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## San Diego Regional Water Quality Control Board

August 11, 2016

Mr. Carl S. LaPeter  
Plant Manager  
San Diego Gas and Electric  
2300 Harveson Place  
Escondido, CA 92029  
[clapeter@semprautilities.com](mailto:clapeter@semprautilities.com)

**Sent Via Email Only**

**In reply refer to / attn:**  
**772575: DQuatch**

**Subject: Staff Enforcement Letter for Palomar Energy Center, Order No. R9-2012-0015,  
NPDES Permit No. CA0109215**

Mr. LaPeter:

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) has reviewed the following self-monitoring reports (SMRs) for the Palomar Energy Center:

- Monthly SMRs – October 2015 through March 2016
- Semi-Annual SMRs – July 2015 through December 2015
- Annual SMRs – January 2015 through December 2015

The following is a summary of the San Diego Water Board's findings:

- **Violation – Failure to report or use appropriate minimum levels (MLs), Attachment E, Section X.B.4**

In accordance with Attachment E, section X.B.4, the laboratory used by San Diego Gas and Electric (Discharger) is required to meet the minimum levels (MLs) specified in Appendix II of the California Ocean Plan. On July 11, 2016 the San Diego Water Board requested the Discharger to submit the laboratory reports for the 2015 annual SMR, which the Discharger submitted on July 11, 2016. The laboratory reports documented an ML<sup>[1]</sup> that is greater than the ML specified in Appendix II of the Ocean Plan for at least 42 constituents in the 2015 annual SMR. On June 14, 2016, the Discharger requested an amendment to their National Pollutant Discharge Elimination System permit, which included separate laboratory data with MLs as specified in the Ocean Plan. This separate laboratory data demonstrated that the laboratory can meet the MLs specified in the Ocean Plan. Please include the laboratory MLs with future SMR submittals in the California Integrated Water Quality System (CIWQS) database.

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<sup>[1]</sup> As defined in the permit, reporting limit (RL) is an equivalent value to ML.

Pursuant to the California Water Code (CWC), the violation noted is subject to additional enforcement action(s) by the San Diego Water Board including a time schedule order, cease and desist order, cleanup and abatement order, imposition of administrative civil liability, referral to the district attorney for criminal prosecution, or referral to the attorney general. Administrative civil liability amounts that may be imposed by the San Diego Water Board under authority of CWC Section 13385 include up to \$10,000 per day or up to \$10 per gallon for each gallon of waste discharged.

In the subject line of any response, please include the reference "772575:DQuatch ". For questions or concerns regarding this letter, please contact me at 619-521-5899 or [Dat.Quach@waterboards.ca.gov](mailto:Dat.Quach@waterboards.ca.gov).

Respectfully,



Dat Quach, P.E.  
Water Resource Control Engineer  
Source Control Regulatory Unit

cc by email:

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| Tech Staff Info & Use |                                     |
|-----------------------|-------------------------------------|
| Order No.             | R9-2012-0015                        |
| Party IDs             | 530698 (SDG&E)                      |
| WDID                  | 9 000002388                         |
| NPDES No.             | CA0109215                           |
| Reg. Measure IDs      | 382512 (R9-2012-0015), 405014 (SEL) |
| PIN                   | 772575                              |
| Violation ID          |                                     |
| 1                     | 1007790                             |