b>
ACU	Apparent color units
Basin Plan	Water Quality Control Plan for the San Diego Basin
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
DEHQ	San Diego County Department of Environmental Health and Quality
DDW	State Water Board, Division of Drinking Water
Discharger	Genentech Inc., a member of the Roche Family
Facility	Genentech Inc.
HA	Hydrologic Area
HSA	Hydrologic Subarea
MBAS	Methylene blue-activated substances
mg/L	Milligrams per liter
MGD	Million gallons per day
MRP	Monitoring and reporting program
NPDES	National Pollutant Discharge Elimination System
NTU	Nephelometric Turbidity Unit
Order	Order No. R9-2023-0014 Waste Discharge Requirements for Genentech Inc. Industrial Wastewater Reuse for Irrigation, San Diego County
PDF	Portable Document Format
QA	Quality assurance
QC	Quality control
ROWD	Report of Waste Discharge for Genentech, Inc. a Member of the Roche Family, One Antibody Drive, Oceanside, California
RO	Reverse osmosis
San Diego Water Board	California Regional Water Quality Control Board, San Diego Region
SMR	Self-monitoring report
State Water Board	State Water Resources Control Board
TSS	Total Suspended Solids
UHQW	Ultra high-quality water
USEPA	United States Environmental Protection Agency
Water Code	California Water Code
WDRs	Waste discharge requirements
WQOs	Water quality objectives

See Part 2 of Attachment A (Glossary of Common Terms) for definitions.

## **Part 2. – Glossary of Common Terms**

### **Average**

An average is the sum of measured values divided by the number of measured values.

### **Average Annual Effluent Limitation**

The average annual effluent limitation is the highest allowable average of daily discharges over a calendar year (January-December), calculated as the sum of all daily discharges measured during a calendar year divided by the number of daily discharges during that year.

### **California Code of Regulations**

California Code of Regulations are the official compilation and publication of the regulations adopted, amended, or repealed by state agencies pursuant to the Administrative Procedure Act. Properly adopted regulations that have been filed with the Secretary of State have the force of law.

### **Code of Federal Regulations**

Code of Federal Regulations are the codification (arrangement of) the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government. The Code of Federal Regulations are divided into 50 titles that represent broad areas subject to federal regulations. Title 40 of the Code of Federal Regulations: Protection of Environment addresses the USEPA's mission of protecting human health and the environment.

### **Daily Maximum Effluent Limitation**

The daily maximum effluent limitation is the highest allowable daily discharge of a pollutant.

### **Grab Sample**

A grab sample is an individual sample of at least 100 milliliters collected at a randomly selected time over a period not exceeding 15 minutes. The sample is taken from a waste stream on a one-time basis without consideration of the flowrate of the waste stream and without consideration of time of day.

### **Industrial Service Supply**

Industrial Service Supply is the beneficial use of water resources as defined by the Basin Plan for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well re-pressurization.

### **Million Gallons Per Day**

MGD is a unit of flow commonly used for wastewater discharges. One MGD is equivalent to 1.547 cubic feet per second.

### **Municipal and Domestic Supply**

Municipal and Domestic Supply is the beneficial use of water resources as defined by the Basin Plan that includes uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.

**Source of Drinking Water**

Source of drinking water is any water, surface or groundwater, designated as municipal and domestic supply in the Basin Plan.

**Total Nitrogen**

Total Nitrogen is the sum of concentrations of ammonia, nitrite, nitrate, and organic nitrogen containing compounds expressed as nitrogen.

**Waste**

Waste includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.

**Water Quality Objectives**

WQOs are the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area.

**Ultra High-Quality Water**

UHQW is a type of water that has been purified and treated to an extremely high degree, typically using advanced filtration, distillation, or reverse osmosis techniques.

**ATTACHMENT B – FACILITY MAPS AND FIGURES  
ORDER NO. R9-2023-0014**

**FIGURE B-1  
GENENTECH FACILITY LOCATION**



Aerial location map of the Facility from Google Earth. The Facility borders are outlined in red.

**FIGURE B-2**  
**VISTA UNITED STATES GEOLOGICAL SURVEY (USGS) QUADRANGLE**

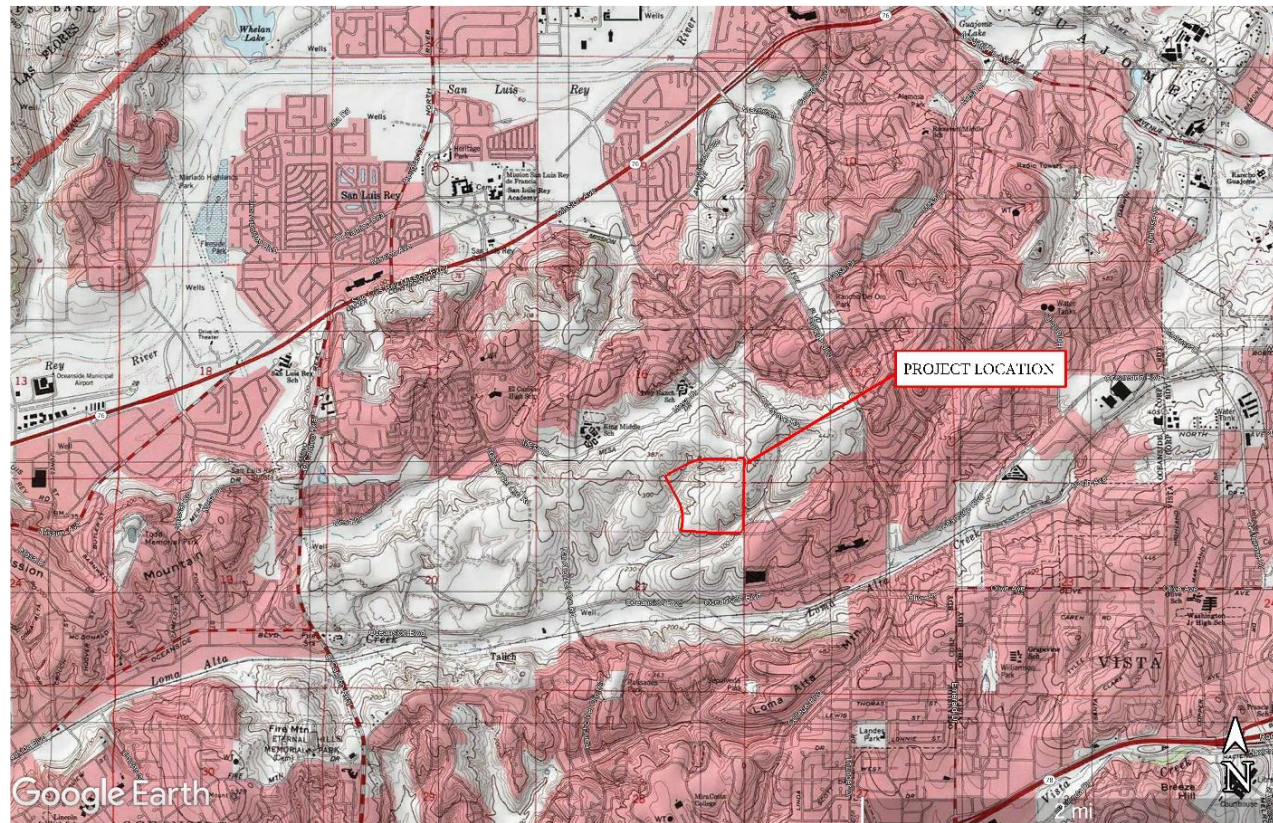


Figure provided by the Discharger in the ROWD.

**FIGURE B-3  
PROPOSED FACILITY STORAGE TANK AREA**

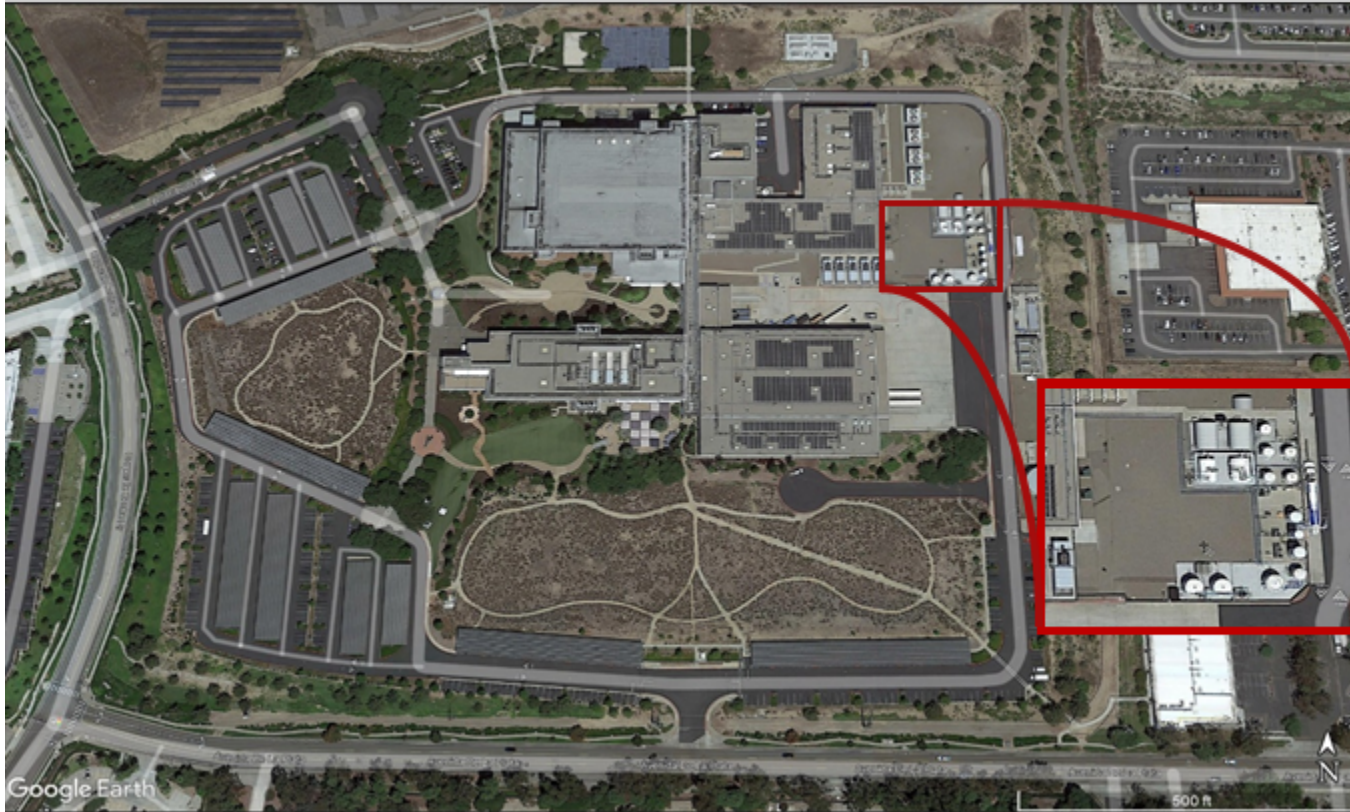


Figure provided by the Discharger in the ROWD.



**FIGURE B-4  
PROPOSED FACILITY IRRIGATION SYSTEM**

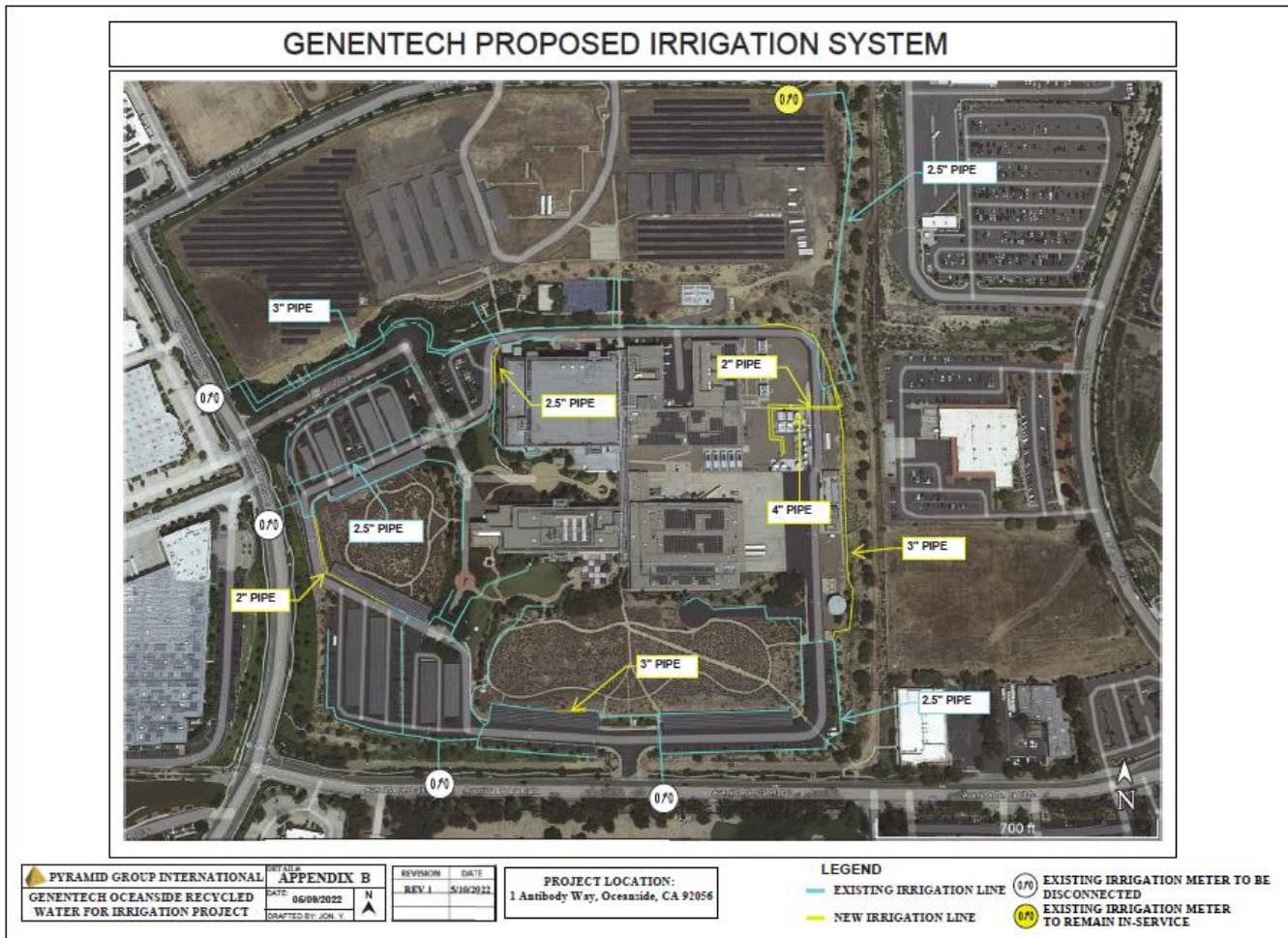


Figure provided by the Discharger in the ROWD.

**ATTACHMENT C – INDUSTRIAL WASTE FACILITY SCHEMATICS**  
**ORDER NO. R9-2023-0014**

**FIGURE C-1**  
**INDUSTRIAL WASTEWATER PROCESS FLOW DIAGRAM**

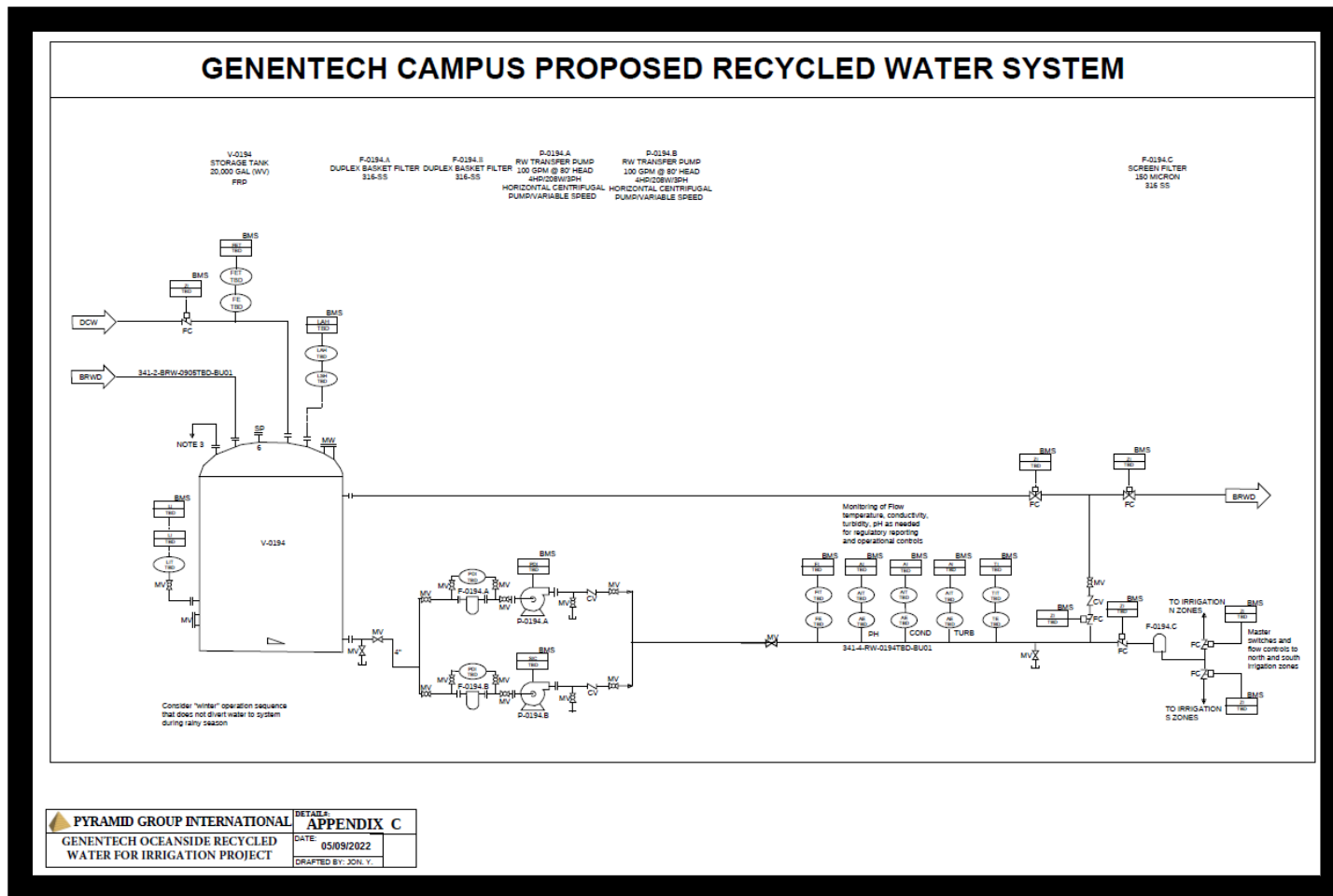


Figure provided by the Discharger in the ROWD.

**ATTACHMENT D – MONITORING AND REPORTING PROGRAM  
ORDER NO. R9-2023-0014**

**I. FINDINGS**

- A. This Monitoring and Reporting Program (MRP) is issued to Genentech Inc., a member of the Roche Family (Discharger), pursuant to California Water Code (Water Code) section 13267, which authorizes the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) to require technical and monitoring reports.
- B. This MRP requires the Discharger to provide information to the San Diego Water Board to determine compliance with Order No. R9-2023-0014, *Waste Discharge Requirements for Genentech Inc. Industrial Wastewater Reuse for Irrigation, San Diego County* (Order). The San Diego Water Board Executive Officer can modify this MRP as appropriate.
- C. This MRP establishes requirements for the Discharger to conduct routine or episodic self-monitoring of the discharges regulated under the Order at specified influent, internal operations, effluent, and receiving water monitoring location. This MRP requires the Discharger to report the results to the San Diego Water Board with information necessary to evaluate discharge characteristics and compliance status.

**II. GENERAL MONITORING PROVISIONS**

- D. The Discharger must ensure samples and measurements collected as required by the Order and this MRP are representative of the volume and nature of the monitored discharge. The Discharger must collect all samples at the monitoring points specified in this MRP and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. The Discharger must not change monitoring locations prior to notifying and receiving approval from the San Diego Water Board.
- E. The Discharger must select and use appropriate flowrate measurement devices and methods, consistent with accepted scientific practices to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The Discharger must install, calibrate, and maintain the devices to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices must be capable of measuring flowrates with a maximum deviation of 5 percent from true discharge rates throughout the range of expected discharge volumes.
- F. Unless otherwise permitted by the San Diego Water Board, all analyses shall be conducted at a laboratory certified to perform such analyses by the State Water Board Resources Control Board, Division of Drinking Water (DDW) Environmental Laboratory Accreditation Program<sup>1</sup> (ELAP) for the analytical method used. The Discharger must use a laboratory capable of producing and providing quality assurance and quality control (QA/QC) records for San Diego Water Board review. The director of the laboratory whose name appears on the ELAP certification shall supervise all analytical

---

<sup>1</sup> Information about ELAP accredited labs can be found at the following webpage  
[https://www.waterboards.ca.gov/drinking\\_water/certlic/labs/](https://www.waterboards.ca.gov/drinking_water/certlic/labs/)

work in his/her laboratory and shall sign all reports submitted to the San Diego Water Board.

- G. The Discharger must ensure that monitoring for all constituents is conducted according to United States Environmental Protection Agency (USEPA) test procedures approved in title 40 Code of Federal Regulations, part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, as amended, unless other test procedures have been specified in this MRP.
- H. The Discharger must ensure that any report presenting new analytical data must include the complete laboratory analytical report(s). The laboratory director must sign the laboratory analytical report, which must contain:
  - 1. A complete sample analytical report,
  - 2. A complete laboratory QA/QC report,
  - 3. A discussion of the QA/QC data, and
  - 4. A transmittal letter indicating whether all the analytical work was supervised by the director of the laboratory, and containing the following statement, "All analyses were conducted at a laboratory certified for such analyses in accordance with current USEPA procedures."
- I. If the Discharger monitors any pollutants more frequently than required by this MRP, using approved test procedures, or as specified in this MRP, the results of this monitoring must be included in the calculation and reporting of the data submitted in the Discharger's monitoring report. The Discharger must also report the increased frequency of monitoring.
- J. The Discharger must retain records of all monitoring information, including all calibrations and maintenance records. This includes, but is not limited to, all original strip chart and/or electronic recordings from continuous monitoring instrumentation, copies of all reports required by this MRP, and all data used to comply with this MRP. The Discharger must maintain records for a minimum of five years from the date of the sample, measurement, report, or application. The San Diego Water Board may extend this period during any unresolved litigation regarding the discharge. The Discharger must ensure that monitoring records include the following:
  - 1. The date, exact place, and time of sampling or measurements,
  - 2. The individual(s) who performed the sampling or measurements,
  - 3. The date(s) analyses were performed,
  - 4. The individual(s) who performed the analyses,
  - 5. The analytical techniques or methods used, and

- 6. The results of such analyses.
- K. The Discharger, per manufacture guidelines, must properly and routinely maintain and calibrate all monitoring instruments, flow meters, and devices used to comply with this MRP.
- L. The Discharger must sign and certify all applications, reports, or information submitted to the San Diego Water Board as detailed in section IV.J of the Order.
- M. The Discharger must identify all missing or non-valid monitoring or sampling results in submitted monitoring reports. All instances of missing or non-valid results must include an explanation of their root cause and the steps the Discharger has or will take to prevent future instances. Missing or non-valid results may be considered violations of the MRP that could result in enforcement action depending on the frequency of such instances and efforts by the Discharger to prevent such instances.

**III. MONITORING LOCATIONS**

The Discharger must establish the following monitoring location(s) to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in the Order:

**Table D-1. Summary of Monitoring Locations**

Monitoring Location Name	Monitoring Location Description
M-01	Industrial wastewater storage tank

**IV. MONITORING REQUIREMENTS**

The Discharger must monitor the effluent discharged to the landscape irrigation sites at Monitoring Location M-01 and collect the effluent monitoring samples shown in Table D-2.

**Table D-2. Effluent Monitoring**

Constituent	Units	Sample Type	Minimum Sampling Frequency <sup>1</sup>	Reporting Frequency
Boron	Milligrams per Liter (mg/L)	Grab	Semiannual	Annually
Chloride	mg/L	Grab	Semiannual	Annually
Color Units	Apparent Color Unit (ACU)	Grab	Semiannual	Annually
Flowrate	Gallons per day (gpd)	Recorder/ Totalizer	Continuous	Annually
Fluoride	mg/L	Grab	Semiannual	Annually

Iron	mg/L	Grab	Semiannual	Annually
Manganese	mg/L	Grab	Semiannual	Annually
Methylene Blue-Activated Substances (MBAS)	mg/L	Grab	Semiannual	Annually
Nitrate	mg/L	Grab	Semiannual	Annually
Odor	-	Grab	Semiannual	Annually
Percent Sodium	Percentage	Grab	Semiannual	Annually
pH	pH units	Grab	Semiannual	Annually
Sulfate	mg/L	Grab	Semiannual	Annually
Total Dissolved Solids (TDS)	mg/L	Grab	Semiannual	Annually
Turbidity	Nephelometric Turbidity Units (NTU)	Grab	Semiannual	Annually

<sup>1</sup> The minimum frequency of monitoring for this parameter is automatically increased to twice the minimum frequency specified, if any analysis for this parameter yields a result higher than the applicable effluent limitation specified in the Order. The increased minimum frequency of monitoring shall remain in effect until the results of a minimum of four consecutive analyses for this constituent are below all applicable effluent limitations specified in the Order.

**V. SELF-MONITORING REPORTS**

A. The Discharger must submit the results of all monitoring required by this MRP in Self-Monitoring Reports (SMRs) to the San Diego Water Board via the San Diego Regional Water Quality Control Board’s (State Water Board’s) GeoTracker system at <http://geotracker.waterboards.ca.gov> (GeoTracker). The Discharger must upload SMRs on or prior to the SMR due dates (Table D-3). The Discharger must:

1. Submit all SMRs to the San Diego Water Board with the following indexing number in the header and subject line: **Mlzadmehr: WDR100055456**.
2. Divide documents larger than 400 megabytes (MB) into separate files at logical places in the report to keep the file sizes under 400 MB.
3. Submit Laboratory Analytical Data for all samples in Electronic Deliverable Format.

4. Report the latitude and longitude of all sampling locations for which data are reported.
- B. The Discharger must provide the San Diego Water Board with the following items when requested: a hard copy of the complete SMR, a hard copy of the cover/transmittal letter, a hard copy of oversized drawings or maps, and an electronic copy of the complete SMR (as outlined in section IV.M of the Order – Standard Provisions).
  - C. The Discharger must provide a comprehensive copy of all documents to the San Diego Water Board (in a text-searchable Portable Document Format (PDF)) including signed transmittal letters, professional certifications, and all data presented in the SMR. Upon receipt of the documents, the San Diego Water Board must use the date and time that the document was uploaded into GeoTracker to determine compliance with the regulatory due dates specified in the Order.
  - D. The Discharger must summarize all reported data in a tabular format. The reports must present data to clearly illustrate whether Genentech Inc. is operating in compliance with discharge specifications and effluent limitations.
  - E. The Discharger must attach a cover letter to the SMR that includes the signature and certification requirements in sections IV.J. 2 and IV.J.3 of the Order. The information contained in the cover letter must clearly identify violations of the Order; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions if not already corrected. For identified violations, the letter must include a description of the requirement in the Order that was violated and a description of the violation.
  - F. The Discharger must report monitoring results in each SMR based on the specified sampling frequency, monitoring period, and due dates outlined in Table D-3:

**Table D-3. Monitoring Periods and Reporting Schedule**

<b>Sampling Frequency</b>	<b>Start of Monitoring Period</b>	<b>Monitoring Period</b>	<b>SMR Due Date</b>
Continuous	October 11, 2023	Continuous at all the time	Submit with annual SMR
Semi-Annual	January 1, 2024	January 1 through June 30 July 1 through December 31	Submit with annual SMR
Annual	January 1, 2024	January 1 through December 31	February 1

**VI. ONE TIME REPORTING DUE DATES**

The Discharger is required to submit the following reports:

**Table D-4. One Time Reporting Schedule**

<b>Report Type</b>	<b>Reference Section</b>	<b>Report Due Date</b>
Sampling and Analysis Plan	MRP section IV	Within 90 days of the adoption of the Order
Noncompliance Report	Order section IV.A	5 days after noncompliance
Report of Waste Discharge	Order section IV.I	120 days prior to proposed major change
Transfer of Ownership	Order section IV.H	120 days prior to proposed change



**ATTACHMENT E – FACT SHEET  
ORDER NO. R9-2023-0014**

This Fact Sheet includes background information, legal requirements, and technical rationale, for Order No. R9-2023-0014, *Waste Discharge Requirements for Genentech Inc. Industrial Wastewater Reuse for Irrigation, San Diego County* (Order) and the directives in the Monitoring and Reporting Program (MRP) in Attachment D of the Order. This Fact Sheet with the Findings in section I of the Order serves as the basis for the requirements of the Order. This Fact Sheet is incorporated into, and constitutes findings for, the Order and MRP.

**I. ORDER INFORMATION**

A. Table E-1 below, supplements Table 1 of the Order with additional administrative information related to Genentech Inc. (Facility).

**Table E-1. Facility Information**

WDID	9 000003849
Facility Contact, Title and Phone	Gary Merrill, Senior Environmental Manager, 858-967-5104
Authorized Person to Sign and Submit Reports	Gary Merrill, Senior Environmental Manager
Mailing Address	One Antibody Drive, Oceanside, CA 92056
Billing Address	One Antibody Drive, Oceanside, CA 92056
Threat to Water Quality	3
Complexity	C
Pretreatment Program	No
Permitted Facility Discharge Flowrate for Landscape Irrigation	0.05 million gallons per day (MGD)
Watershed	Loma Alta Hydrologic Area (HA) 904.10
Receiving Water Type	Groundwater

**I. FACILITY DESCRIPTION**

The Facility is a biological manufacturing plant to produce bioengineered human health care products. Genentech treats potable water to create ultra high-quality water (UHQW) used for manufacturing and clean-in-place systems. The purification process generates an industrial wastewater stream. The Discharger plans to reuse a portion of the industrial wastewater stream for landscape irrigation. The Discharger submitted the *Report of Waste Discharge for Genentech, Inc. a Member of the Roche Family, One Antibody Drive Oceanside, California* (ROWD) to the San Diego Water Board in April 2022. The ROWD provided the following summarized information.

**A. Wastewater Treatment**

1. **Genentech Industrial Wastewater Facility.** The Discharger purifies and treats potable water to produce UHQW, using advanced filtration, distillation, or reverse osmosis. Specialized industries such as the Facility use UHQW for pharmaceuticals manufacturing, microelectronics manufacturing, and laboratory research, where the purity and consistency of the water are critical to the success of the process or product. UHQW is generally defined by its extremely low levels of impurities and contaminants, including minerals, organic compounds, bacteria, and other particles. The Discharger uses UHQW at the Facility in their biological manufacturing processes, which includes boilers, clean steam generators, chillers, cooling towers, and air handling units. These manufacturing processes generate industrial wastewater from filter backwash and condensate. Currently, the Discharger directs the Facility’s industrial wastewater to the Pacific Ocean through the City of Oceanside’s (City) Ocean Outfall (Ocean Outfall), which is regulated by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) through Order No. R9-2019-0168 (NPDES No. CA0109193), *Waste Discharge Requirements for Genentech, Inc., Discharge to the Pacific Ocean Through the Oceanside Ocean Outfall* (Order No. R9-2019-0168). The Discharger directs any industrial wastewater that does not meet the discharge specifications of Order No. R9-2019-0168 to the City of Oceanside’s (City) sanitary sewer system.

This Order authorizes the Discharger to redirect a portion of the Facility’s industrial wastewater from the Ocean Outfall to the Facility’s landscape irrigation system and store the unused industrial wastewater in a 20,000-gallon storage tank with a distribution system located at the Facility. The Discharger will construct a storage tank, equipped with a water level control system to prevent overflowing and runoff into a nearby storm drain. This Order regulates the discharge of industrial wastewater to land for irrigation.

## II. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in the Order are based on the requirements and authorities described in section II of the Order and in this section.

- A. **Governor’s Water Supply Strategy 2022.** Governor Newsom’s “*California’s Water Supply Strategy, Adopting to a Hotter, Drier Future*”<sup>1</sup>, focuses on supporting local efforts to conserve, capture, recycle, and de-salt enough water to allow California communities to prosper in a hotter and drier climate. The adoption of the Order is consistent with the Governor’s Water Supply Strategy because it supports the use of industrial wastewater to partially replace the need for potable water for landscape irrigation.
- B. **Water Quality Control Plan.** The San Diego Water Board’s *Water Quality Control Plan for the San Diego Basin (9)* (Basin Plan)<sup>2</sup> designates beneficial uses, establishes water

---

<sup>1</sup> <https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Water-Resilience/CA-Water-Supply-Strategy.pdf>

<sup>2</sup> The Basin Plan can be found at the following webpage:  
[https://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/docs/R9\\_Basin\\_Plan.pdf](https://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/docs/R9_Basin_Plan.pdf)

quality objectives (WQOs), and contains implementation programs and policies to achieve those objectives for all waters. In addition, the Basin Plan implements the State Water Resources Control Board's (State Water Board) Resolution No. 88-63, which established the State of California's (State) policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. The Order implements the Basin Plan by prescribing requirements for the production, reuse, and disposal of industrial wastewater that will not adversely impact water quality, beneficial uses, human health, or the environment.

The Discharger proposes to discharge industrial wastewater for landscape irrigation within the Loma Alta Hydrologic Area (904.10). Beneficial uses designated in the Basin Plan for the Loma Alta Hydrologic Area include industrial service supply. The Basin Plan does not establish numerical WQOs for groundwater in the Loma Alta Hydrologic Area.

- C. **Antidegradation Policy.** The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California*. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The antidegradation policy requires the preservation and protection of beneficial uses and the corresponding water quality in the receiving waters. Additionally, the antidegradation policy requires the preservation of existing water quality that surpasses the water quality for maintaining the beneficial uses. However, the antidegradation policy allows a lowering of water quality where necessary to accommodate important economic and social development or consistent with maximum benefit to the people of California. When the San Diego Water Board allows a lowering of water quality, an antidegradation analysis is required in accordance with the State Water Board's Administrative Procedures Update (July 2, 1990), *Antidegradation Policy Implementation for NPDES Permitting*.<sup>3</sup>

The Discharger provided in the ROWD analytical data documenting that concentrations of total dissolved solids, chloride, sulfate, percent sodium, iron, manganese, methylene blue-activated substances, boron, odor, turbidity, color, and fluoride in groundwater do not exceed the WQOs prescribed in the Basin Plan for the Carlsbad Hydrologic Unit. This Fact Sheet in section IV.B. provides additional information regarding the potential for water quality degradation. This Order complies with the State's antidegradation policy in Resolution 68-16, and the San Diego Water Board does not expect degradation of groundwater from the discharge of industrial wastewater reused for landscape irrigation.

- D. **Other Plans, Policies, Permits, and Regulations.** Order No. R9-2019-0168 authorizes the Facility to discharge up to 0.155 MGD to the Ocean Outfall. The San Diego Water Board authorizes the Facility to discharge stormwater to Loma Alta Creek through its enrollment in Order No. 2014-0057-DWQ, as amended, *General Permit for Storm Water Discharges Associated with Industrial Activities*.

---

<sup>3</sup> [https://www.waterboards.ca.gov/water\\_issues/programs/npdes/docs/apu\\_90\\_004.pdf](https://www.waterboards.ca.gov/water_issues/programs/npdes/docs/apu_90_004.pdf)

### III. RATIONALE FOR DISCHARGE PROHIBITIONS, DISCHARGE SPECIFICATIONS AND EFFLUENT LIMITATIONS

The Order establishes requirements, based on the Basin Plan, for the discharge of industrial wastewater from the Facility to land.

**A. Discharge Prohibitions.** Discharge prohibitions as outlined in the Basin Plan are a fundamental part of the Order. They regulate the discharge of waste to land, ensuring that such discharges are as described in the Order or ROWD and when valid Waste Discharge Requirements (WDRs) are in force. These prohibitions apply to both treated and untreated solid or liquid waste, and they extend to all waters of the United States and the State of California, including ephemeral streams and vernal pools. They ensure that discharges of waste do not cause or threaten to cause conditions of pollution, contamination, or nuisance. They also ensure that the discharge of waste does not occur without appropriate National Pollutant Discharge Elimination System (NPDES) permits and WDRs. Furthermore, the prohibitions ensure that the Discharger does not dispose of industrial wastewater in a manner that may adversely affect water quality. The Discharger directs a portion of the industrial wastewater to the Ocean Outfall pursuant to Order No. R9-2019-0168.

**B. Discharge Specifications and Effluent Limitations.** The San Diego Water Board did not designate WQOs in the Basin Plan for the Loma Alta HA. Based on the San Diego Water Board's professional judgment, and in the absence of designated WQOs for the Loma Alta HA, the San Diego Water Board relied on the WQOs of the adjacent hydrologic areas to establish effluent limitations that protect and maintain water quality. The closest hydrologic subareas (HSAs) to the Facility with designated WQOs in the Carlsbad Hydrologic Unit are the El Salto HSA, Vista HSA, and Los Monos HSA. The Order establishes discharge specifications and effluent limitations based on the most stringent, equivalent WQOs from these adjacent hydrologic areas, listed in Table E-2.

**Table E-2. Groundwater WQOs From Nearby HSAs**

CONSTITUENT <sup>1</sup> (mg/L or as noted)												
(Concentrations not to be exceeded more than 10% of the time during any one-year period)												
TDS	Cl	SO <sub>4</sub>	%Na	NO <sub>3</sub>	Fe	Mn	MBAS	B	Odor	TURB (NTU)	COLOR (UNITS)	F
1,000	400	500	60	45	0.3	0.05	0.5	0.75	none	5	15	1.0

<sup>1</sup>The constituents, from left to right in the table, are as follows: total dissolved solids (TDS), chloride (Cl), sulfate (SO<sub>4</sub>), percent sodium (%Na), nitrate (NO<sub>3</sub>), iron (Fe), manganese (Mn), methylene blue-activated substances (MBAS), boron (B), turbidity (TURB), and fluoride (F).

Constituents associated with industrial wastewater that have the potential to degrade groundwater quality include: TDS, nutrients,<sup>4</sup> chloride, pathogens (represented by coliform bacteria), and manganese. The Facility's use of industrial wastewater for landscape irrigation under the Order will not unreasonably affect present and anticipated beneficial uses or degrade water quality.

- **Total Dissolved Solids.** Industrial wastewater, in general, can contain TDS at concentrations that may degrade groundwater quality. The most stringent TDS WQO for groundwater in the three adjacent HSAs is 1,000 mg/L in the Vista HSA. The Discharger submitted monitoring data in the ROWD which demonstrates that the industrial wastewater for landscape irrigation will have an average TDS concentration of 500 mg/L, which is below the Vista HSA's groundwater WQO for TDS. Thus, the Facility's industrial wastewater used for landscape irrigation would not have elevated TDS concentrations that could degrade groundwater quality.
- **Chloride.** Industrial wastewater, in general, can contain chloride at concentrations that can degrade groundwater quality. The most stringent chloride WQO for groundwater in the three adjacent HSAs is 400 mg/L in the Vista HSA. The Discharger submitted monitoring data in the ROWD which demonstrates that the industrial wastewater for landscape irrigation will have an average chloride concentration of 170 mg/L. Thus, the Facility's industrial wastewater used for landscape irrigation would not have elevated chloride concentrations that could degrade groundwater quality.
- **Sulfates.** Industrial wastewater, in general, can contain sulfates at concentrations that can degrade groundwater quality. The sulfate WQO for groundwater is 500 mg/L for all three adjacent HSAs. The Discharger submitted monitoring data in the ROWD which demonstrates that the industrial wastewater for landscape irrigation will have an average sulfate concentration of 40 mg/L. Thus, the Facility's industrial wastewater used for landscape irrigation would not have elevated sulfates concentrations that could degrade groundwater quality.
- **Nitrate.** Industrial wastewater, in general, can contain nitrate at concentrations that can degrade groundwater quality. The nitrate WQO for groundwater in all three adjacent HSAs is 45 mg/L. The Discharger submitted monitoring data in the ROWD which shows that its industrial wastewater for landscape irrigation will have an average nitrate concentration of 0.13 mg/L. Thus, the Facility's industrial wastewater used for landscape irrigation would not have elevated nitrate concentrations that could degrade groundwater quality.
- **Manganese.** Industrial wastewater, in general, can contain manganese at concentrations that can degrade groundwater quality. The manganese WQO for

---

<sup>4</sup> The Basin Plan does not establish any groundwater WQOs for nutrients.

groundwater in all three adjacent HSAs is 0.05 mg/L. The Discharger submitted monitoring data which shows that its industrial wastewater for landscape irrigation will have an average manganese concentration of 0.0015 mg/L. Thus, the Facility's industrial wastewater used for landscape irrigation would not have elevated manganese concentrations that could degrade groundwater quality.

- **Pathogens.** The Discharger does not expect pathogens and other microorganisms to be present in significant amounts in the industrial wastewater used for irrigation water because the source water is potable water. Potable water is low in pathogens, such as bacteria, viruses, and parasites, as it is treated and disinfected to remove or kill any harmful pathogens. The Discharger submitted data which shows that its industrial wastewater used for landscape irrigation has a concentration below the detection limit of 1.8 colony-forming units (CFUs) per 100 milliliters (mL) for total fecal coliform. Therefore, the Facility's industrial wastewater used for landscape irrigation would not have pathogen concentrations at a level that could degrade groundwater quality.

#### IV. RATIONALE FOR PROVISIONS

- A. **Standard Provisions.** The standard provisions contain requirements that allow the San Diego Water Board to enforce the Order. Provisions include the need for inspection, spill and emergency reporting, records maintenance, and reporting of changes. Standard provisions apply to all WDRs and are consistent with San Diego Water Board findings. The standard provisions incorporate the reporting requirements in Water Code section 13271.
- B. **Special Provisions.** These requirements ensure the Facility operates properly, within design parameters to not cause or contribute to a condition of pollution or nuisance and to protect the beneficial uses of waters of the State.
- C. **Notices.** The Order includes notices to inform the Discharger of administrative issues.

#### V. RATIONALE FOR MONITORING AND REPORTING PROVISIONS

- A. The purpose of the MRP is to determine and ensure compliance with discharge specifications, effluent limitations, and other requirements established in the Order. The MRP also helps the San Diego Water Board and the Discharger to assess the treatment efficiency, characterize effluent quality, ensure protection of water quality objectives and beneficial uses of the groundwater basins, and minimize the effects of the discharge on receiving water quality. The MRP also specifies requirements concerning the proper use, maintenance, methods, and the monitoring type intervals and frequency necessary to provide monitoring data that are representative of the activities and discharges regulated under the Order.
- B. The San Diego Water Board issued this MRP pursuant to Water Code section 13267, which authorizes the San Diego Water Board to require dischargers to submit technical and monitoring reports. Water Code section 13267(b) specifies that the burden,

including costs, of the required reports must bear a reasonable relationship to the San Diego Water Board’s need for the reports and the benefits to be obtained from the reports. The San Diego Water Board estimates the cost associated with the implementation of the monitoring and reporting requirements of the Order range from \$25,000 to \$35,000 per year. The San Diego Water Board needs the technical and monitoring reports submitted by the Discharger to determine compliance with the Order and to ensure protection of water quality and beneficial uses. The San Diego Water Board has assessed this MRP to reduce and eliminate unnecessary or overlapping monitoring and reporting requirements where appropriate. The burden of providing the required reports, including the costs, bears a reasonable relationship to the need for the reports and the benefits to be obtained from the reports when considering the nature and possible consequences of the discharge. The San Diego Water Board Executive Officer can modify this MRP as appropriate pursuant to Water Code section 13267.

## VI. PUBLIC PARTICIPATION

- A. **Notification of Interested Parties.** The San Diego Water Board notified the Discharger and interested agencies and persons of its intent to adopt the Order consistent with Water Code section 13167.5, and made the Order available on its website. Furthermore, the San Diego Water Board provided the public with an opportunity to submit written comments and recommendations. The San Diego Water Board provided notification through the San Diego Water Board website and board meeting agenda publication.
- B. **Written Comments.** The staff determinations in the Order are tentative until the San Diego Water Board adopts the Order. The San Diego Water Board invited interested persons to submit written comments concerning the Order as provided through the notification process. The San Diego Water Board requested written comments be submitted via email to [sandiego@waterboards.ca.gov](mailto:sandiego@waterboards.ca.gov) in Portable Document Format (PDF) or Microsoft Word format by 5:00 p.m. on Monday, August 28, 2023 and addressed to Dr. Mahsa Izadmehr. Staff fully responded to the comments received at the San Diego Water Board office by 5:00 p.m. on Monday, August 28, 2023, and the San Diego Water Board considered the comments.
- C. **Public Hearing.** The San Diego Water Board held a public hearing on the tentative Order during its regular meeting on the following date and time and at the following location:

Date: **October 11, 2023**

Time: **9:00 a.m.**

Location: **San Diego Water Board Meeting Room  
2375 Northside Drive, Suite 100  
San Diego, California, 92108**

**Video broadcast of meetings are available at:**  
<https://cal-span.org/>

The San Diego Water Board invited interested persons to attend the public hearing. The San Diego Water Board heard at the public hearing any oral public testimony by interested persons, if any, pertinent to the discharge, and the Order. The San Diego Water Board requested interested persons to submit any important testimony in writing for accuracy of the record. The San Diego Water Board required persons interested in providing oral testimony at the public hearing to register to participate in the public hearing on the Order.

- D. Petitions of San Diego Water Board Actions.** Any person aggrieved by the action of the San Diego Water Board to adopt the Order may petition the State Water Board to review the action in accordance with Water Code section 13320 and title 23, sections 2050 and following of the CCR. The State Water Board must receive the petition by 5:00 p.m., 30 calendar days after the date of adoption of the Order, except that if this date falls on a Saturday, Sunday, or State holiday, then the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.
- E. Information and Copying.** The ROWD, the tentative Order for public comment, comments received, and other information are on file and interested persons may inspect the documents at the San Diego Water Board's office at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday, except holidays. Interested persons may arrange copying of documents through the San Diego Water Board by calling (619) 516-1990.
- F. Register of Interested Persons.** Any person interested in being placed on the mailing list for information regarding the Order should contact Dr. Mahsa IZadmehr via phone at (619) 521-8048 or by email at [Mahsa.Izadmehr@waterboards.ca.gov](mailto:Mahsa.Izadmehr@waterboards.ca.gov), reference this Facility, and provide a name, address, phone number, and email address.