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In reply refer to: CA:01-0743 & 01-0764:fmelbourn
Reg. Mes. 330267 & 330235

Steven R. Walder
San Diego County

Item No. 9 Doc. No. 14

Transmitted via e-mail to swalder264@aol.com

Dear Mr. Walder:

Response to Your Concerns on the Proposed Settlement of ACL Order No. R9-2007-0099, 7.3 Million Gallon Sewage Spill to Buena Vista Lagoon

Thank you for sending your comments on the proposed settlement of Administrative Civil Liability (ACL) Order No. R9-2007-0099 regarding the 7.3 million gallon sewage spill to Buena Vista Lagoon on March 31, 2007. I have included your letter in the agenda package for this matter scheduled before the Regional Board at this office on September 10th.

In your letter you expressed dismay over the current settlement agreement because it no longer includes a compliance project for upgrading the problematic sewer line; yet upgrading the sewer line is a logical response to preventing future sewage spills. Although the settlement agreement to be considered by the Regional Board on September 10th, no longer includes a provision to fix the problem, the Cities appear to be taking aggressive and reasonable steps to avoid the same type of sewage spill that resulted in millions of gallons of sewage entering into Buena Vista Lagoon. I hope that the following summary of the improvements that the Cities have completed or have committed to will address your concerns:

1. Computerized Sewer Flow Monitors Installed

The Cities have installed computerized sewer flow monitors and a hosted software program, called IntelliServe. IntelliServe is an early warning system through a series of alarms that notify Cities when a sewage spill or leak may be occurring. IntelliServe is a Web-based information management system designed for wastewater collection systems. Working with a network of flow monitors, IntelliServe combines database, communications, graphing and Web applications to bring knowledge of current and past collection system conditions to any desktop or laptop via the Internet. Using IntelliServe, operators can view, in near real time, collection system depth, flow and velocity conditions in a variety of graphical formats. They can be made aware via telephone, text messaging or e-mail of unusual flow conditions as soon as they occur and can have instant access to flow data to quickly make response decisions. Because the software data can be stored, users can also generate trend reports to spot developing collection system problems before they result in overflows.

2. Sewer Line Redesigned Including New Sewer Line and Relining of Old Sewer Line

The Cities have completed a preliminary redesign of the problematic sewer line. The redesign will cease using the sewer line along the banks of the Buena Vista Lagoon (approximately 25% of the problematic section) and instead run a new sewer line under the existing Jefferson Streets North and West. The remaining 75% of the existing line will be relined. In summary the Cities have removed the proximate threat of the sewer line by installing new pipes away from the lagoon and improved the integrity of the line by relining the remaining section.

3. Sewer Line Inspections Monday - Friday

The Cities inspect the sewer line daily Monday through Friday to ensure the integrity of the line in conjunction with the computerized flow monitoring.

I think you will agree that the current settlement agreement is a better one for the region's residents. Although the current settlement agreement no longer provides the Cities with an elimination of \$395,000 in liability for upgrading the sewer line, the Cities have regardless committed to upgrading the system. Furthermore, the current settlement agreement has increased the liability amount the Cities will pay into the State Water Resources Control Board's Waste Discharge Permit Fund from \$200,000 to \$595,000, and now includes a \$500,000 Supplemental Environmental Project towards the restoration of Buena Vista Lagoon.

Please contact me at (858) 467-2973 or by e-mail at fmelbourn@waterboards.ca.gov if you have any questions concerning this matter. The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

Respectfully,



FRANK T. MELBOURN
Water Resource Control Engineer

FTM:mja:ftm