

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

EXECUTIVE OFFICER SUMMARY REPORT

December 8, 2020

ITEM NO. 6

SUBJECT

Consideration of Tentative Order No. R9-2020-0222, *An Order Rescinding Order No. 88-69, Waste Discharge Requirements for Pine Valley Trailer Park, San Diego County* (Tentative Order No. R9-2020-0222). (Brandon Bushnell)

STAFF RECOMMENDATION

Adoption of Tentative Order No. R9-2020-0222 is recommended.

KEY ISSUES

Tentative Order No. R9-2020-0222 (**Supporting Document 1**), if adopted, rescinds Order No. 88-69, *Waste Discharge Requirements for Pine Valley Trailer Park, San Diego County* and Addendum No. 1 to Order No. 88-69, *An Addendum Transferring Responsibility for Order No. 88-69 from Oak Crest to Pine Valley Trailer Park, San Diego County* (collectively, Order No. 88-69). The onsite wastewater treatment system (OWTS) at the Pine Valley Trailer Park (Facility), owned and operated by John Flynn (Discharger), will be enrolled in and regulated by the County of San Diego under the *Local Agency Management Plan for Onsite Wastewater Treatment Systems* (LAMP).¹

PRACTICAL VISION

Tentative Order No. R9-2020-0222 is consistent with the Strategizing for Healthy Waters chapter of the San Diego Water Board Practical Vision. Working as partners with county government helps the San Diego Water Board focus staff resources on larger projects and facilities within the region that pose a greater threat to water quality.

DISCUSSION

The Facility is located at 27521 Old Hwy 80, Pine Valley, in San Diego County (**Supporting Document 2**). San Diego Water Board staff conducted an inspection of the Facility OWTS on April 3, 2019, and did not observe any violations of the requirements specified in Order No. 88-69.

San Diego Water Board staff reviewed the requirements specified in Order No. 88-69 and the Discharger's annual monitoring reports and determined the Facility's OWTS is eligible for oversight by the County of San Diego under the LAMP. The purpose of the LAMP is to allow continued use of OWTS within the jurisdiction of local agencies and

¹ County of San Diego LAMP:

<https://www.sandiegocounty.gov/content/dam/sdc/deh/lwqd/RWQCB%20Approved%20LAMP%20Final%202-24-15.pdf>

expand the local program to permit and regulate alternative OWTS while protecting water quality and public health. Furthermore, Order No. 88-69 is outdated and is not as protective of water quality as the County of San Diego LAMP, which was developed in accordance with the State Water Resources Control Board's *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy). The OWTS Policy establishes a statewide, risk-based, tiered approach for regulation and management of OWTS installations and replacements, and recognizes the effectiveness of local permitting agencies. The OWTS Policy allows local agencies to approve OWTS, based on a local ordinance, after the Regional Water Quality Control Board approves the LAMP. The San Diego Water Board approved the County of San Diego LAMP on April 29, 2015.

The San Diego Water Board notified the County of San Diego Department of Environmental Health on May 6, 2019, that the Facility's OWTS is eligible for regulation under the authority of the County of San Diego's LAMP. While the Discharger may request to be regulated under individual waste discharge requirements, the Facility's transfer to the County of San Diego allows the San Diego Water Board to effectively and efficiently regulate OWTS that pose a greater threat to water quality, while prioritizing the use of its limited resources.

SIGNIFICANT CHANGES

The significant differences between the County of San Diego LAMP and Order No. 88-69 are:

1. The Facility will no longer need to submit monitoring reports or pay fees to the State Water Resource Control Board.
2. The Facility will be required to submit all proposed OWTS upgrades and septage pumping records, upon request, to the County of San Diego.

COMPLIANCE RECORD

The San Diego Water Board issued one staff enforcement letter for the following violations of Order No. 88-69:

- Failure to prohibit the unauthorized discharge of waste in 1996.
- Failure to submit complete annual monitoring reports for 1995 and 1999.

Since the issuance of a staff enforcement letter in June 2000, no violations of Order No. 88-69 have occurred.

PUBLIC NOTICE

Notification of this action was sent to the Discharger and known interested parties on October 14, 2020 (**Supporting Documents 3 and 4**). Additionally, the San Diego Water Board posted Tentative Order No. R9-2020-0222 on its website on October 14, 2020. No comments were received during the public comment period. These actions satisfy the 30-day public notification and comment period requirements of Water Code section 13167.5.

SUPPORTING DOCUMENTS

1. Tentative Order No. R9-2020-0222
2. Vicinity and Facility Map
3. Tentative Order No. R9-2020-0222 Transmittal Letter
4. Notice of Public Hearing and Comment Period