

California Regional Water Quality Control Board,
San Diego Region

Errata Sheet

Tentative Order No. R9-2013-0006
NPDES Permit No. CA0109045

**Waste Discharge Requirements
for the City of San Diego South Bay Water Reclamation Plant
Discharge to the Pacific Ocean via the South Bay Ocean Outfall**

The following changes have been made to Tentative Order No. R9-2013-0006 based on the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) Response to Comments document included as Supporting Document No. 5 for Item No. 8 on the San Diego Water Board February 13, 2013 Board Meeting Agenda. Changes to the Tentative Order listed below are shown in bold and underline/strikeout format to indicate added and removed language, respectively.

1. On page 28, Section VI.C.7 shall be modified as:

Compliance Schedule – **Not Applicable**

~~The Discharger shall comply with the following time schedule to ensure that the discharge from the Facility does not cause or contribute to excursion above the Receiving Water Limitations for Bacterial Characteristics contained in section V.A.1. of this Order:~~

~~Table 9. Time Schedule for Compliance with Bacterial Characteristics~~

Task	Compliance Date
1. Prepare and submit a proposed work plan that outlines the tasks and the approach to be used in evaluating and selecting alternatives for ensuring compliance with Bacterial Characteristics receiving water limitations.	No later than 6 months after the adoption date of this Order
2. Submit plan and alternatives analysis for ensuring compliance with Bacterial Characteristics receiving water limitations outside the Initial Dilution Zone of the South Bay Ocean Outfall. The proposed plan shall include a schedule for completion that reflects a realistic assessment of the shortest practicable time required to perform each task.	No later than 18 months after the adoption date of this Order

Task	Compliance Date
3. Complete financial arrangements for selected alternative.	No later than 30 months after the adoption date of this Order
4. Initiate construction of any required facilities.	No later than 36 months after the adoption date of this Order
5. Complete construction of required facilities and initiate facilities start-up.	No later than 48 months after the adoption date of this Order
6. Identify and implement operational refinements and confirm compliance with Bacterial Characteristics receiving water limitations.	No later than 60 months after the adoption date of this Order
7. Achieve full compliance with Bacterial Characteristics receiving water limitations outside the Initial Dilution Zone of the South Bay Ocean Outfall.	No later than 60 months after the adoption date of this Order

The Discharger shall implement the plan identified in Task No. 2 of the above schedule in accordance with the shortest practicable time required to complete each task, but in no case later than the Compliance Dates listed in the above schedule. The Discharger shall submit to the San Diego Water Board on or before each compliance date, the specified document or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, the reasons for such noncompliance shall be stated, and shall include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the San Diego Water Board by letter when it returns to compliance with the time schedule.

Progress reports shall be submitted annually by March 1, consistent with the schedule in Table E-13 (Attachment E of this Order) of the MRP and shall continue until compliance is achieved.

2. Attachment F, Fact Sheet, on pages F-28 through F-29, Section V shall be modified as follows:

Receiving water limitations of this Order are derived from the water quality objectives for ocean waters established by the Basin Plan and the Ocean Plan.

By letter dated January 10, 2013, the City provided a tabulation and interpretation of the receiving water monitoring data for the past 17 years. Based on the City's analysis, the bacterial water quality objective exceedances in the receiving waters appear to be linked to the primary treated wastewater discharged from IBWC's SBIWTP rather than the secondary treated wastewater discharged from the City's SBWRP. From 1999 to 2010, the IBWC discharged primary treated wastewater from SBIWTP to the Pacific Ocean via the SBOO. During this same time period, sample results at the three offshore receiving water stations closest to the SBOO

ranged from 72 to 94 percent in compliance with bacterial water quality objectives and samples at all the offshore receiving water stations for SBOO ranged from 90 to 95 percent in compliance with bacterial water quality objectives. After IBWC completed the upgrade of the SBIWTP to meet secondary treatment requirements in January, 2011, sample results at the three offshore stations closest to the SBOO were 99 percent in compliance and sample results at all the offshore stations for SBOO were also 99 percent in compliance. The receiving water monitoring results show no change in the compliance with bacterial water quality objectives at the offshore stations for SBOO after the SBWRP began discharging in May, 2002. The San Diego Water Board has concluded that the secondary treated wastewater from SBWRP does not appear to cause or contribute to violations of bacterial objectives in the receiving water. This conclusion is based on 1) the correlation between the historic non-compliance record of bacterial water quality objectives in the receiving water and the formerly primary treated discharge from SBIWTP; 2) the absence of changes to the receiving water bacterial water quality objectives compliance record after the start of the discharge from SBWRP; and 3) SBWRP's near 100 percent compliance record with NPDES permit secondary treatment requirements during the past two years. Thus, the 5-year compliance schedule, that was included in three other recently adopted POTW Ocean Outfall NPDES Permits, is not included in this Order.

~~Prior to this Order, the San Diego Water Board has interpreted the Bacterial Characteristics Water Contact Standards of the Ocean Plan (Receiving Water Limitations section V.A.1) to apply only in the zone bounded by the shoreline and a distance 1,000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline, and within kelp beds. The 2009 Ocean Plan also has language that these standards also apply in areas outside this zone used for water contact sports, as determined by the Regional Boards (i.e., waters designated as REC-1). These designations would need to be specified in the Basin Plan. Because the San Diego Water Board has not completed a process to designate specific areas where the water contact standards apply, Ocean Plan Bacterial Standards apply throughout all ocean waters in the San Diego Region. This interpretation has been confirmed by the USEPA.~~

~~Receiving water data for bacteria demonstrates that the Discharger cannot immediately comply with this new interpretation of the water quality standards for bacteria. Data from the immediate vicinity of the discharge (Monitoring Locations I-12 and I-14) indicate receiving water exceedances for fecal coliform, total coliform, and enterococcus. Receiving water data from May 2010 through May 2011 at Monitoring Locations I-12 and I-14 demonstrate total coliform, fecal coliform, and enterococcus concentrations in the receiving water at 16,000 CFU/100mL, 5,000 CFU/100mL, and 100 CFU/100mL, respectively.~~

- 3. Attachment F, Fact Sheet, on page F-34, Section VII.B.7 shall be modified as follows:**

Compliance Schedules – Not Applicable

~~Prior to this Order, the San Diego Water Board has interpreted the Bacterial Characteristics Water-contact Standards of the Ocean Plan (Receiving Water Limitations section V.A.1) to apply only in the zone bounded by the shoreline and a distance 1,000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline, and within kelp beds. The Ocean Plan also has language that these standards also apply in areas outside this zone used for water contact sports, as determined by the Regional Board (i.e., waters designated as REC-1). These designations would need to be specified in the Basin Plan. Because the San Diego Water Board has not completed a process to designate specific areas where the water contact standards apply, Ocean Plan Bacterial Standards apply throughout all ocean waters in the San Diego Region. This interpretation has been confirmed by the USEPA.~~

~~Receiving water data for bacteria demonstrates that the Discharger cannot immediately comply with this new interpretation of the water quality standards for bacteria. Data from the immediate vicinity of the discharge (Monitoring Locations I-12 and I-14) indicate receiving water exceedances for fecal coliform, total coliform, and enterococcus. Receiving water data from May 2010 through May 2011 at Monitoring Locations I-12 and I-14 demonstrate total coliform, fecal coliform, and enterococcus concentrations in the receiving water at 16,000 CFU/100mL, 5,000 CFU/100mL, and 100 CFU/100mL, respectively.~~

~~In order to ensure that the Discharger is not causing, or contributing to, excursions of the Bacterial Characteristics Water-contact Standards contained in the Ocean Plan, this Order requires the discharge to comply with a time schedule to ensure compliance with the standards.~~

~~The time schedule requires the Discharger to: 1) prepare and submit a proposed work plan that outlines the tasks and the approach to be used in evaluating and selecting alternatives for ensuring compliance with Bacterial Characteristics receiving water limitation; 2) submit a plan and alternatives analysis; 3) complete financial arrangements for the selected alternative; 4) initiate construction of any required facilities; 5) complete construction of required facilities and initiate facilities start-up; 6) identify and implement operational refinements and confirm compliance with Bacterial Characteristics receiving water limitations; and 7) achieve full compliance with Bacterial Characteristics receiving water limitations outside the Initial Dilution Zone of the South Bay Ocean Outfall. Final compliance with the standards is to be achieved no later than 60 months of the adoption date of this Order, unless modified by the San Diego Water Board. The Discharger is also required to implement the plan identified in Task 2 in accordance with the shortest practicable time required to complete each task, but in no case later than the Compliance Dates listed in the schedule.~~

4. On page 21, Section VI.C.2.c shall be modified as follows:

If the performance goal for chronic toxicity is exceeded in any one test at Monitoring Location E-001, then within 15 days from the time the Discharger becomes aware of the exceedance, the Discharger shall begin conducting six additional tests, bi-weekly, over a 12 week period.

5. Attachment F, Fact Sheet, page F-32, Section VII.B.2.c, third paragraph has been modified as follows:

If the performance goal for chronic toxicity is exceeded, then within 15 days of the exceedance **receipt of these test results**, the Discharger shall begin conducting six additional tests, bi-weekly, over a 12 week period. If the toxicity performance goal is exceeded in any of these six additional tests, then the Discharger shall notify the San Diego Water Board. If the San Diego Water Board determines that the discharge consistently exceeds the toxicity performance goal, then the Discharger shall initiate a TRE/ Toxicity Identification Evaluation (TIE) in accordance with the TRE workplan, *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (USEPA 833-B-99-002, 1999), and USEPA TIE guidance documents (Phase I, EPA/600/6-91/005F, 1992; Phase II, EPA/600/R-92/080, 1993; and Phase III, EPA/600/R-92/081, 1993). If no toxicity is detected in any of these additional six tests, then the Discharger may return to the testing frequency specified in the MRP.

6. Attachment E, Monitoring and Reporting Program (MRP), on page E-4, Table E-1, offshore station I-8 has been modified as follows:

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	I-8	Latitude: 32°31.000'N; Longitude:117°12.120'W; DEPTH 90 118 ft (27 36 m)

7. Attachment E, MRP, on page E-5, Table E-1, rig fishing station RF-3 has been modified as follows:

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	RF-3	Latitude: 32°32. 3 2 70'N; 117°11.000'W; DEPTH: 89 ft (27 m)

8. Attachment E, MRP, on page E-6, Table E-3, Phenolic compounds (both non-chlorinated and chlorinated), Endosulfan, Endrin, and HCH has been modified as follows:

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Phenolic Compounds (nonchlorinated) ⁸	µg/L	<u>Grab24-hr Composite</u>	1/Month ^{3,4}	2
Phenolic Compounds (chlorinated) ⁹	µg/L	<u>Grab24-hr Composite</u>	1/Month ^{3,4}	2
Endosulfan	µg/L	<u>Grab24-hr Composite</u>	1/Month ^{3,4}	2
Endrin	µg/L	<u>Grab24-hr Composite</u>	1/Month ^{3,4}	2
HCH	µg/L	<u>Grab24-hr Composite</u>	1/Month ^{3,4}	2

9. On page E-12, Table E-6, 6th row has been modified as follows:

Species	Test	Tier ¹	Reference ²
Mysid shrimp, <i>Hoimesimysis costata</i>	percent survival; growth	1	a, c

10. On page E-17, the second paragraph has been modified as follows:

The benthic infaunal samples shall be collected using a 0.1-square meter modified Van Veen grab sampler. These grab samples shall be separate from those collected for sediment analyses. The samples shall be sieved using a 1.0-millimeter mesh screen. The benthic organisms retained on the sieve shall be fixed in ~~15~~**10** percent buffered formalin, and transferred to 70 percent alcohol within two to seven days of storage. ~~These organisms may be stained using Rose Bengal to facilitate sorting.~~ Infaunal organisms, obtained during benthic monitoring shall be counted and identified to as low a taxon as possible.

11. On page E-21, Section XI.B, Table E-10 has been modified as follows:

Table E-10. Monitoring Periods and Reporting Schedule

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Sampling Frequency/ Report Type	Monitoring Period Begins	Monitoring Period	SMR Due Date
Continuous	First day of the calendar month following the permit effective date or on permit effective date if that date is first day of the month.	All	First day of second calendar month following month of sampling.
1/Day	First day of the calendar month following the permit effective date or on permit effective date if that date is first day of the month.	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	First day of second calendar month following month of sampling.
1/Week	First Sunday of the calendar month following the permit effective date or on permit effective date if that date is on the first Sunday of the calendar month.	Sunday through Saturday	First day of second calendar month following month of sampling.
1/Month (including all spills or no spill report ¹)	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month.	First day of calendar month through last day of calendar month	First day of second calendar month following month of sampling.
1/Quarter ²	Closest of January 1, April 1, July 1, or October 1 following (or on) permit effective date.	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1
2/year	Closest of January 1 or July 1 following (or on) permit effective date.	January 1 through June 30 July 1 through December 31	September 1 March 1
<ul style="list-style-type: none"> • 1/Year³ • <u>Benthic Monitoring</u> • <u>Fish Trawl</u> • <u>Rig Fishing</u> 	January 1 following (or on) permit effective date.	January 1 through December 31	March 1

¹ **As required by Section VI.C.2.b.iv. of Order No. R9-2013-0006 (page 21)**

² **If sample results for parameters or toxicity tests required to be conducted once per quarter (1/quarter) are not provided in the quarterly SMR for the monitoring period in which the sample was collected, the Discharger shall identify the SMR(s) which contains the sample results.**

³ If sample results for parameters or toxicity tests required to be conducted once per year (1/year) are not provided in the annual SMR for the monitoring period in which the sample was collected, the Discharger shall identify the SMR(s) which contains the sample results.

12. On page E-24, Section XI.D has been modified as follows

D. Other Reports

The following reports are required under Special Provisions (Section VI.C); ~~Attachment E Section IX~~, and the California Code of Regulations and shall be submitted to the San Diego Water Board, signed and certified as required by the Standard Provisions (Attachment D):

Table E-11 – Other Reports

Report	Location of requirement	Due Date
Significant Industrial User Compliance Status Report	Section VI.C.5.c.v	Semiannually on September 1 and March 1
Pretreatment Program	Section VI.C.5.c.iv	Annually on March 1
Receiving Water Monitoring Compliance Reports	Attachment E Section IX Section VI.C.7	Annually on July 1 6, 18, 30, 36, 48 and 60 months after the adoption date of this Order Annually on March 1
Technical Evaluation of the Need to Revise Local Limits	Section VI.C.5.c.vii	Following permit reissuance
Toxicity Reduction Evaluation workplan	Section VI.C.2.d	180 days after adoption of this Order
Results of any Toxicity Reduction Evaluation/Toxicity Identification (TRE/TIE) Evaluation	Section VI.C.2.c	Within 30 days of completion of the TRE/TIE
Report of Waste Discharge (for reissuance)	Title 23, California Code of Regulations	180 days before the Order expiration date
South Bay Ocean Outfall Capacity report	Section VI.C.5.a	180 days before the Order expiration date
POTW Capacity Report	Section VI.C.5.b	Four years prior to reaching plant design capacity