



California Regional Water Quality Control Board San Diego Region



Matthew Rodriguez
Acting Secretary for
Environmental Protection

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9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

March 19, 2012

In reply refer to:
251548:ccannova

Mr. Dale Kreinbring
Otay Water District
2554 Sweetwater Springs Blvd
Spring Valley, CA 91978-2004

Dear Mr. Kreinbring:

**SUBJECT: NOTICE OF VIOLATION NO. R9-2012-0021
RALPH W. CHAPMAN WATER RECYCLING FACILITY**

Enclosed is Notice of Violation No. R9-2012-0021 for Ralph W. Chapman Water Recycling Facility. The basis for this NOV was the monitoring data contained in the December 2010 through January 2012 monthly monitoring reports, and the 2010 and 2011 annual monitoring reports which were submitted by the Otay Water District (District) in accordance with Order No. R9-2007-0038.

Please take steps to implement follow-up actions necessary to ensure that the violations noted do not occur in the future. These violations subject the District to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region, including administrative enforcement orders requiring the District to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative assessment of civil liability in amounts of up to \$5,000 per day per violation;¹ referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

The next monitoring report required to be submitted is the February 2012 monthly monitoring report, which is due by April 1, 2012.

¹ Under authority of California Water Code section 13350.

California Environmental Protection Agency

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In the subject line of any response, please include the requested "in reply refer to:" information located in the heading of this letter. For questions pertaining to the subject matter, please contact Ms. Catherine Cannova at (858)-627-3977 or at ccannova@waterboards.ca.gov.

Sincerely,



Julie Chan P.G., Chief
Cleanup and Land Discharge Branch

JPC: bdk: oo: cc

Enclosure: Notice of Violation No. R9-2012-0021

cc w/enclosure: Mr. Gary Stalker
System Operations Manager
Otay Water District
2554 Sweetwater Springs Blvd.
Spring Valley, CA 91978-2096

CIWQS:

Regulatory Measure ID	382715				
Place ID	251548				
Violations	916372	916373	916374	916375	916377
	916378	916379	916380	916381	916382
	916494	916384	916383	916492	916491
	919254	916491	916492	920724	920723
	920722	920727	920728	920730	



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
SAN DIEGO REGION**

Otay Water District

Ralph W. Chapman Water Reclamation
Facility

Place ID: 251548: ccannova

**NOTICE OF VIOLATION
No. R9-2012-0021**

**Violations of Order No. R9-2007-0038
March 19, 2012**

Otay Water District is hereby notified that the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) reserves the right to take any enforcement action authorized by law for the violations described herein.

Otay Water District is in violation of San Diego Water Board Order No. R9-2007-0038, *Master Reclamation Permit for Otay Water District, Ralph W. Chapman Water Reclamation Facility.*

A. Summary of Violations

1. Failure to Comply with Section B (Discharge Specifications) of Order No. R9-2007-0038

- a. Section B.3 (Discharge Specifications) of Order No. R9-2007-0038 specifies that the 12-month average effluent concentration of total nitrogen shall not exceed 9.4 milligrams per liter (mg/L). This value was exceeded on the following occasions:

Violation Date	12-Month Average (mg/L)
December 2010	16.36
January 2011	16.43
February 2011	16.27
March 2011	16.30
April 2011	16.40
May 2011	16.60
June 2011	16.50
July 2011	16.60
August 2011	16.60
September 2011	16.60
October 2011	16.60
November 2011	16.80
December 2011	17.30
January 2012	17.50

- b. Section B.3 (Discharge Specifications) of Order No. R9-2007-0038 specifies the daily effluent total nitrogen concentration shall not exceed 23 milligrams per liter (mg/L). This value was exceeded on November 30, December 7 and 14, 2011 with reported values of 28, 26, and 24 mg/L, respectively.
- c. Section B.2 (Discharge Specifications) of Order No. R9-2007-0038 specifies that the effluent pH shall be within 6.0-9.0 at all times. The effluent pH value was not within this range on November 1 and December 7, 2011; and January 6 and 12, 2012, with reported values of 5.6, 5.6, 5.1, and 5.7, respectively
- d. Section B.3 (Discharge Specifications) of Order No. R9-2007-0038 specifies that the daily effluent Total Dissolved Solids (TDS) concentration shall not exceed the daily potable water TDS concentration by more than 450 mg/L. The effluent TDS concentration was reported as 910 mg/L on March 2, 2011, which exceeded the potable supply TDS concentration by 460 mg/L. Also, the effluent TDS concentration was reported as 760 mg/L on December 7, 2011, which exceeded the potable water TDS concentration by 490 mg/L.

2. Failure to Comply with Section D.5 (Facility Design and Operation Specifications) of Order No. R9-2007-0038

Section D.5 (Facility Design and Operation Specifications) of Order No. R9-2007-0038 specifies that the effluent chlorine residual concentration shall not be less than 450 milligrams-minute/liter (mg-min/L) at any time. The effluent chlorine residual concentration was reported as 219 mg-min/L on January 4, 2011.

B. Summary of Potential Enforcement Options

These violations may subject you to additional enforcement by the San Diego Water Board or State Water Resources Control Board, including a potential civil liability assessment of up to \$5,000 per day per violation (under authority of Water Code section 13350).

In addition, the San Diego Water Board may consider referring the matter to other resource agencies, referring the matter to the State Attorney General for injunctive relief, and referral to the municipal or District Attorney for criminal prosecution.

Questions pertaining to this Notice of Violation should be directed to Ms. Catherine Cannova at (858)-627-3977 or via e-mail at ccannova@waterboards.ca.gov

Julie Chan

Julie Chan, P.G., Chief
Cleanup and Land Discharge Branch

March 19, 2012

DATE