

EXECUTIVE OFFICER SUMMARY REPORT
June 6, 2009

- ITEM: 6
- SUBJECT: National Pollutant Discharge Elimination System (NPDES) Permit Reissuance: City of San Diego E.W. Blom Point Loma Metropolitan Wastewater Treatment Plant discharge to the Pacific Ocean through the Point Loma Ocean Outfall. The tentative NPDES permit and waste discharge requirements are based on a variance from federal secondary treatment standards at Title 40 of the Code of Federal Regulations Part 133 (40 CFR 30), as provided for improved discharges under Clean Water Act section 301(h) and 40 CFR 125, Subpart G. The comment period on the tentative permit/order closed on January 28, 2009. The Regional Board will only accept written and oral comments on staff's proposed revisions to the tentative permit/order. Any such written comments must be submitted by June 3, 2009 at 5:00 p.m. (Tentative Order No. R9-2009-0001) (*Melissa Valdovinos*)
- PURPOSE: To adopt an updated NPDES permit and waste discharge requirements (WDRs) for the treatment and disposal to the Pacific Ocean of up to 240 million gallons per day (MGD) of advanced primary-treated wastewater effluent from the City of San Diego E.W. Blom Point Loma Metropolitan Wastewater Treatment Plant. If adopted this order would update and replace Order No. R9-2002-0025.
- PUBLIC NOTICE: USEPA and the Regional Board published a Joint Notice of Proposed Actions in the San Diego Union Tribune newspaper on December 5, 2008, which announced the January 21, 2009 public hearing conducted jointly by the United States Environmental Protection Agency (USEPA) and the Regional Board, and gave instructions on submitting comments on the tentative permit/order and USEPA's tentative decision document (TDD). The public comment period closed on January 28, 2009.
- The tentative permit/order and TDD were sent out on December 5, 2008 to the City of San Diego Metropolitan Wastewater Department (the City) and to all known interested parties and agencies. Copies were also made available for public review at the Regional Board web site and office on December 5, 2008.
- Responses to Comments and an Errata Sheet with proposed

revisions to the tentative permit/order were posted on the Regional Board's web site on March 28, 2009. The Regional Board will only accept written and oral comments on staff's proposed revisions to the tentative permit/order. Any such written comments must be submitted by June 3, 2009

DISCUSSION:

The City is currently discharging advanced primary treated wastewater to the Pacific Ocean via the Point Loma Ocean Outfall pursuant to Order No. R9-2002-0025, as amended, and NPDES Permit No. CA0107409, as modified. The effluent limitations are based, in part, on a variance from secondary treatment standards contained in the Clean Water Act as granted by USEPA pursuant to sections 301(h) and (j)(5). The variance results in biochemical oxygen demand (BOD) and total suspended solids (TSS) limitations that are less stringent than federal secondary requirements (based on Ocean Pollution Reduction Act [OPRA] requirements). Also in accordance with OPRA, a reduction of TSS mass emissions is required. In the draft permit/order, a limitation of 15,000 metric tons per year must be achieved on the permit effective date through December 31, 2013, and a limitation of 13,598 metric tons per year must be achieved by January 1, 2014.

USEPA and the Regional Board jointly conducted a public hearing on January 21, 2009 to receive comments related to the tentative permit/order, including the TDD regarding the City's application for a variance from secondary treatment requirements of the Clean Water Act, pursuant to section 301(h) and (j)(5). The Regional Board did not adopt the tentative permit/order at the January 21, 2009 public hearing, but will formally act on the permit on June 10, 2009.

A written Responses to Comments document and an Errata Sheet have been prepared and provided to interested parties by email and to the City through regular mail in a letter dated May 28, 2009 (see Supporting Documents 2 and 3).

SIGNIFICANT CHANGES: See January 21, 2009 Revised EOSR (Supporting Document 4).

COMPLIANCE: See January 21, 2009 Revised EOSR (Supporting Document 4).

KEY ISSUES: See January 21, 2009 Revised EOSR (Supporting Document 4).

LEGAL CONCERNS: None

- SUPPORTING DOCS:
1. Transmittal Letter for Responses to Comments and Errata Sheet on Draft NPDES Permit No. CA0107409 and Tentative Order No. R9-2009-0001
 2. Responses to Comments
 3. Errata Sheet
 4. January 21, 2009 Revised EOSR (associated Supporting Document 5 provided as hard copy and associated Supporting Documents 1-8 on CD)
- RECOMMENDATION: Adoption of Tentative Order No. R9-2009-0001, NPDES Permit No. CA0107409, with Errata is recommended