

**California Regional Water Quality Control Board
San Diego Region**

David Gibson, Executive Officer



**Executive Officer's Report
October 13, 2010**

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Part A – San Diego Region Staff Activities

1. International Visitors

Staff Contact: Bruce Posthumus

On September 28, 2010, Jimmy Smith, Bob Morris, and Bruce Posthumus met briefly with a group of water resource management professionals from several countries who were invited to the United States under the auspices of the U.S. Department of State's International Visitor Leadership Program (IVLP), as part of a water resource management project. The group included individuals from Egypt, Iraq, Israel, Kuwait, Libya, Oman, and Saudi Arabia.

The objectives of the water resource management project, as outlined by the Department of State are:

- To examine interstate water relations, how different levels of government work together, with citizens and non-governmental organizations to solve problems related to water sharing and water rights;
- To study drought management, water reclamation and irrigation techniques in the U.S.;
- To examine the design and construction of water-related facilities and environmental impact assessment of water projects;
- To observe water-related projects for developing countries that are developed in the U.S.; and
- To study financial and economic factors in water management.

A typical IVLP project is three weeks in length and includes visits to four U.S. cities. IVLP participants meet and confer with professional counterparts and visit U.S. public and private sector organizations related to the project theme. Participants are usually hosted by American families and participate in cultural activities. Over 190,000 international visitors have participated in IVLP since its inception in 1940. As part of IVLP, staff met with visitors from Algeria, Egypt, Lebanon, Libya, Saudi Arabia, Syria, and United Arab Emirates in June 2009.

Part B – Significant Regional Water Quality Issues

1. Sanitary Sewer Overflows (SSOs) July - August 2010 (*Attachment B-1*)

Staff Contact: Christopher Means

The following is a summary of the sewage spills occurring during July and August 2010 and reported and certified by August 31, 2010. Sewage Collection Agencies now report Sanitary Sewer Overflows (SSOs) on-line at the State Water Board's CIWQS database pursuant to the requirements of State Water Board Order No. 2006-0003-DWQ (*General Statewide Waste Discharge Requirements for Sewage Collection Agencies*). Reports on sewage spills are available on a real-time basis to the public from the State Water Board's webpage at: <https://ciwqs.waterboards.ca.gov/>

Public Spills: From July 1 to July 31, 2010, there were 11 SSOs from public systems in the San Diego Region as reported in the on-line State Water Board CIWQS database. These SSOs included 2 spills of 1,000 gallons or more, and 3 spills reaching surface waters, including storm drains. The combined total volume of reported sewage spilled from all publicly-owned collection systems for the month of July 2010 was 8,399 gallons.

From August 1 to August 31, 2010, there were 13 SSOs from public systems in the San Diego Region as reported in the on-line State Water Board's CIWQS database. These SSOs included 6 spills of 1,000 gallons or more, and 9 spills that reached surface waters, including storm drains. The combined total volume of sewage spills, reported from all publicly-owned collection systems for the month of August 2010, was 38,634 gallons.

Reported Private Spills: Sixteen discharges of untreated sewage from private laterals were reported, during July and August 2010, by the collection agencies on-line, pursuant to San Diego Water Board Order No. R9-2007-0005 (*Waste Discharge Requirements for Sewage Collection Agencies in the San Diego Region*). These private lateral spills included 1 spill of 1,000 gallons or more and 3 spills that reached surface waters, including storm drains. The combined total volume of reported sewage discharges, from private lateral systems for the months of July and August 2010 was 14,513 gallons.

A total of 0.02 and 0.00 inches of rainfall were recorded at San Diego's Lindbergh Field for July and August 2010, respectively. For comparison, during July and August 2009, 10 and 5 public SSOs were reported during a period of time when 0.00 and trace amounts of rainfall were recorded at Lindbergh Field, respectively. A total of 40 private lateral sewage discharges were reported during July and August 2009.

Attached are three tables titled:

- 1) "July 2010 - Summary of Public Sanitary Sewer Overflows in Region 9"
- 2) "August 2010 - Summary of Public Sanitary Sewer Overflows in Region 9"
- 3) "Jul - Aug 2010 - Summary of Private Lateral Sewage Discharges in Region 9"

Additional information about the San Diego Water Board SSO regulatory program is available at: <http://www.waterboards.ca.gov/sandiego/programs/sso.html>.

2. Enforcement Actions for September 2010

Staff Contact: Jeremy Haas

During the month of September 2010, the San Diego Water Board initiated 11 enforcement actions including four Complaints for Administrative Civil Liability, one Notice of Violation, and six Staff Enforcement Letters.

A summary of recent regional enforcement actions is provided below. Additional information on violations, enforcement actions, and mandatory minimum penalties is available to the public from the following on-line sources:

State Water Board Office of Enforcement webpage at:
http://www.waterboards.ca.gov/water_issues/programs/enforcement/

California Integrated Water Quality System (CIWQS)

http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml

State Water Board GeoTracker database:

<https://geotracker.waterboards.ca.gov/>

Administrative Civil Liability (ACL) Complaints

Russo Tile and Marble, Inc

ACL Complaint No. R9-2010-0128 was issued to Russo Tile and Marble, Inc. on September 20, 2010 recommending a penalty amount of \$1,700 for failing to provide an annual storm water report, required by State Water Resources Control Board Order No. 97-03-DWQ, despite being notified twice of the delinquency. The recommended liability is a mandatory penalty under Water Code section 13399.33, which requires the San Diego Water Board to impose civil liability no less than \$1,000 plus staff costs. A public hearing is tentatively scheduled for the December 8, 2010 San Diego Water Board meeting.

Jack Eitzen, La Cresta Community, Riverside County

ACL Complaint No. R9-2010-0084 was issued to Mr. Jack Eitzen on September 30, 2010 recommending a penalty of \$381,450 for violating Basin Plan Prohibition Nos. 1 and 14 and State Water Resources Control Board Order No. 99-08-DWQ (*National Pollutant Discharge Elimination System [NPDES] General Permit for Storm Water Discharges Associated With Construction Activity*) resulting from construction activities at a residential subdivision in the La Cresta portion of unincorporated Riverside County. A public hearing is tentatively scheduled for the December 8, 2010 San Diego Water Board meeting.

Bulldog Concrete Pumping

ACL Complaint No. R9-2010-0082 was issued to Oscar Molina Pererya and Linda Michelle Pererya individually and d.b.a Bulldog Concrete Pumping on September 22, 2010 recommending a penalty amount of \$329,091 for failing to comply with Cleanup and Abatement Order (CAO) No. R9-2008-0036. The CAO, issued on August 21, 2008, required the dischargers to cleanup and abate pollution associated with unauthorized discharges of concrete waste into Chollas Creek by January 7, 2009. A public hearing is tentatively scheduled for the December 8, 2010 San Diego Water Board meeting.

City of Escondido, Hale Avenue Resource Recovery Facility

ACL Complaint No. R9-2010-0132 was issued to the City of Escondido on September 29, 2010 for \$6,000 in mandatory minimum penalties for two violations of pH and total suspended solids effluent limitations in Order No. R9-2005-0139, *NPDES Permit No. CA0109215, Waste Discharge Requirements for the City of Escondido, Industrial Brine Collection System Discharge to the Pacific Ocean Via the San Elijo Ocean Outfall*. Water Code section 13385 requires the San Diego Water Board impose a \$3,000 mandatory minimum penalty for each violation. A public hearing is tentatively scheduled for the December 8, 2010 San Diego Water Board meeting.

Notice of Violation (NOV)**K Square Financial, Escondido**

NOV No. R9-2010-0111 was issued to Mr. Kirin Shah, representing K Square Financial, on September 30, 2010 for failure to comply with Directive A.1. of Investigative Order No. R9-2010-0021 (*Investigative Order Directing Mr. Kirin Shah to Submit Technical Reports Pertaining to The Investigation of Discharge of Petroleum Waste into The Subsurface at Ksquare Gas Station Located at 1602 East Valley Parkway, Escondido*). Directive A.1. requires K Square Financial to submit to the San Diego Water Board a Site Assessment Workplan, including a human health vapor risk assessment, by June 30, 2010.

Staff Enforcement Letters (SEL)**Pinecrest Park, Julian**

An SEL was issued to Pinecrest Park on September 22, 2010 for one violation of the discharge specification for total dissolved solids in Order No. 86-48 (*Waste Discharge Requirements (WDR) for Pinecrest Park, San Diego County*) that occurred in July 2010.

South Orange County Wastewater Authority, Multiple Facilities

An SEL was issued to the South Orange County Wastewater Authority on September 22, 2010 for numerous violations of Order No. 97-52 (*Waste Discharge and Water Recycling Requirements for the Production and Purveyance of Recycled Water by Member Agencies of the South Orange County Reclamation Authority, Orange County*) at six of its member agencies' facilities that occurred between April 2009 and June 2010.

The Moulten Niguel Water District Regional Plant was cited for 17 violations of the daily maximum and 12-month average discharge specifications for manganese.

The Moulten Niguel Water District 3A Treatment Plant was cited for one violation of the 12-month average discharge specification for total dissolved solids (TDS).

The Santa Margarita Water District Nichols Water Reclamation Plant was cited for 11 violations of the daily maximum and 12-month average discharge specification for TDS and the 12-month average discharge specification for iron.

The Santa Margarita Water District Chiquita Water Reclamation Plant was cited for six violations of the instantaneous pH discharge specification.

The South Coast Water District Coastal Treatment Plant was cited for 28 violations of the daily maximum and 12-month average discharge specifications for manganese and TDS; and

The Trabuco Canyon Water District Robinson Ranch Water Reclamation Plant was cited for five violations of the daily maximum discharge specifications for manganese and TDS.

City of San Diego, North City Water Reclamation Plant

An SEL was issued to the City of San Diego on September 20, 2010 for four violations of the 12-month average discharge specification for manganese in Order No. 97-03 (*Waste Discharge and Water Recycling Requirements for the City of San Diego, North City Water Reclamation Plant, San Diego County*) that occurred between April and July 2010.

City of Escondido, Hale Avenue Resource Recovery Facility

An SEL was issued to the City of Escondido on September 20, 2010 for six violations of the 12-month average daily maximum discharge specifications for manganese in Order No. R9-2010-0032 (*Waste Discharge Requirements and Master Reclamation Permit for the City of Escondido, Hale Avenue Resource Recovery Facility*) that occurred between February and July 2010.

Carlsbad Municipal Water District, Carlsbad Water Recycling Facility

An SEL was issued to the Carlsbad Municipal Water District on September 20, 2010 for seven violations of the 12-month average daily maximum discharge specifications for manganese for and two violations for failing to comply with daily monitoring requirements for total coliform in Order No. R9-2001-352 (*Master Reclamation Permit with Waste Discharge Requirements for the Production and Purveyance of Recycled Water for Carlsbad Municipal Water District, Carlsbad Water Recycling Facility, San Diego County*) that occurred between February and June 2010.

City of San Clemente, Water Reclamation Plant

An SEL was issued to the City of San Clemente on September 9, 2010 for nine violations of the median coliform and instantaneous pH discharge specifications for in Order No. R9-2003-0123 (*Master Reclamation Permit with Waste Discharge Requirements for Production and Purveyance of Recycled Water, City of San Clemente Water Reclamation Plant, Orange County*) that occurred between September 2009 and June 2010.

3. Status Report - Shipyard Sediment Site Cleanup and Abatement Order and Environmental Impact Report

Staff Contact: Julie Chan

To get the Shipyard Sediment Site cleaned up in the shortest time possible, the Cleanup Team must continue to make progress on the draft Cleanup and Abatement Order, the supporting draft Technical Report, and the Environmental Impact Report. Following is a report on the status of these important documents for the month of September.

Environmental Impact Report

The *Memorandum of Agreement for California Environmental Quality Act (CEQA) Compliance on San Diego Bay Shipyard Sediment Site* (MOA) was signed on October 4, 2010 by all signatory parties except the City of San Diego. The City has indicated its willingness to sign, and a signed signatory page from the City is expected this week. In the MOA, the lead consultant LSA Associates, Inc., NASSCO, BAE Systems, the City of San Diego, and the San Diego Water Board agree to form an EIR Working Group to develop an Environmental Impact Report (EIR). All costs associated with the consultant's work in preparing the EIR and any other CEQA documents will be paid by NASSCO, BAE Systems, SDG&E, and the City of San Diego pursuant to the terms of a trust agreement set up for that purpose. The projected cost of the EIR project is \$441,200. In light of the listed Responsible Parties' agreement to fund the EIR work, I requested that the State Water Board not consider the San Diego Water Board's request for funding for the EIR. Subsequently, the State Water Board removed the item from its September 21, 2010 meeting agenda. The San Diego Water Board can reinstate its request to the State Water

Board to fill funding gaps, if any emerge during EIR preparation, to ensure the timely completion of the EIR.

The Cleanup Team held its first EIR meeting on September 30th with LSA Associates Inc., the lead EIR consultant, and Geosyntec, the key subconsultant. Representatives from NASSCO and BAE Systems also attended the meeting and plan to be part of the EIR Working Group which will be led by the Cleanup Team. Under the MOA, the San Diego Water Board is the sole decision maker with respect to the adequacy of the EIR. The MOA further specifies that the EIR Consultants must take their direction from the Cleanup Team with respect to the development of the EIR in the event there is any disagreement among the working group parties. General plans and procedures for preparing the draft EIR were discussed, and all participants agreed to hold weekly meetings, with the next meeting scheduled for October 7th. In preparation for that meeting, the Cleanup Team has begun compiling material to aid the EIR consultants in drafting the Project Description, the Project Objectives, and a list of potential Project Alternatives. The Cleanup Team is also compiling relevant documents to provide to LSA and Geosyntec, including documents from other environmental and navigational dredging projects.

At the September 30th meeting, the NASSCO and BAE representatives reiterated their support for developing the Remedial Action Plan (RAP) in conjunction with the EIR. The Cleanup Team will initiate discussions with the other Responsible Parties to get their buy-in to this approach. The Cleanup Team pointed out that the RAP could also serve as the Report of Waste Discharge for any dredging waste discharge requirements (WDRs) needed for the cleanup. If the EIR is sufficient in scope, it can also serve as the CEQA document for the dredging WDRs. To get the cleanup started in the shortest time possible, the EIR Working Group agreed upon a goal to present to the Board at the same meeting the Tentative Cleanup and Abatement Order for adoption and the EIR for certification, WDRs for adoption, and the RAP for approval.

LSA's proposal for the EIR estimates that the final EIR could be certified on a 44-week preparation schedule. An excerpt from LSA's proposal setting forth the projected schedule with interim milestones is attached. The Cleanup Team will add dates for release of the draft RAP and tentative WDRs for dredging when the team has a better understanding of when those draft documents can be completed.

Since the EIR working group began on September 30, 2010, the Cleanup Team expects it could present the final EIR to the Board as early as next year's September Board meeting. A Draft EIR should be available to circulate for public comment by March, 2011. As the Board is well aware, the time to prepare the response to comments on the Draft EIR can vary widely, depending on the number and variety of comments received. The Cleanup Team is committed to responding to all comments on the Draft EIR and producing the Final EIR for the Board's consideration as quickly as possible. To ensure that no time is lost, additional staff from throughout the office may be brought in to assist the Cleanup Team in responding to the comments received on the EIR.

Revised Clean Up and Abatement Order and Draft Technical Report

The revised Cleanup and Abatement Order (CAO) and Draft Technical Report were released by the Cleanup Team on September 15, 2010 and are available for public review and comment. The most important revisions to the Draft Technical Report are the newly compiled appendices which

now contain all of the information and analyses to support the findings and directives in the draft CAO. A link to these documents can be found on the San Diego Water Board website at http://www.waterboards.ca.gov/sandiego/water_issues/programs/shipyards_sediment/2005_0126_cut2.shtml

Discovery and Depositions

During the second half of September, the Cleanup Team prepared for depositions and responded to discovery requests from the parties under an October 4, 2010 completion deadline. As soon as discovery, additional document production, and the depositions are completed, the Cleanup Team will turn its attention to preparing and circulating a supplement to the electronic administrative record, which will contain documents and records obtained by the San Diego Water Board since the record was first distributed to the Designated Parties in 2008.

Timeline for Certification of the EIR and adoption of the CAO

As directed by Presiding Officer King, below are milestones and key dates for completion of the components of the EIR. As indicated above, the intention of the Cleanup Team is to bring the revised CAO, the EIR, the RAP, and the WDRs for implementation of the cleanup to the Board for consideration in one meeting in 2011. Accordingly, this schedule will be expanded in detail in subsequent reports to show the key milestones and deadlines for the RAP and development of the WDRs for the cleanup itself. The Cleanup Team will regularly provide reports to the Board on progress against this schedule. While delays have occurred due to resumption of furloughs and the time required responding to the extensive discovery, every effort will be made to keep the cleanup on track and ensure that the Board can consider the matter on or ahead of the schedule proposed below.

Milestone	Weeks to Complete	Estimated Date
1 st Meeting with EIR Consultants	--	September 30, 2010
Prepare Public Review Draft EIR	22 weeks	March 3, 2011
Public Review Period	6 weeks	April 14, 2011
Prepare Response to Comments	12 weeks	July 7, 2011
Prepare Final EIR	2 weeks	July 21, 2011
Earliest Date For EIR Certification and CAO Adoption	--	August or September 2011 Board Meeting

4. Teledyne Ryan Cleanup – Status Report

Staff Contact: Tom Alo

The San Diego County Regional Airport Authority (Airport Authority) plans to redevelop the former Teledyne Ryan Aeronautical (TDY) site located just south of Lindbergh Field in San Diego. The San Diego Unified Port District (Port District) is responsible for demolition of buildings and removal of concrete slabs, foundations, utilities, and the Storm Water Conveyance System (SWCS) (with the exception of the 60-inch and 54-inch storm drains owned by the City of San Diego) at the site. TDY is responsible for cleaning up chemicals of concern (COCs) such

as polychlorinated biphenyls (PCBs). The COCs are found in soil, groundwater, and sediment within the onsite SWCS. PCBs have been transported to the top of the Convair Lagoon sediment cap offshore in San Diego Bay via the onsite SWCS.

The Port District is currently demolishing the buildings at the site and has plugged TDY's storm drain laterals with concrete. Building demolition should be completed by February 2011. Removal of concrete slabs, foundations, utilities, and the SWCS will commence in June 2011 and end approximately in June 2012. TDY intends to conduct a targeted cleanup of certain areas between these two demolition phases.

The San Diego Water Board has been working collaboratively with TDY and the stakeholders to establish the site-specific cleanup levels for soil, groundwater, and for cleaning sediment from the SWCS. The San Diego Water Board is in the process of drafting an addendum to TDY's Cleanup and Abatement Order to include these cleanup levels and require a Remedial Action Plan. This addendum will only address the "landside" impacts of chemical discharges from the TDY site. Identifying and cleaning up all significant sources of PCBs and other chemicals is necessary prior to conducting remedial actions in Convair Lagoon to prevent further recontamination. Remedial actions in Convair Lagoon will commence following implementation of the "landside" remedial action plan.

5. Mission Valley Terminal Cleanup Update

Staff Contact: Sean McClain

Kinder Morgan Energy Partners (KMEP) is accelerating the cleanup of petroleum impacted soil beneath Qualcomm Stadium in an effort to meet the December 31, 2010 soil cleanup deadline. The new activities include:

- Excavating petroleum hydrocarbon-impacted soil from selected areas beneath the Qualcomm Stadium parking lot;
- Expanding the soil vapor extraction (SVE) remediation system, including installation of a new treatment system; and
- Submitting a request to the San Diego Water Board to increase the permitted discharge of treated groundwater.

For most of the site KMEP recently reported that the remediation appears to have met the San Diego Water Board's December 31, 2010 deadline to remove residual light non-aqueous phase petroleum liquid (LNAPL) from the soil and groundwater. However, recent sampling indicated that three or four sub areas within the LNAPL zone would not be cleaned up by December 31, 2010. These areas are currently being remediated by excavation of approximately 5,000 cubic yards of impacted soils.

In July 2009, KMEP reported that a new area of LNAPL-affected soil was discovered adjacent to the western limits of the previously known extent of the LNAPL zone. KMEP recently expanded the SVE system into the new area to include a network of 51 additional SVE wells to remediate the LNAPL-affected soil. This network of SVE wells will be serviced by a new

separate soil vapor extraction and treatment system which includes associated vapor conveyance infrastructure, extraction blower, and vapor abatement equipment. The start up of the new SVE system is scheduled for early October 2010.

Groundwater is currently extracted from 10 off-Terminal groundwater wells to provide dissolved-phase hydraulic containment and treatment. Extracted groundwater is pumped to the Mission Valley Terminal property, where it is treated and discharged to Murphy Canyon Creek. KMEP is allowed to discharge up to 0.795 million gallons per day (mgd) in accordance with its NPDES permit. In an effort to accelerate the groundwater cleanup, KMEP has requested that the San Diego Water Board modify the NPDES Permit to allow an increase in the average daily discharge rate from 0.795 mgd to 1.26 mgd. The San Diego Water Board is currently evaluating the request.

For further information, please visit the State Water Resource Control Board's Geotracker website at <http://www.geotracker.waterboards.ca.gov/> (type "SL607392800" in the Global ID and choose "Search for All Sites") to obtain recent groundwater and remediation status reports in PDF format.

6. Waiver of Suspended Liability, AMETEK Facility, El Cajon

Staff Contact: Brian McDaniel

The San Diego Water Board has agreed to permanently waive Ametek's obligation to pay one-half (\$247,500) of the total \$495,000 Suspended Liability pursuant to the Settlement Agreement approved in Order No. R9-2009-0091. Ametek obtained the waiver through the timely submittal of the Site Investigation and Characterization Report (Report) as required by Cleanup and Abatement Order (CAO) No. R9-2009-0073. An addendum to the Report was submitted on July 27, 2010, which adequately responded to earlier comments provided by the San Diego Water Board. The remaining one-half (\$247,500) of Suspended Liability may also be waived provided that Ametek completes implementation of a Remedial Action Plan to be submitted February 2011 in accordance with the CAO.

In October 2010, Ametek will conduct a remedial pilot test in accordance with the interim remedial action directives of the CAO. The Interim Remedial Measure (IRM) Pilot Test Work Plan submitted August 6, 2010 indicated that Ametek will evaluate a chemical oxidation remedial process for use at the former Ketema facility. The final objective of the IRM is to intercept the plume migrating from the site and remove contaminant mass. The San Diego Water Board approved the work plan provided that test results and conclusions are submitted upon completion of the test.

The next CAO milestone for Ametek is to submit a Remedial Investigation and Feasibility Study Report by December 15, 2010. This Report will assess the actual and potential effects of the wastes on water quality and the impacts to existing beneficial uses, and will evaluate and propose cleanup alternatives protective of human health and the environment.

7. Dynegy, South Bay Power Plant NPDES Permit Reissuance

Staff Contact: Brian Kelley

On June 14, 2010, Dynegy South Bay, LLC (Dynegy) submitted a National Pollutant Discharge Elimination System (NPDES) permit application to continue the discharge of once-through cooling water from South Bay Power Plant (SBPP) Electrical Generating Units (Units) 1 and 2 for a five-year period, commencing January 1, 2011 and continuing to December 31, 2016, or until such earlier time as the California Independent System Operator (CAISO) determines that Units 1 and 2 are no longer required for reliability must run (RMR) service.

On September 16, 2010, the State Water Resources Control Board (State Water Board) released a draft SBPP National Pollutant Discharge Elimination System (NPDES) Permit, Tentative Order 2010-XXXX-DWQ (Tentative Order), for public review and comment. The SBPP, currently operated by Dynegy, uses the waters of San Diego Bay for once-through cooling (OTC) of its electric generating units. The State Water Board's public hearing to consider adoption of the Tentative Order is scheduled for November 17, 2010 at the San Diego Water Board hearing room. The Tentative Order would, if adopted, supersede and replace the current SBPP NPDES permit, San Diego Water Board Order No. R9-2004-00154, NPDES No. CA0001368 which required termination of SBPP discharges by December 31, 2010. The Tentative Order specifies an effective term of one year, with an expiration date of December 31, 2011 to match the compliance schedule for SBPP contained in the Statewide Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (Once-through Cooling or OTC Policy).

Under the terms and conditions of the Tentative Order, operation of Units 1 and 2 at the SBPP are prohibited, except for infrequent tests and only when the CAISO directs the units to run. The Tentative Order includes provisions to account for conditions when the cooling water intake exceeds the copper water quality objective of 3.7 micrograms per liter. The Tentative Order also includes a requirement that Dynegy participate in, support, or contribute to an ambient sediment quality monitoring survey or bay-wide regional monitoring program in accordance with the State Water Board's Water Quality Control Plan for Enclosed Bays and Estuaries - Part 1, Sediment Quality, which became effective on August 25, 2009.

The State Water Board's OTC Policy became effective on October 1, 2010. The OTC Policy establishes technology-based standards to implement Clean Water Act section 316(b), intended to reduce harmful effects on marine and estuarine life associated with cooling water structures at 19 existing coastal power plants, including SBPP. Under the terms of the OTC Policy the State Water Board has assumed responsibility from the regional water boards for all NPDES actions for existing power plants subject to the Policy, including actions to reissue, modify, revoke or terminate such permits. The OTC Policy requires that the SBPP achieve compliance with significant specified reductions in the use of coastal waters by December 31, 2011. Dynegy plans to comply with the OTC Policy-mandated reductions of the OTC Policy by terminating SBPP operations by December 31, 2011. Accordingly, the Tentative Order has an expiration date of December 31, 2011.

Tentative Order 2010-XXXX-DWQ, including Attachments, Monitoring and Reporting Program and Fact Sheet, the Public Notice, any comments received and other related information are available on the State Water Board's website at:

http://www.waterboards.ca.gov/public_notices/comments/index.shtml .

All comments and questions pertaining to the reissuance of the SBPP NPDES permit should be directed to the State Water Board.

8. General NPDES Permit for the Public Display of Fireworks

Staff Contact: Michelle Mata

On September 23, 2010, the San Diego Water Board released draft General National Pollutant Discharge Elimination System (NPDES) requirements for the Public Display of Fireworks in the San Diego Region for review and comment. Tentative Order No. R9-2010-0124 would, if adopted, regulate pollutant waste discharges associated with the public display of fireworks to surface waters within the jurisdiction of the San Diego Water Board. Under the terms and conditions of the tentative Order, the public display of fireworks refers to an entertainment feature where the public or a private group is admitted to or permitted to view the display or discharge of fireworks.

Public displays of fireworks are conducted throughout the year at various locations within the San Diego Region. These firework events are typically conducted over or adjacent to surface water bodies, including but not limited to, the San Diego River, San Diego Bay, Mission Bay, and the Pacific Ocean.

Firework events may result in the release of pollutant wastes to these waters including, but not limited to aluminum, antimony, barium, carbon, calcium, chlorine, cesium, copper, iron, potassium, lithium, magnesium, oxidizers including nitrates, chlorates and perchlorates, phosphorus, sodium sulfur, strontium, titanium, and zinc. In addition, particulate matter and debris from exploded fireworks and un-ignited pyrotechnic material as well as paper, cardboard, wires and fuses from ignited pyrotechnic material can also adversely impact the quality of receiving waters. With the exception of SeaWorld San Diego, discharges associated with public fireworks events have previously been unregulated in the San Diego Region by the San Diego Water Board.

The tentative Order provides that any person who discharges or proposes to discharge pollutant wastes from the public display of fireworks to surface waters in the San Diego Region may submit a Notice of Intent (NOI) to enroll as a discharger under the Order together with a required filing fee of \$1,452.00. When a fireworks event is sponsored by one person but is operated or conducted by another person, the tentative Order stipulates that it is the sponsor's duty to submit the NOI and obtain enrollment under the Order. The San Diego Water Board may require the joint submission of an NOI from both the sponsor and the person operating the fireworks event on a case-by-case basis.

The tentative Order requires implementation of Best Management Practices (BMPs) to minimize pollutant loading to surface waters and ensure that pollutant waste discharges associated with the public display of fireworks do not cause pollution or nuisance conditions. The tentative Order

also requires the Dischargers to either form or join a regional water body-monitoring coalition or conduct individual monitoring. Monitoring requirements have been modeled after the *State Water Resources Control Board's Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1 Sediment Quality*.

The San Diego Water Board plans to consider adoption of tentative Order No. R9-2010-0124 at its November 10, 2010 regularly scheduled meeting. The public comment period for the tentative Order is currently open and written comments on the tentative Order must be received by the San Diego Water Board no later than 5:00 PM on Monday October 25, 2010.

The tentative Order, Monitoring and Reporting Program, and Fact Sheet are available on the San Diego Water Board's website at: <http://www.waterboards.ca.gov/sandiego/> (under "Announcements").

9. California Coastal Cleanup Day

Staff Contact: Bruce Posthumus

The California Coastal Commission's 26th annual California Coastal Cleanup Day was held on September 25, 2010. Cleanup activities in the San Diego Region were coordinated by County of Orange Harbors, Beaches and Parks; San Diego Coastkeeper; and I Love A Clean San Diego. Volunteers participated in cleanup activities not only in coastal areas – at beaches, rocky shorelines, harbors, bays, and lagoons – but also in watersheds – along streams, in canyons, and in upland areas. Volunteers collected not only trash and litter but also removed non-native invasive plants. There were about a hundred cleanup sites in the San Diego Region. Results had not yet been compiled as of this writing, but it was anticipated that roughly 10,000 volunteers would collect approximately fifty tons of trash and litter in San Diego County alone.

Most anthropogenic marine debris is trash and litter that originates from land-based sources. As it moves to the coast and marine waters, the same trash and litter degrades watersheds and inland waters. The San Diego Region water quality control plan (i.e., Basin Plan) includes prohibitions that apply to trash and litter. Various waste discharge requirements issued by the San Diego Water Board also include prohibitions and other requirements that apply to trash and litter. The primary vehicles through which the San Diego Water Board addresses discharges of trash and litter to waters in the region are the three municipal separate storm sewer system (MS4) permits. The existing MS4 permits for Orange County and San Diego County explicitly require implementation of measures to reduce discharges of trash and litter. The existing MS4 permit for Riverside County implicitly, but not explicitly, requires implementation of such measures. The proposed MS4 permit for Riverside County (item 5 on today's agenda) would explicitly require implementation of such measures.

Over the years, California Coastal Cleanup Days have seen increased numbers of volunteers collect increased amounts of trash and litter. Although this represents success of a sort, the ultimate success would be for cleanup event volunteers to find cleanup sites to be free of trash, litter, and non-native invasive plants *before* they do any cleanup work. In other words, the measure of real success is the degree to which prevention reduces the need for cleanup.

Information about the problem of marine debris and about how individuals can help prevent pollution and otherwise protect waterways and their associated resources is available at these websites:

<http://www.coastal.ca.gov/publiced/marinedebris.html>;
<http://www.cleanupday.org/education.htm>; and
<http://www.cleanupday.org/pollution.htm>.

Information about some of the results of California Coastal Cleanup Days over the years is available at these websites:

<http://www.coastal.ca.gov/publiced/ccd/ccd3.html#graph> and
<http://www.cleanupday.org/temp/news/news/25%20Ways%20CCD%20Makes%20an%20Impact.pdf>.

Although California Coastal Cleanup Day is the largest individual volunteer cleanup event in the state, a number of organizations coordinate numerous smaller volunteer cleanup and restoration efforts throughout the year at a variety of locations in the San Diego Region and statewide. Information about such efforts is available at various websites, including those of various conservancies, "friends" groups, foundations, environmental groups, conservation organizations, and governmental agencies.

Part C – Statewide Issues of Importance to the San Diego Region

1. Status of the New Statewide General Construction Storm Water Permit, Order No. 2009-0009

Staff Contact: Tony Felix

On September 2, 2009, the State Water Resources Control Board adopted the new statewide general Construction Storm Water Permit, Order No. 2009-0009-DWQ (Construction Storm Water Permit) replacing existing Construction Storm Water Permit No. 99-08. The Construction Storm Water Permit requires construction projects that disturb one or more acres of soil, or projects that disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, to obtain coverage. The State of California has over 25,000 active construction projects covered under the Construction Storm Water Permit.

This new Construction Storm Water Permit has more stringent monitoring and reporting requirements and requires that all active construction projects re-enroll by July 1, 2010. Construction projects are now required to do a sediment risk determination prior to enrolling, which determines their monitoring requirements. Some of the new requirements include documentation of a Rain Event Action Plan (REAP), Construction Storm Water Management Plan (CSMP), effluent monitoring for pH and turbidity upon discharge, visual and rainfall observations, and early detection measures in the event of program mishaps. Furthermore, the Construction Storm Water Permit requires that qualified storm water personnel, with the appropriate training, implement the monitoring and reporting.

The new Construction Permit also mandates electronic permit enrollment, monitoring, and reporting for new enrollees using the state's new database, Storm Water Multiple Application & Report Tracking System-2 (SMARTS-2). As part of the re-enrollment process, existing construction sites were mandated to access the SMARTS-2 database and recertify their projects. The construction sites are also required to upload their Storm Water Pollution Prevention Plans into SMARTS.

The State Water Resources Control Board and San Diego Water Board have notified construction projects of the new requirements through mailings, workshops, and other outreach efforts. Unfortunately, the San Diego Water Board and other Regional Water Boards have a significant number of construction projects that have not re-enrolled. To date, over 900 construction projects (41 percent of the total projects) within the San Diego Region have not re-enrolled. Construction Storm Water Permit coverage for these projects will be terminated by the State Water Resources Control Board in October 2010 without re-enrollment. More information is available at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

Significant NPDES Permits,
WDRs, and Actions of the
San Diego Water Board

October 13, 2010

APPENDED TO EXECUTIVE OFFICER'S REPORT

DATE OF REPORT
October 6, 2010

**TENTATIVE SCHEDULE
SIGNIFICANT NPDES PERMITS, WDRS, AND ACTIONS
OF THE SAN DIEGO WATER BOARD**

Action Agenda Item	Action Type	Draft Complete	Public Review & Comment	Consent Item
November 10, 2010 Regional Board Meeting San Diego Water Board Office				
NPDES General Permit for Fireworks - San Diego Region (Michelle Mata)	NEW NPDES Permit	80%	0%	No
Informational Item on the Cleanup of the A8 Anchorage using CAA funds (Eric Becker)	Information Item	NA	NA	NA
December 8, 2010 Regional Board Meeting San Diego Water Board Office				
City of Oceanside Ocean Outfall (J. Cofrancesco)	NPDES Permit Reissuance	85%	0%	No
Waiver for Alternative On-site Wastewater Treatment Systems in Riverside County (Fisayo Osibodu)	New Waiver Issuance	40%	0%	No
Former Teledyne Ryan Facility (Tom Alo)	CAO Addendum	50%	0%	No
Poseidon Mitigation Site Approval (Eric Becker & Chiara Clemente)	Tentative Resolution	0%	0%	No
Jack Eitzen, Administrative Civil Liability, for violations of Basin Plan Prohibitions 1 and 14 and Order No. 99-08- DWQ.(Rebecca Stewart)	Administrative Civil Liability	10%	5%	no
Bulldog Concrete Pumping, Administrative Civil Liability, for violations of Cleanup and Abatement Order No. R9-2008- 0036.(Frank Melbourn)	Administrative Civil Liability	10%	5%	no
City of Escondido, Hale Avenue Resource Recovery Facility, Mandatory Minimum Penalty, for violations of Order No. R9- 2005-0139. (Frank Melbourn)	Administrative Civil Liability	50%	5%	no
Russo Tile and Marble, Inc., Mandatory Administrative Civil Liability, for violations of Order No. 97-03-DWQ. (Ryan Anson)	Administrative Civil Liability	50%	20%	no
January 2011 No Meeting Scheduled				

July 2010 - Summary of Public Sanitary Sewer Overflows in Region 9												
Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Pressure Sewer	Miles of Gravity Sewer	Miles of Laterals	Total Number of SSO locations per 100 miles of Sewer	Tot Vol of SSOs Reaching Surface Water per 100 miles of Sewer
Category 1 SSO												
AC/S Environmental Security, MCB Camp Pendleton	USMC Base, Camp Pendleton CS	2	6,878	6,160	0	89	0	32	104	80	0.9	0
Escondido City	Harrf Disch To San Elijo Oo CS	1	800	0	800	0	100	10.7	365	0	0.2	212.9
Category 2 SSO												
AC/S Environmental Security, MCB Camp Pendleton	USMC Base, Camp Pendleton CS	2	55	35	0	63	0	32	104	80	0.9	n/a
Coronado City	City Of Coronado CS	1	10	10	0	100	0	6.6	39.3	1	2.1	n/a
Ca Dept of Parks & Rec Winterhaven	San Mateo campground /San Onofre CS	1	50	0	0	0	0	1.2	0.6	0.1	52.6	n/a
San Diego City	San Diego City CS	3	506	486	0	96	0	145	3,002.00	2,000.00	0	n/a
UC San Diego	University Of California, San Diego CS	1	100	0	0	2	0	2	25	3	3.3	n/a
TOTALS		11	8399	6691	800			229.5	3639.9	2164.1		

CS = Collection System

Oo = Ocean Outfall

August 2010 - Summary of Public Sanitary Sewer Overflows in Region 9

Responsible Agency	Collection System	Total Number of SSO locations	Total Vol of SSOs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Pressure Sewer	Miles of Gravity Sewer	Miles of Laterals	Total Number of SSO locations per 100 miles of Sewer	Tot Vol of SSOs Reaching Surface Water per 100 miles of Sewer
Category 1 SSO												
Eastern Municipal Water District	Temecula Valley RCS	1	453	0	0	0	0	78	1,169.00	0	0	0
El Cajon City	City Of El Cajon CS	1	150	0	30	0	20	0	195	0	0.5	15.3
El Toro Water District	El Toro Water District CS	1	250	0	250	0	100	5	142	36	0.5	136.6
Fallbrook Public Utility Dist	Fallbrook Plant 1, Oceanside of CS	1	6,000	0	6,000	0	100	4.6	76.6	0	1.2	7,389.10
La Mesa City	City Of La Mesa CS	1	1,500	0	0	0	0	0	155	0	0.6	0
San Diego City	San Diego City CS	3	7,150	5,400	250	75	3	145	3,002.00	2,000.00	0	4.8
Vista City	City Of Vista CS	1	22,700	12,300	10,400	54	45	0.2	229.1	0	0.4	4,535.50
Category 2 SSO												
AC/S Environmental Security, MCB Camp Pendleton	USMC Base, Camp Pendleton CS	3	430	180	n/a	41	n/a	32	104	80	1.3	n/a
San Diego City	San Diego City CS)	1	1	1	n/a	100	n/a	145	3002	2000	0	n/a
TOTALS		13	38634	17881	16930			409.8	8074.7	4116		
CS = Collection System												
Oo = Ocean Outfall												

Jul and Aug 2010 - Summary of Private Lateral Sewage Discharges in Region 9

Reporting Agency	Collection System	Total Number of PLSD locations	Total Vol of PLSDs (gal)	Total Vol Recovered (gal)	Total Vol Reaching Surface Water	Percent Recovered	Percent Reaching Surface Water	Miles of Private Lateral	Total Number of PLSD locations per 100 miles of Sewer	Tot Vol of PLSDs Reaching Surface Water per 100 miles of Sewer
Category 1 PLSD										
Escondido City	Harrf Disch To San Elijo Oo CS	1	750	650	100	86	13	83.2	1.2	120.1
San Diego City	San Diego City CS	2	12,381	200	12,000	1	96	4,049.00	0	585.6
Category 2 PLSD										
Carlsbad MWD	Carlsbad MWD CS	3	40	35	0	87	0	124	2.4	0
Chula Vista City	City Of Chula Vista CS	1	10	10	0	100	0	0	0	0
Imperial Beach City	City Of Imperial Beach CS	1	25	25	0	100	0	103	0.9	0
Laguna Beach City	City Of Laguna Beach CS	2	20	20	0	100	0	102	1.9	0
Leucadia Wastewater District	Leucadia Wastewater District CS	1	100	0	0	0	0	300	0.3	0
San Diego City	San Diego City CS	3	1,147	1,047	0	91	0	4,049.00	0.1	0
South Coast Water District	South Coast Water District CS	2	40	20	0	50	0	150	1.3	0
	TOTAL	16	14513	2007	12100			8960.2		

CS = Collection System

Oo = Ocean Outfall