
San Diego Regional Water Quality Control Board

August 12, 2016

Matt Anderson
Facility & Safety Manager
Hubbs-SeaWorld Research Institute
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San Diego, CA 92109
manderson@hswri.org

Via Email Only

In reply refer to / attn:
230780:bneill

Subject: Compliance Evaluation Inspection for the Hubbs-SeaWorld Research Institute, Leon Raymond Hubbard, Jr. Marine Fish Hatchery, Carlsbad, CA

Mr. Anderson:

On June 28, 2016, Mr. Ben Neill, Ms. Faith Moore, and Ms. Brandi Outwin-Beals of the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) conducted an inspection of the Leon Raymond Hubbard, Jr. Marine Fish Hatchery (Facility) in Carlsbad, CA. The inspection was performed in response to a complaint that plastic biofilter media is routinely found on the beach in the vicinity of the Facility. It is the conclusion of the San Diego Water Board that the Facility is the likely source of the plastic biofilter media in the Pacific Ocean and on the beaches in the vicinity of the Facility. The discharge of biofilter media to surface waters is a violation of the Water Quality Control Plan for the San Diego Basin and the California Ocean Plan. A copy of the Compliance Evaluation Inspection Report is attached for your records.

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.

Discharges of wastewater from the Facility are subject to the Order No. R9-2014-0041, *Conditional Waivers of Waste Discharge Requirements for Low Threat Discharges in the San Diego Region, Waiver of Waste Discharge Requirements No. 8: Discharges from Aquatic Animal Production Facilities* (Waiver). The Waiver is available on the internet at:

http://www.waterboards.ca.gov/sandiego/water_issues/programs/waivers/docs/w/WaiverNo8.pdf

In addition, discharges of storm water from animal aquaculture operations are subject to the *General Permit for Storm Water Discharges Associated with Industrial Activities*, Order No. 2014-0057-DWQ, NPDES No. CAS000001 (Industrial General Permit). The Industrial General Permit is available on the internet at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml#igp_2014-0057-dwq

By September 12, 2016, please submit a Notice of Intent to comply with the Waiver and a separate Notice of Intent to comply with the Industrial General Permit.

For questions or comments regarding the Waiver, please contact Ben Neill by phone at (619) 521-5899 or by email at Ben.Neill@waterboards.ca.gov. For questions regarding the Industrial General Permit, please contact Ms. Whitney Ghoram by phone at (619) or by email at Whitney.Ghoram@waterboards.ca.gov. In the subject line of any response, please include the reference number 230780:bneill.

Respectfully,



for Ben Neill
Brandi Outwin-Beals, P.E.
Senior Water Resource Control Engineer

Enclosure: Compliance Evaluation Inspection Report for the Leon Raymond Hubbard, Jr.
Marine Fish Hatchery

Cc: Laurie Walsh, San Diego Water Board, laurie.walsh@waterboards.ca.gov
Whitney Ghoram, San Diego Water Board, whitney.ghoram@waterboards.ca.gov
Elaine Lukey, City of Carlsbad, elaine.lukey@carlsbadca.gov