Appendix Y

ESCONDIDO
City of Choice

Patrick A. Thomas
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November 10, 2003

Mr. Michael P. McCann
Supervising Water Resource Control Engineer
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340
Attn: Bryan Ott

2003 NOV 17 P 2:42
WATER QUALITY CONTROL BOARD

Subject: Notice of Violation NOV R9-2003-0380

Dear Mr. McCann:

In response to your letter dated Oct. 6, 2003, the City of Escondido has found little correspondence to the Regional Board's finding that we are delinquent in Directive 4 of Cease and Desist Order CDO No. 96-31 and Directive 2 of Addendum No. 1 to CDO No. 96-31.

Since the issuance of the order, the City has experienced several changes in key personnel who were responsible for reporting to the Regional Board. Due to these circumstances, it is difficult to give an exact reason for the failure to comply with Directive 4 of CDO No. 96-31. It should also be noted that the City initially pursued two avenues to comply with CDO No. 96-31. As noted in the time line below, the City ultimately chose to commit to pursuit and implementation of what is now Order 98-10. During this time the City was in the midst of a plant-wide design for upgrades and improvements.

Below is a time line showing the steps the City has taken to comply with CDO No. 96-31.

- May 16, 1996 - Tentative Cease and Desist Order CDO No. 96-31 issued.
- June 26, 1996 - CDO 96-31 issued.
- June 19, 1997 - City applied for Intermittent Wet Weather Discharge to Escondido Creek.
- Jan. 12, 1998 – City requested an Addendum to NPDES Permit Report of Waste Discharge - Intermittent Wet Weather Discharge to Escondido Creek.
- May 14, 1998 – Letter to Regional Board updating progress on CDO No. 96-31.

- Sept. 9, 1998 – Regional Board Adopted Order No. 98-10 (NPDES CA0108944) Waste Discharge Requirement for the City of Escondido Hale Ave. Resource Recovery Facility, Intermittent Wet Weather Discharge to Escondido Creek, San Diego County.

- Oct. 1998 – Phase I construction Notice to Proceed issued and construction started.

- Sept. 30, 1999 – Final Certification Report for Intermittent Wet Weather Discharge Order No. 98-10 (NPDES 0108944) sent to Regional Board.

- Jan. 2000 – Phase II started which included upgrades and construction of tertiary treatment process.

- July 7, 2000 – Letter to Regional Board advising of City's preliminary plan for nutrient removal to comply with Discharge Spec. B.2 of Order No. 98-10.

- May 25, 2001 – Phase I construction "Beneficial Occupancy".

- Sept. 23, 2002 – Letter from Regional Board reminding City of compliance dates for CDO No. 96-31.

- Oct. 10, 2002 – Nutrient removal station construction station started.

- Oct. 31, 2002 – Letter from City requesting an extension of the compliance date for CDO No. 93-31 to June 16, 2003.

- Jan. 8, 2003 – Tentative addendum to CDO No. 96-31.

- Feb. 11, 2003 – Adoption of Addendum #1 to CDO No. 96-31 extending date to June 16, 2003.

- Mar. 13, 2003 – Letter to Regional Board with submittal of NPDES Permit Application Documents for Renewal of NPDES CA0108944.

- July 31, 2003 – Phase II construction complete.

- Oct. 6, 2003 Notice of Violation of CDO No. 96-31 (14 violations of failure to submit semi-annual updates).

- Oct. 15, 2003 – Nutrient removal pump station completed.

At present the City is awaiting the Department of Heath Services acceptance of the Ultra Violet Disinfection Confirmation Report and Operation Manual and the approval of the Regional Board. Currently the City is prepared to discharge treated tertiary wastewater into Escondido Creek in the event of an extreme wet weather event. The nutrient removal pump station is complete. On October 8, 2003, an interim plan for limited capacity (approx. 4 MGD) of the tertiary treatment process was verbally agreed to in a meeting with the DHS, Regional Board and the City of Escondido. We are awaiting an inspection of the treatment facility and written approval from the DHS before recycled water can be introduced into the distribution system.

The compliance date of June 16, 2003 was not met due to an operational problem with the secondary process of the treatment plant. While the treatment process met the requirements for Order No. 99-72, the quality of the secondary water was not optimum for tertiary treatment. After adjustments were made and the quality of the secondary effluent increased the confirmation testing was completed. This caused the compliance process to extend past the deadline.

The City of Escondido requests that:

1) The Regional Board accept this letter as the final report for Cease and Desist Order No. 96-31 and close the order.

Or, if this is not acceptable to the Regional Board then:

2) The deadline for the Cease and Desist Order No. 96-31 be extended until Dec. 31, 2003.

Please contact John Burcham at 760-839-6273 or jburcham@ci.escondido.ca.us if you need additional information.

Sincerely,

Patrick Thomas
Director of Public Works

cc: Glen Peterson, Interim Utilities Manager
John Burcham, Resource Recovery Plant Superintendent