

EXECUTIVE OFFICER SUMMARY REPORT  
March 10, 2010

- ITEM: 6
- SUBJECT: NPDES Permit Rescission: An Order Rescinding Waste Discharge Requirements Order No. R9-2005-0015, NPDES Permit No. CA0108391 and Time Schedule Order No. R9-2009-0047, (Tentative Order No. R9-2010-0028) (Joann Cofrancesco)
- PURPOSE: To rescind Order No. R9-2005-0015, NPDES Permit No. CA0108391, *Waste Discharge Requirements for Mountain Water Ice Company*, and Time Schedule Order No. R9-2009-0047, *Requiring Mountain Water Ice Company, Oceanside, California, To Comply with Requirements Prescribed in Order No. R9-2005-0015 (NPDES Permit No. CA0108391)*.
- PUBLIC NOTICE: Copies of the tentative order were mailed on February 25, 2010 to the Mountain Water Ice Company and to all known interested parties and agencies and posted on the web on February 25, 2010.
- DISCUSSION: On March 9, 2005, the San Diego Water Board adopted Waste Discharge Requirements Order No. R9-2005-0015 (NPDES No. CA0108391), for Mountain Water Ice Company (hereinafter Discharger), for the discharge of up to 85,000 gallons per day of untreated wastewater to the San Luis Rey River, a water of the United States and a tributary to the Pacific Ocean. Order No. R9-2005-0015 contains an expiration date of March 9, 2010.
- On May 13, 2009, the Discharger was issued Time Schedule Order No. R9-2009-0047 (TSO). The TSO specifies the actions the Discharger is required to take in order to correct violations and come into compliance with the NPDES Order.
- The San Diego Water Board action to rescind Order No. R9-2005-0015 is based on 1) the March 9, 2010 expiration date for Order No. R9-2005-0015, 2) the Discharger's decision not to submit a Report of Waste Discharge in application for

reissuance of the NPDES permit, and 3) the San Diego Water Board's understanding that wastewater discharges from the facility to the San Luis Rey River have been terminated. As of the end of December 2009, the discharge to surface waters was terminated and the Discharger subsequently requested that the San Diego Water Board rescind the NPDES Permit and the Time Schedule Order.

SIGNIFICANT  
CHANGES:

N/A

COMPLIANCE:

This facility is in compliance with Order No. R9-2005-0015, NPDES Permit No. CA0108391 and Time Schedule Order No. R9-2009-0047

LEGAL ISSUES:

None

SUPPORTING DOCS:

1. Location Map
2. Transmittal Letter for Tentative Order No. R9-2010-0028
3. Tentative Order No. R9-2010-0028

RECOMMENDATION:

Adoption of Tentative Order No. R9-2010-0028 is recommended.