



ENCINA WASTEWATER AUTHORITY

A Public Agency

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February 28, 2019

Via CIWQS

Ref: EC 19-0047

California Regional Water Quality Control Board
San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108

Attention: Ms. Joann Lim

**SUBJECT: Submittal of 2018 Annual Pretreatment Program Report
Period January 1, 2018 through December 31, 2018**

Dear Joann,

Enclosed please find a copy of the Encina Wastewater Authority Annual Pretreatment Program Report for 2018. This report is submitted as required by NPDES Permit Number CA0107395.

Please contact Doug Campbell, Director of Environmental Compliance, at (760) 438-3941, ext. 3600, if you have any questions.

Sincerely,

Michael Steinlicht
General Manager

Attachment

cc: Amelia Whitson, EPA Region IX
Russell Norman, State Water Resources Control Board
Gary Erbeck, San Diego County Department of Environmental Health

ENCINA WASTEWATER AUTHORITY

2018 ANNUAL PRETREATMENT PROGRAM REPORT

NPDES PERMIT HOLDER AND
SEWER AUTHORITY NAME: Encina Wastewater Authority

REPORT DATE: February 28, 2019

PERIOD COVERED BY THIS REPORT: January 1 – December 31, 2018

NAME OF POTW: Encina Water Pollution
Control Facility

NPDES PERMIT NUMBER: CA0107395

**PERSON TO CONTACT CONCERNING INFORMATION CONTAINED IN THIS
REPORT:**

Doug Campbell
Director of Environmental Compliance
Encina Wastewater Authority
6200 Avenida Encinas
Carlsbad, CA 92011-1095
Telephone: (760) 438-3941, ext. 3600

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.


Michael Steinlicht
General Manager

Dated: 2/28/19



Encina Wastewater Authority Annual Pretreatment Program Report

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Program Summary

The Encina Wastewater Authority (EWA) operates an approved pretreatment program in North San Diego County. EWA is a joint powers authority consisting of six member agencies: the Cities of Vista, Carlsbad and Encinitas, as well as the Vallecitos Water District, the Buena Sanitation District and the Leucadia Wastewater District. The Encina System is comprised of the collection, treatment and disposal facilities of its member agencies including: the Encina Water Pollution Control Facility, the Gafner Water Reclamation Facility, the Meadowlark Water Reclamation Facility, the Carlsbad Water Recycling Facility and the Encina Ocean Outfall.

The EWA service area encompasses a population of approximately 377,000 and covers a 125 square mile area. This area is predominantly characterized by residential development. At the end of 2018, the combined industrial flow to the EWPCF and MWRf (0.204 MGD) represented only 0.78% of the total average daily influent to both treatment plants (25.96 MGD). It is anticipated that the percentage of industrial flows will remain low due to continued residential growth in the service area.

During 2018, there were no incidents of upset or pass-through at EWA attributed to industrial users.

At the end of 2018, EWA had 55 permitted Industrial Users (IUs): 17 Categorical Industrial Users (CIUs), 3 Non-categorical Significant Industrial Users (SIUs) and 35 Class III Industrial Users (Non-Significant CIUs, zero-discharge CIUs and other businesses with the potential to impact the Encina System). EWA staff conducted 27 inspections and collected 109 samples in the CIU/SIU categories. Additional inspections and sampling of Class III IUs were also conducted. Laboratory data confirm that the Best Management Practices (BMP) Program implemented during 1999 and 2000 has been effective overall in reducing the level of pollutants discharged to the Encina System.

EWA maintains a proactive enforcement stance. During 2018, 42 Notices of Violation (NOVs) were issued and \$15,950.00 in fines and enforcement costs were assessed. Four of the 23 CIU/SIUs in the service area during the year were found to be in Significant Non-Compliance (SNC). One industry was in SNC based on a single violation and then subsequently ceased operations at that location. Another industry was in SNC based on a single daily max/monthly average violation and has identified the problem and taken corrective actions to reestablished compliance. The third industry has also identified a problem and taken corrective actions to reestablished compliance. The final industry was in SNC in three of the four quarters and for two different pollutants; they have taken corrective actions to reestablish compliance for one pollutant, but the second pollutant violations occurred late in the fourth quarter and the industries response is not due until March 14, 2019.

Local Limit Studies for the Encina Water Pollution Control Facility (EWPCF) and Meadowlark Water Reclamation Facility (MWRf) were completed in December 2009;

final approval was received from the San Diego Regional Water Quality Control Board (RWQCB) on March 14, 2012. EWA's Pretreatment Ordinance was amended to reflect the new technically-based local limits, including other recommended changes. EWA's renewed NPDES permit became effective on November 1, 2018. With the issuance of the permit, EWA has retained the services of Larry Walker Associates to determine if the current local limits remain effective in protecting the EWPCF and MWRf or is it necessary to conduct a domestic sewage study and local limits evaluations for the two plants. EWA expects Larry Walker Associates evaluation to be completed in 2019.

Summary of Analytical Results

Data required in this section has been reported electronically to the California RWQCB through the California Integrated Water Quality System (CIWQS). Please refer to the Encina Water Pollution Control Facility and Ocean Outfall 2017 monthly, quarterly, and semiannual self-monitoring reports for Order No. R9-2018-0059, NPDES Permit No. CA0107395. Full priority pollutant scans of the influent and effluent for the EWPCF and MWRf are attached in Appendix A.

Upset, Interference or Pass-through Incidents

The EWPCF experienced a Single Operational Upset (SOU) in March/April. The San Diego Regional Water Quality Control Board's NOV, Settlement Offer, and EWA's Report of Noncompliance are attached in Appendix F.

There were no incidents of upset, interference or pass-through at EWA, attributed to industrial users.

Industrial Users

At the end of 2018, EWA had 55 permitted IUs: 17 Categorical Industrial Users (CIUs), 3 Non-categorical Significant Industrial Users (SIUs) and 35 Class III Industrial Users (Non-Significant CIUs, zero-discharge CIUs and other businesses with the potential to impact the Encina System). The industrial contribution to EWA from CIUs/SIUs (0.204 MGD) as a percentage of the average daily influent (25.96 MGD) is only 0.78%. It is anticipated that the percentage of industrial flows will remain low due to continued residential growth in the service area.

Appendix B contains a list of all SIUs along with: federal category, if applicable; type of pretreatment in place; the number of inspections conducted; the number of samples collected by EWA; the number of samples collected by the IU; the number of limit violations; the IU's compliance status by quarter; whether all Total Toxic Organics (TTO) certifications or monitoring data were submitted; and a summary of any

enforcement actions taken. Below is a list of additions, changes of status and deletions that occurred during the year.

Additions

- Bachem Americas, Inc. – Vista, California – A new Class I permit was issued to this facility in May, which is subject to 40 CFR Part 439, Subpart C PSNS.

Changes of Status

- No changes in 2018

Deletions

- Melles Griot – Carlsbad, California – This business, which was subject to 40 CFR Part 433, ceased all operations. Their Class I Permit was rescinded in December.
- Select Supplements – Carlsbad, California – This business, which was subject to 40 CFR 439, relocated all remaining operations to their new facility in Vista. Their Class I Permit was inactivated in December.
- Vista Industrial Products, Inc. – Vista, California – This business, which was subject to 40 CFR Part 433, relocated all operations to their new facility also located in Vista. Their Class I Permit was rescinded in August.

Appendix C contains a list of industries that EWA has designated as Non-Significant Categorical Industrial Users (NSCIUs) based on their limited ability to impact the Encina System (discharge less than 100 gallons per day, never discharge concentrated wastestreams, and have demonstrated compliance with applicable discharge limits.) EWA continues to perform annual inspections of these businesses and each industry must submit semiannual certification statements that they continue to meet the NSCIU criteria.

Baseline Monitoring Report Requirements

Bachem Americas, Inc. was issued a Class I permit in May. They manufacture peptides and complex organic molecules as active pharmaceutical ingredients and are subject to 40 CFR Part 439, Subpart C PSNS. Baseline monitoring demonstrated compliance with Pharmaceutical Manufacturing Standards and EWA local limits, but subsequent compliance monitoring conducted since their permit was issued has resulted in multiple pollutant violations. See Enforcement Activities section for additional details.

Enforcement Activities

EWA maintains a proactive enforcement stance. During 2018, 42 Notices of Violation (NOVs) were issued and \$15,950.00 in fines and enforcement costs were assessed.

Administrative Orders are not an approved element of EWA's Enforcement Response Plan.

Of the 23 SIUs in the service area during the year, four were found to be in SNC. These industries are discussed below.

Bachem Americas, Inc. had two violations of the federal daily maximum and two violations of the federal monthly average limit for chloroform; one violation of the federal daily maximum and one violation of the federal monthly average limit for methylene chloride, plus two violations of the local limit for pH. NOV's issued and \$1,100.00 in fines assessed. Industry was in SNC at the end of the second and third quarters for chloroform and fourth quarter for methylene chloride. Industry was unable to identify the source of chloroform violations. Industry reports that chloroform is not used on-site, but it can be generated by mixing sodium hypochlorite and IPA, which are both used in the upstream synthesis glass wash room. This wastestream is collected for off-site disposal, but industry believes residual wastewater may have contaminated the floor and discharged to sewer through their mop water. Both EWA and industry checkback samples were within discharge standards. Industries response documenting cause(s) of violation and steps to prevent recurrence for the methylene chloride violations are not due until March 14, 2019. EWA will resample once the industry has responded to the violations.

Glanbia Nutritionals had two violations of the local limit for zinc, and one violation of the local limit for pH. NOV's issued and \$200.00 in fines assessed. Industry was in SNC at the end of the fourth quarter for zinc. Industry reports that the zinc violations were isolated incidences of employees not following their established cleaning procedures. To prevent future violations, employees directly involved were entered into the company's formal disciplinary process, all employees were retrained on proper wash procedures, and the clarifier was pumped and cleaned. Industries' checkback sample was within discharge standards; EWA's checkback sample is pending.

Nutritional Engineering, Inc. had one violation of the federal daily maximum and one violation of the federal monthly average limit for acetone, plus one violation of the local limit for pH. NOV's issued and \$1,200.00 in fines assessed. Industry was in SNC at the end of the second and third quarters for acetone. Industry attributes the acetone violation to staff discharging wastewater generated from rinsing rags used in the labeling operation which contain acetone. To prevent future violations, industry will ensure any wastewater generated from rinsing rags or mops used in the packaging line is collected and hauled for off-site disposal. EWA's checkback sample was within discharge standards.

Vista Industrial Products, Inc. had one violation of the local limit for molybdenum. NOV issued without fines or response required. Industry was in SNC at the end of the second and third quarters for molybdenum. One of two samples collected during the January – June compliance period was in violation. The industry subsequently ceased all production and discharge on May 11, 2018 and relocated their operations to a new

facility in Vista. Their permit was then inactivated, and the industry is currently pursuing a Class I discharge permit for their new location. They will review their operations for potential sources of molybdenum as part of the permitting process.

Pollution Prevention Plans

No industries have submitted or been required to submit a pollution prevention plan.

Best Management Practices Program

In addition to the regulation of SIUs, EWA has attempted to reduce the level of pollutants entering the system through the implementation of a BMP Program. The program began in 1999 with staff development of a wide variety of BMPs for non-significant industrial users. A preliminary file review was performed on each user to determine eligibility to participate in the program. This was followed by an inspection, sampling event and interview to identify applicable pollution prevention strategies.

Users who demonstrated a willingness to participate in the program agreed to implement a variety of actions directed at reducing the level of pollutants in their discharge. Follow-up sampling and inspections are used to verify program effectiveness.

EWA influent data indicates that the BMP Program has been effective in reducing the level of pollutants discharged to the sewer system. Implementation of the program resulted in a reduction in the number of Class III Permits from 304 at the beginning of 1999 to 35 at the end of 2000. Few changes to user classifications have occurred in recent years; however, new non-significant industrial users are encouraged to participate in the program. EWA currently has 519 businesses in the BMP program.

Significant Changes in Pretreatment Program Operation

On March 14, 2012, the San Diego Regional Water Quality Control Board (RWQCB) adopted an amendment to Order No. R9-2011-0019 incorporating new technically-based local limits into EWA's National Pollution Discharge Elimination System permit. Significant changes include: the addition of local limits for arsenic, mercury, molybdenum, and selenium; relaxed local limits for cadmium, copper, lead, nickel, zinc, and pH; and for industries located in the Meadowlark Water Reclamation Facility service area, additional local limits for boron, iron, and manganese, plus more stringent local limits for biochemical oxygen demand and total suspended solids.

Furthermore, to help improve industrial user compliance rates, EWA has: increased the minimum self-monitoring frequency for SIUs from semiannually to quarterly; and revised the sample type from grab to composite for certain constituents (e.g. oil and grease,

cyanide and organics) where applicable. To incorporate these changes, EWA rescinded and reissued all Class I/II SIU permits. This was completed by July 2012. EWA completed the process of rescinding and reissuing all Class III permits in 2013.

Sewage Transfer Agreement Between the City of Oceanside and City of Vista

The City of Vista maintains an agreement with the City Oceanside to provide a connection to the City of Vista collection system for wastewater disposal. This connection was activated on June 22, 2017. Since that time, the City of Oceanside has been discharging an average of 1.2 MGD to the City of Vista collection system. The wastewater is then conveyed to the Encina Water Pollution Control Facility for treatment and discharge to the Pacific Ocean. On January 29, 2018, EWA received notification from the City of Oceanside that the connection will be made permanent. The agreement requires the City of Oceanside to administer EWA's local limits and pretreatment ordinance and allows for a maximum average daily flow of 2.15 MGD.

The area contributing wastewater to the City of Vista is characterized as mainly residential with light commercial and one Significant Industrial User, Tri City Medical Center. The City of Oceanside has categorized this facility as a Non-Categorical Significant Industrial User as they discharge greater than 25,000 gpd of industrial wastewater. The facility is regulated under the City of Oceanside's local limits and must perform semiannual self-monitoring events. No violations of the City of Oceanside or the Encina Wastewater Authority's (EWA) local limits were identified in CY 2018. The City of Oceanside has developed a draft permit incorporating EWA's local limits; the permit is expected to be finalized in early 2019.

EWA and the City of Oceanside will develop an annual report characterizing the compliance status for each SIU discharging to the Encina System including: name and category of each SIU; type of pretreatment; number of samples taken by the SIU; number of samples and inspections performed by the City of Oceanside; whether all required certifications were provided; a list of pollutant violations (categorical or local); industries in SNC at any time during the year; a summary of enforcement actions taken during the year, and the names of any SIU's required to submit a BMR. Semiannual reports will also be required detailing the: names and address of all SIUs which violated any discharge or reporting requirements; a description of the violation, and a description of the enforcement actions taken. EWA will then include this information in our Semiannual and Annual Pretreatment Program Reports. The City of Oceanside will be required to incorporate EWA's local limits into all SIU permits, which discharge to the Encina System. Where both EWA and the City of Oceanside have a limit for the same constituent, the most stringent limit will be enforced.

Summary of Annual Pretreatment Budget

In FY 2019, EWA's Pretreatment Program budget totaled \$753,078. (The amount budgeted may vary slightly from actual expenditures.) This reflects approximately a 9% increase from the amount budgeted during FY 2018. This can be attributed to mainly increased laboratory costs. EWA continues to carry forward the funds budgeted under Professional Services in CY 2017 to complete EWA's local limits evaluation. Although, since the funds have already been allocated, they are not reflected in the current budget, but they remain available. The number of staff members remained unchanged. A line item detail of the budget is attached for reference in Appendix D.

Public Education

The EWPCF has been designed to maximize the use of alternative and renewable resources, including methane gas and biosolids, plus generate effluent for recycled wastewater operations. The facility regularly hosts tours for grade school, middle school, high school, and college students.

EWA also participates in other community outreach activities. In 2018, EWA staff utilized its wastewater treatment plant model for hosting booths at the City of Carlsbad's Citizen's Academy and Public Works Fairs (spring and fall), World Water Day at the Agua Hedionda Discovery Center, and Alta Vista Gardens Earth Day. In addition, copies of the brochure entitled "10 Simple Things You Can Do to Protect the Ocean" were provided to various organizations and private citizens as requested, plus EWA publishes several newsletters a year and maintains multiple social media outlets.

40 CFR Part 403.8(f)(2)(viii) requires at least annual public notification, in the largest daily newspaper in the POTW's service area, of industrial users, which at any time during the previous twelve months, were found in significant non-compliance. Attached in Appendix E is a copy of the SNC publication for the period of January 1 to December 31, 2018.

Biosolids Disposal Methods

In 2018, EWA produced approximately 6,250.63 Dry Metric Tons (DMT) of Class A and Class B biosolids. Most of this material (5,690.53 DMT) was transported by Ag Tech, LLC to farms in Yuma and Somerton, Arizona for land application. The remainder (560.10 DMT) were sold/and or given away for use in the following applications: golf courses, nurseries, High School FFA Organizations, soil blenders and fertilizer products.

Laboratory data demonstrates that metal levels in the biosolids are well below the allowable pollutant concentrations for land application as found in Table 3 of 40 CFR

Part 503.13. The ability to consistently meet these standards is largely due to EWA's small industrial base and effective Pretreatment Program.

Appendix A

Priority Pollutant Laboratory Data

Appendix B

Significant Industrial User Listing

ANNUAL PRETREATMENT PROGRAM REPORT

01/01/2018 - 12/31/2018

Encina Wastewater Authority	Reporting Quarters	Number of Inspections	Agency Monitoring	Self-Monitoring	Limit Violations	Reporting Quarter Status	Flow Rate (GPD)
BACHEM AMERICAS, INC	1						
1271 Avenida Chelsea	2		2	1	4	SNC	
Vista, CA 92081	3		1	2	1	SNC	
40 CFR Part 439, Subpart C PSNS	4	2	2	2	3	SNC	
Pretreatment: settling, pH neutralization, hauling							2,100
Two violations of the federal daily maximum and two violations of the federal monthly average limit for chloroform; one violation of the federal daily maximum and one violation of the federal monthly average limit for methylene chloride, plus two violations of the local limit for pH. NOV's issued and \$1,100.00 in fines assessed. See Enforcement Activities section of the Annual Pretreatment Report for additional details.							
CARLSBAD TECHNOLOGY, INC.	1	1	2	2		C	
5923 Balfour Court	2		3	2		C	
Carlsbad, CA 92008	3		2	2		C	
40 CFR Part 439, Subpart D PSNS	4		2	2		C	
Pretreatment: pH neutralization							1,050
CINTAS CORPORATION	1		2	1		C	
460 West California Avenue	2	1	1	1	1	NC	
Vista, CA 92084	3		1	1		C	
Industrial Laundry - Local Limits	4		1	1		C	
Pretreatment: settling, dissolved air flotation							60,000
One violation of the local limit for BOD. NOV issued and \$100.00 in fines assessed. Industry unable to identify the source or cause of the violation. All maintenance records and equipment were reviewed and inspected; no issues were identified.							

ANNUAL PRETREATMENT PROGRAM REPORT

01/01/2018 - 12/31/2018

Encina Wastewater Authority	Reporting Quarters	Number of Inspections	Agency Monitoring	Self-Monitoring	Limit Violations	Reporting Quarter Status	Flow Rate (GPD)
DOUGLAS TECHNOLOGIES GROUP	1		1			C	
1340 North Melrose Drive	2					C	
Vista, CA 92083	3					C	
40 CFR Part 433 PSNS	4	1				C	
Pretreatment: hauling and evaporation							40*
Industry only had two batch discharges of regulated industrial wastewater to sewer in CY 2018. EWA monitored the initial batch discharge on 1/3/2018, but the industry failed to provide advanced notification to EWA (as required) for the 7/26/2018 batch discharge and failed to self-monitor during the event. NOV issued for failing to provide notification prior to each batch discharge and for failing to self-monitor in the third quarter. Required TTO certifications submitted. *Industry anticipates discharging an annual average of 40 gallons per production day in batch discharges up to 2,500 gallons.							
GLANBIA NUTRITIONALS	1		1	1		C	
2840 Loker Avenue East, Suite #101	2		1	1		C	
Carlsbad, CA 92010	3	1	1	1		C	
40 CFR Part 439, Subpart D PSNS	4		1	1	3	SNC	
Pretreatment: pH neutralization, settling/clarifier							220
Two violations of the local limit for zinc, and one violation of the local limit for pH. NOV's issued and \$200.00 in fines assessed. See Enforcement Activities section of the Annual Pretreatment Report for additional details.							
HOLLANDIA DAIRY, INC.	1		1	1		C	
622 East Mission Road	2	1	1	1		C	
San Marcos, CA 92069	3		1	1		C	
Dairy & Creamery - Local Limits	4		1	1		C	
PT: flow equalization, pH neutralization, MBBRs, DAF							35,000

ANNUAL PRETREATMENT PROGRAM REPORT

01/01/2018 - 12/31/2018

Encina Wastewater Authority	Reporting Quarters	Number of Inspections	Agency Monitoring	Self-Monitoring	Limit Violations	Reporting Quarter Status	Flow Rate (GPD)
HRE PERFORMANCE WHEELS	1		1	1		C	
2611 Commerce Way, Suite D	2		1	1		C	
Vista, CA 92081	3	1	1	1	1	NC	
40 CFR Part 433 PSNS	4	1	1	1	1	NC	
Pretreatment: hauling, recycling							60
Two violations of the local limit for pH. NOVs issued and \$450.00 in fines assessed. Industry attributes both pH violations to floor scrubbing water generated from their mechanical floor scrubber that was being discharged into the sump that feeds Sample Point #1. Industry notes that the single second shift employee could not lift the floor scrubber to dump it into the 300 gallon tote provided for mop water. Additional training for the employee has been provided, and he will now use the forklift to raise the floor scrubber high enough to discharge into the tote for off-site disposal. Required TTO certifications submitted.							
HUGHES CIRCUITS, INC.	1		1	2		C	
540 South Pacific Street	2		2	2		C	
San Marcos, CA 92078	3	1	1	2		C	
40 CFR Part 433 PSNS	4		2	2		C	
Pretreatment: pH adjustment, precipitation & settling							12,500
Required TTO certifications submitted.							
IONIS PHARMACEUTICALS	1					C	
2282 Faraday Avenue	2	1	2	1		C	
Carlsbad, CA 92008	3		1	1		C	
40 CFR Part 439, Subpart C PSNS	4					C	
Pretreatment: hauling							*150
On 12/23/2016, Ionis Pharmaceuticals received FDA approval for Spinraza, a treatment for Spinal Muscular Atrophy. In April 2018, Ionis Pharmaceuticals initiated a one-time commercial batch manufacturing campaign. Commercial manufacturing operations ended in July 2018. No federally regulated wastewater was discharged the remainder of the calendar year. *150 gpd during commercial manufacturing campaign.							

ANNUAL PRETREATMENT PROGRAM REPORT

01/01/2018 - 12/31/2018

Encina Wastewater Authority	Reporting Quarters	Number of Inspections	Agency Monitoring	Self-Monitoring	Limit Violations	Reporting Quarter Status	Flow Rate (GPD)
J&D LABORATORIES, INC.	1		1	1		C	
2710 Progress Street	2	1	1	1		C	
Vista, CA 92081	3		1	1	1	NC	
40 CFR Part 439, Subpart D PSNS	4		2	2	2	NC	
PT: pH neutralization, settling/clarifier, oil skimmer							12,100
Two violations of the local limit for O&G and one violation of the local limit for zinc. NOVs issued and \$450.00 in fines assessed. Industry reports that they were unable to identify a cause for the 8/9/2018 O&G violation. Industry noted that the oil skimmer blades did need adjustment and cleaning, which they performed. Industries response documenting cause(s) of violations and steps to prevent recurrence for the 10/30/2018 O&G and zinc violations is not due until 3/14/2019. EWA will resample once the industry has responded to the violations.							
McCain Manufacturing, Inc.	1	1	1	1		C	
2633 Progress Street	2		1	1		C	
Vista, CA 92081	3		1	1		C	
40 CFR Part 433 PSNS	4		1	1		C	
Pretreatment: settling/clarifier, OWS, pH neutralization							40
Required TTO certifications submitted.							
MELLES GRIOT	1	1	3	3		C	
2051 Palomar Airport Road, Suite #200	2		3	3		C	
Carlsbad, CA 92011	3			2		C	
40 CFR Part 433 PSNS	4	2				C	
Pretreatment: pH neutralization, hauling							900
Industry is out of business at this location; processes have either been discontinued or relocated to their New York facility. Industry ceased all metal finishing operations on 9/14/2018; industrial wastewater discharges to sewer ceased on 9/30/2018. Industries permit has been inactivated. Required TTO certifications submitted.							

ANNUAL PRETREATMENT PROGRAM REPORT

01/01/2018 - 12/31/2018

Encina Wastewater Authority	Reporting Quarters	Number of Inspections	Agency Monitoring	Self-Monitoring	Limit Violations	Reporting Quarter Status	Flow Rate (GPD)
METAL ETCH SERVICES	1		1	2		C	
1165 Linda Vista Drive, Suite #106	2		1	1		C	
San Marcos, CA 92078	3		1	1		C	
40 CFR Part 433 PSNS	4	1	1	1		C	
Pretreatment: pH neutralization, hauling							360
Required TTO certifications submitted							
NATEL ENGINEERING COMPANY, INC.	1	1	1	1		C	
6350 Palomar Oaks Court	2		1	1		C	
Carlsbad, CA 92011	3		1	1		C	
40 CFR Part 433 PSNS	4		1	1		C	
Pretreatment: hauling							2,400
Industries' name changed from Natel to Natel Engineering Company, Inc. Required TTO certifications submitted.							
NATURAL ALTERNATIVES INTERNATIONAL	1		2	2	1	NC	
1215 Park Center Drive	2	1	3	2		C	
Vista, CA 92081	3		2	2		C	
40 CFR Part 439, Subpart D PSNS	4		2	2		C	
Pretreatment: settling/clarifier							2,860
Once violation of the local limit for pH. NOV issued and \$100.00 in fines assessed. Industry attributes the low pH value at Sample Point #2 to processing a product containing Malic Acid on Bulk Powder Filling Line F. Industry determined through the facilities' CCTV system that staff did not effectively sweep the floors prior to wet cleaning. To prevent future violations, industry will periodically use micro fiber mops to minimize powder buildup from the bulk powder filling operation; in addition to, thoroughly sweeping the area prior to any type of wet mopping.							

ANNUAL PRETREATMENT PROGRAM REPORT

01/01/2018 - 12/31/2018

Encina Wastewater Authority	Reporting Quarters	Number of Inspections	Agency Monitoring	Self-Monitoring	Limit Violations	Reporting Quarter Status	Flow Rate (GPD)
NUTRITIONAL ENGINEERING, INC.	1		1	1	1	NC	
1208 Avenida Chelsea	2		2	1	2	SNC	
Vista, CA 92081	3		1			SNC	
40 CFR Part 439, Subpart D PSNS	4	1	2			C	
Pretreatment: hauling & pH neutralization							250
One violation of the federal daily maximum and one violation of the federal monthly average limit for acetone, plus one violation of the local limit for pH. NOV's issued and \$1,200.00 in fines assessed. See Enforcement Activities section of the Annual Pretreatment Report for additional details.							
PRIMARCH MANUFACTURING, INC.	1		1	2		C	
1211 Liberty Way, Suite A	2	1	1	2		C	
Vista, CA 92083	3		1	1		C	
40 CFR Part 439, Subpart D PSNS	4		1	1		C	
Pretreatment: settling/clarifier, oil & grease removal							1,500
PRUDENTIAL OVERALL SUPPLY	1		2	1	2	NC	
2485 Ash Street	2		3	1		C	
Vista, CA 92081	3		1	1		C	
Industrial Laundry - Local Limits	4	1	1	1	1	NC	
PT: flow equalization, pH neutralization, settling, DAF							67,000
Two violations of the local limit for BOD and one violation of the local limit for pH. NOV's issued and \$800.00 in fines assessed. The 2/21/2018 BOD violation was attributed to an excessive amount of solids accumulation in the bottom of the DAF tank. Industry noted that an operator was not skimming the DAF tank as required to remove excess sludge. Two new staff are in place and trained to skim the DAF unit every two hours or more frequently as required to prevent any sludge build-up. The pH violation was attributed to pH the probes monitoring the mix tank and final effluent being out of calibration, plus incorrectly set high and low level alarms for the final effluent. A new company has recalibrated the units, and the industry will now verify during quarterly sensor calibrations that the alarms activate at the correct set points. Industries response documenting cause(s) of violation and steps to prevent recurrence for the 10/4/2018 BOD violation is not due until 3/16/2019. EWA will resample once the industry has responded to the violation.							

ANNUAL PRETREATMENT PROGRAM REPORT

01/01/2018 - 12/31/2018

Encina Wastewater Authority	Reporting Quarters	Number of Inspections	Agency Monitoring	Self-Monitoring	Limit Violations	Reporting Quarter Status	Flow Rate (GPD)
SEASpine, INC.	1		1	1		C	
5770 Armada Drive	2	1	1	1		C	
Carlsbad, CA 92008	3		1	1		C	
40 CFR Part 433 PSNS	4		1	*		C	
Pretreatment: hauling							250
*SeaSpine's fourth quarter 2018 self-monitoring event was collected outside the monitoring period on 1/15/2019; NOV issued. Required TTO certifications submitted.							
SELECT SUPPLEMENTS, INC.	1		1	1		C	
5800 Newton Drive	2		2	1		C	
Carlsbad, CA 92008	3		1	1		C	
40 CFR Part 439, Subpart D PSNS	4	1	1			C	
Pretreatment: settling/clarifier							1,867
Industry relocated all operations to their Vista, CA facility. Industry ceased production on 10/22/2019; industrial wastewater discharges to sewer ceased on 10/26/2018. NOV issued for failing to self-monitor in the fourth quarter of 2018. Industries permit has been inactivated.							
SELECT SUPPLEMENTS, INC.	1		1	1		C	
2390 Oak Ridge Way	2		1	1		C	
Vista, CA 92081	3		1	1		C	
40 CFR Part 439, Subpart D PSNS	4	1	1	*		C	
Pretreatment: settling/clarifier							2,000
*Select Supplements fourth quarter 2018 self-monitoring event was collected outside the monitoring period on 1/3/2019; NOV issued.							

ANNUAL PRETREATMENT PROGRAM REPORT
01/01/2018 - 12/31/2018

Encina Wastewater Authority	Reporting Quarters	Number of Inspections	Agency Monitoring	Self- Monitoring	Limit Violations	Reporting Quarter Status	Flow Rate (GPD)
VERSUM MATERIALS US, LLC.	1	1	1	1		C	
1969 Palomar Oaks Way	2		1	1		C	
Carlsbad, CA 92011	3		1	1		C	
40 CFR Part 433 PSNS	4		1	1		C	
Pretreatment: pH neutralization							600
Required TTO certifications submitted.							
VISTA INDUSTRIAL PRODUCTS, INC.	1		1	1		C	
1395 Park Center Drive	2	1	1	1	1	SNC	
Vista, CA 92081	3						
40 CFR Part 433 PSNS	4						
PT: Cr reduction, precip & settling, pH neutralization							2,600
One violation of the local limit for molybdenum. NOV issued without fines or response required. See Enforcement Activities section of the Annual Pretreatment Report for additional details. Required TTO certifications submitted.							

Appendix C

Non-Significant Categorical Industrial User Listing

Non-Significant Categorical Industrial Users (NSCIUs)

Anything Liquid Manufacturing, Inc.
2080 Las Palmas Drive, Suite 103
Carlsbad, CA 92011
Category – 40 CFR Part 439

Gematria Products, Inc.
2260 Rutherford Road, Suite 101
Carlsbad, CA 92008
Category – 40 CFR Part 439

Piercan USA, Inc.
180 Bosstick Boulevard
San Marcos, CA 92069
Category – 40 CFR Part 428

Sabre Sciences
2233 Faraday, Suite K
Carlsbad, CA 92008
Category – 40 CFR Part 439

Seven Manufacturing
1420 Decision Street, Suite C
Vista, CA 92081
Category – 40 CFR Part 439

The GHT Companies
2465 Ash Street
Vista, CA 92081
Category – 40 CFR Part 439

Appendix D

Pretreatment Program Budget

OPERATING EXPENSE SUMMARY: SOURCE CONTROL

PERSONNEL

		Actual FY2017		Budget FY2018		Projected FY2018		Recommended FY2019		% Change
5100	Salaries	\$	383,060	\$	378,322	\$	392,711	\$	415,115	10%
5200	Benefits	\$	151,277	\$	149,852	\$	166,776	\$	149,563	0%
Total Personnel Expenses		\$	534,338	\$	528,174	\$	559,487	\$	564,678	7%

NON-PERSONNEL

			Actual FY2017		Budget FY2018		Projected FY2018		Recommended FY2019		% Change
40001	5520	Books	\$	128	\$	250	\$	250	\$	250	0%
40001	5930	Equipment Replacement	\$	643	\$	600	\$	600	\$	3,300	450%
40001	6120	Fuel & Lube	\$	1,217	\$	1,500	\$	1,500	\$	1,750	17%
40001	6310	Lab Equipment Repair	\$	4,648	\$	5,075	\$	4,325	\$	5,200	2%
40001	6330	Lab Supplies	\$	-	\$	-	\$	-	\$	750	100%
40001	6410	Laundry & Uniforms	\$	1,535	\$	1,560	\$	1,560	\$	1,600	3%
40001	6422	Legal Notices	\$	780	\$	750	\$	750	\$	1,500	100%
40001	7120	Printing & Reproduction	\$	30	\$	500	\$	500	\$	500	0%
40001	7130	Public Information	\$	2,257	\$	3,000	\$	3,000	\$	3,000	0%
Total Non-Personnel Expenses			\$	11,237	\$	13,235	\$	12,485	\$	17,850	35%

INTERNAL SERVICE FUNDS

			Actual FY2017		Budget FY2018		Projected FY2018		Recommended FY2019		% Change
11001		Administration	\$	78,178	\$	96,509	\$	91,361	\$	97,396	1%
12001		Laboratory	\$	62,231	\$	51,471	\$	65,769	\$	71,275	38%
13001		Energy Management	\$	1,694	\$	1,879	\$	1,868	\$	1,879	0%
Total Internal Service Fund Expenses			\$	142,103	\$	149,859	\$	158,998	\$	170,550	14%
Total Operating Expenses			\$	687,678	\$	691,268	\$	730,970	\$	753,078	9%

PERSONNEL EXPENSE SUMMARY *by* PROGRAM

Programs

	2018 Budget	2018 Positions	2019 Budget	2019 Positions	% Change
Encina Water Pollution Control Facility	\$ 4,616,116	32.50	\$ 4,772,394	32.11	3.4%
Source Control	\$ 528,174	3.35	\$ 564,678	3.35	6.9%
<i>Agua Hedionda Pump Station</i>	\$ 167,222	1.07	\$ 181,796	1.16	8.7%
<i>Buena Vista Pump Station</i>	\$ 172,555	1.15	\$ 196,550	1.24	13.9%
<i>Buena Creek Pump Station</i>	\$ 159,272	1.00	\$ 181,006	1.12	13.6%
<i>Carlsbad Water Reclamation Facilities</i>	\$ 533,058	3.60	\$ 553,227	3.52	3.8%
<i>Raceway Basin Pump Station</i>	\$ 129,867	0.85	\$ 147,429	0.93	13.5%
Remote Facilities	\$ 1,161,974	7.66	\$ 1,260,008	7.97	8.4%
Subtotal	\$ 6,306,264	43.51	\$ 6,597,080	43.43	4.6%
Internal Service Funds	\$ 2,277,015	13.53	\$ 2,353,388	13.36	3.4%
Subtotal Operating	\$ 8,583,279	57.04	\$ 8,950,468	56.79	4.3%
Capital Program	\$ 2,402,012	12.96	\$ 2,510,714	13.21	4.5%
Total Personnel Expense	\$ 10,985,291	70.00	\$ 11,461,182	70.00	4.3%

PERSONNEL EXPENSE SUMMARY *by* ACCOUNT

Salaries

	2018 Budget	% of Total	2019 Budget	% of Total	% Change
Regular	\$ 6,964,344		\$ 7,365,599		5.8%
Overtime	\$ 130,000		\$ 130,000		0.0%
Holiday	\$ 101,000		\$ 95,000		-5.9%
Temporary & Part-Time Staff	\$ 120,000		\$ 250,000		108.3%
Intern Program	\$ 29,800		\$ 29,800		0.0%
Shift Differential	\$ 44,000		\$ 38,060		-13.5%
Incentive Awards	\$ 14,000		\$ 14,000		0.0%
Standby	\$ 12,500		\$ 9,000		-28.0%
Subtotal Salaries	\$ 7,415,644	67.5%	\$ 7,931,459	69.2%	7.0%

Benefits

	2018 Budget	% of Total	2019 Budget	% of Total	% Change
CalPERS Retirement Program — Normal Cost	\$ 1,356,209		\$ 1,456,815		7.4%
CalPERS Retirement Unfunded Liability (30 Yr Amort)	\$ 1,007,366		\$ 740,618		-26.5%
CalPERS Employee Contribution	\$ (554,234)		\$ (582,060)		5.0%
Other Post-Employment Benefits	\$ 36,000		\$ 79,150		119.9%
Flexible Benefits 125 Plan	\$ 1,126,664		\$ 1,197,070		6.2%
Deferred Compensation	\$ 266,106		\$ 281,890		5.9%
Medicare	\$ 111,816		\$ 120,141		7.4%
Unemployment	\$ 25,000		\$ 20,000		-20.0%
Workers Compensation Insurance	\$ 157,751		\$ 181,000		14.7%
Professional Certification	\$ 11,870		\$ 10,000		-15.8%
Employee Assistance Program	\$ 1,900		\$ 1,900		0.0%
General Manager Benefits	\$ 7,200		\$ 7,200		0.0%
Education Assistance	\$ 16,000		\$ 16,000		0.0%
Subtotal Benefits	\$ 3,569,647	32.5%	\$ 3,529,723	30.8%	-1.1%

Total Personnel Expense	\$ 10,985,291	100.0%	\$ 11,461,182	100.0%	4.3%
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Appendix E
SNC Publication

PUBLIC NOTICE

INDUSTRIAL USERS IN SIGNIFICANT NON-COMPLIANCE WITH SEWER DISCHARGE REQUIREMENTS

For the period from January 1, 2018 through December 31, 2018, the following INDUSTRIAL USERS, located in the Encina Wastewater Authority service area, were found to be in Significant Non-Compliance for exceeding applicable discharge limits or failing to meet reporting requirements, based on statistical criteria established by EPA and set forth at 40 CFR Part 403.8(f)(2)(viii). For further information please contact Doug Campbell, Encina Wastewater Authority Director of Environmental Compliance at (760) 438-3941, extension 3600.

Industry	Address	Pollutant/Other
Bachem Americas, Inc.	1271 Avenida Chelsea Vista, CA 92081	Chloroform Methylene Chloride
Glanbia Nutritionals	2840 Loker Avenue East, #101 Carlsbad, CA 92010	Zinc
Nutritional Engineering, Inc.	1208 Avenida Chelsea Vista, CA 92081	Acetone
Vista Industrial Products, Inc.	1395 Park Center Drive Vista, CA 92081	Molybdenum

Appendix F

San Diego Regional Water Quality Control Board Notice of Violation



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

San Diego Regional Water Quality Control Board

July 13, 2018

Sent By Email Only

Michael Steinlicht
General Manager
Encina Wastewater Authority
6200 Avenida Encinas
Carlsbad, CA 92011-1095
mikes@encinaipa.com

In reply refer to / attn:
222754:JLLim

Subject: Settlement Offer No. R9-2018-0121: Offer to Participate in Expedited Payment Program Relating to Violation of Order No. R9-2011-0019, NPDES No. CA0107395

Mr. Steinlicht:

The Encina Wastewater Authority (EWA or Permittee) is hereby notified of an alleged violation of Order No. R9-2011-0019, *Waste Discharge Requirements for the Encina Wastewater Authority, Encina Water Pollution Control Facility and Satellite Wastewater Treatment Plants Discharge to the Pacific Ocean through the Encina Ocean Outfall*, and of the opportunity to participate in an Expedited Payment Program to address liability that may be assessed pursuant to California Water Code section 13385.

ALLEGED VIOLATION SUBJECT TO THIS OFFER

As detailed in Exhibit A, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) alleges that the Permittee has violated Order No. R9-2011-0019.

STATUTORY LIABILITY

The Permittee is subject to the following statutory liabilities:

1. Water Code sections 13385(f), (h), and (i) requires the assessment of a mandatory minimum penalty of \$3,000 for a single operational upset that leads to simultaneous violations of more than one pollutant parameter;
2. Water Code section 13385(c) allows for additional civil liability of up to \$10,000 for each day in which the simultaneous violations occur, and \$10 for each gallon discharged but not cleaned up in excess of 1,000 gallons; and
3. Water Code section 13385(e)(2) allows for the reimbursement of staff costs.

These mandatory minimum penalties and discretionary administrative civil liabilities may be assessed by the San Diego Water Board beginning with the date that the simultaneous violations first occurred.

TOMAS MORALES, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

The formal enforcement that the San Diego Water Board uses to assess such liability is an administrative civil liability complaint, although the San Diego Water Board may instead refer such matters to the Attorney General's Office for prosecution. If referred to the Attorney General's Office for prosecution, the Superior Court may assess up to \$25,000 per violation. In addition, the Superior Court may assess up to \$25 per gallon discharged but not cleaned up in excess of 1,000 gallons, plus staff costs.

SETTLEMENT OFFER

The Permittee can avoid formal enforcement action and settle the alleged violation identified in Exhibit A by participating in the San Diego Water Board's Expedited Payment Program. The Permittee may accept this conditional Settlement Offer, waive its right to a hearing, and pay the mandatory minimum penalty of **\$3,000** for the violation described in Exhibit A. If the Permittee elects to do so, the San Diego Water Board will execute the Settlement Offer, subject to the conditions below. Accordingly, the San Diego Water Board will forego issuance of a formal administrative liability complaint, will not refer the violation to the Attorney General's Office, will not charge incurred staff costs, and will waive its right to seek additional discretionary civil liabilities for the violation identified in Exhibit A.

The Expedited Payment Program does not address or resolve liability for any violation that is not specifically identified in Exhibit A regardless of the date that the violation occurred.

OPTIONS FOR REPONSE TO OFFER

1. If the Permittee accepts this offer, the Permittee shall complete and return the enclosed Acceptance of Conditional Resolution and Waiver of Right to Hearing of Settlement Offer No. R9-2018-0121 (Acceptance and Waiver, Exhibit B) on or before 5 p.m. on August 13, 2018.
2. If the Permittee chooses to contest the violation alleged in Exhibit A, the Permittee shall submit in writing the specific violation and the basis for the challenge (factual error, affirmative defense, etc.) to the San Diego Water Board on or before 5 p.m. on August 13, 2018. The San Diego Water Board will evaluate the contested violation and take one of two actions:
 - a. The San Diego Water Board will determine that the violation is not supported, expunge the alleged violation, take no further action against the Permittee for the alleged violation, and notify the Permittee in writing of that determination; or
 - b. The San Diego Water Board will determine that the alleged violation is meritorious and will notify the Permittee of that determination. The Permittee will be given 30 days from the date of receipt of the San Diego Water Board determination to either accept the Settlement Offer by completing and returning the Acceptance and Waiver to the San Diego Water Board, or to reject the Settlement Offer.
3. If the Permittee does not respond to this offer, the San Diego Water Board will initiate a formal enforcement action with regard to the alleged violation. In a formal enforcement action, the liability amount sought and/or imposed may exceed the liability amount set forth in this conditional Settlement Offer. Moreover, the staff costs of investigating the violation and proceeding with formal enforcement action are factors that will be considered in assessing the liability amount.

CONDITIONS FOR SAN DIEGO WATER BOARD ACCEPTANCE OF RESOLUTION

Pursuant to title 40 of the Code of Federal Regulations (40 CFR), section 123.27(d)(2)(iii), the San Diego Water Board is required to publish and allow the public 30 days to comment on any settlement of an enforcement action addressing alleged violations of National Pollutant Discharge Elimination System (NPDES) permit conditions. Upon receipt of the Permittee's Acceptance and Waiver, the San Diego Water Board will publish a notice of the proposed resolution of the violation.

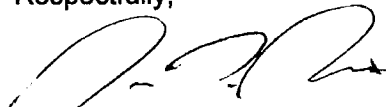
If no comments are received within the 30-day comment period, and unless there are new material facts that become available to the San Diego Water Board, the Executive Officer will execute the Acceptance and Waiver as a stipulated order assessing the uncontested mandatory minimum penalty amount pursuant to Water Code section 13385.

If, however, significant comments are received in opposition to the settlement, this conditional offer may be withdrawn. In that case, the Permittee's waiver pursuant to the Acceptance and Waiver will also be treated as withdrawn, and the violation will be addressed in a liability assessment proceeding. At the liability assessment hearing, the Permittee will be free to make arguments as to the alleged violation, and the Permittee's agreement to accept this conditional Settlement Offer will not in any way be binding or used as evidence against the Permittee. The Permittee will be provided with further information on the liability assessment proceeding.

In the event the Acceptance and Waiver is executed by the Executive Officer, full payment of the assessed amount shall be due within 30 calendar days after the Permittee's receipt of the notice of the Executive Officer's execution. In accordance with Water Code section 13385(n)(1), funds collected for violations of effluent limitations and reporting requirements pursuant to section 13385 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the liability shall be paid by cashier's or certified check made out to the "State Water Pollution Cleanup and Abatement Account." Failure to pay the full liability within the required time period may subject the Permittee to further liability.

A summary of this offer is enclosed as Exhibit C. Should you have any questions about this conditional offer, please contact Ms. Joann Lim by phone at 619-521-3362, or by email at Joann.Lim@waterboards.ca.gov.

Respectfully,



James G. Smith
Assistant Executive Officer

JGS:dtb:bo:jll

Enclosures:

- Exhibit A: Notice of Violation Subject to Mandatory Minimum Penalty, Encina Ocean Outfall
- Exhibit B: Acceptance of Conditional Resolution and
Waiver of Right to Hearing of the Settlement Offer No. R9-2018-0121
- Exhibit C: Summary of Settlement Offer No. R9-2018-0121

cc by email:

Jeff Parks, Encina Wastewater Authority, jparks@encinaipa.com
David Barker, San Diego Water Board, dbarker@waterboards.ca.gov
Chiara Clemente, San Diego Water Board, cclemente@waterboards.ca.gov
Brandi Outwin-Beals, San Diego Water Board, Brandi.Outwin-Beals@waterboards.ca.gov
Keith Yaeger, San Diego Water Board, Keith.Yaeger@Waterboards.ca.gov

Tech Staff Info & Use	
Order No.	R9-2011-0019
Party ID	14804 (Encina Wastewater Authority)
File No.	01-030
WDID	9 000000030
NPDES No.	CA0107395
Reg. Measure IDs	378933 (R9-2011-0019), 422085 (R9-2018-0121)
Place ID	222754
Person ID	575592 (Michael Steinlicht)
Violation IDs	1042800, 1042801, 1042802, 1042803, 1042804, 1042805, 1042806, 1042807, 1042808, and 1043836

Exhibit A

NOTICE OF VIOLATION SUBJECT TO MANDATORY MINIMUM PENALTIES ENCINA OCEAN OUTFALL

For the purposes of California Water Code sections 13385, a single operational upset (SOU) that leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation [Water Code section 13385(f)(1)]. For the purposes of subdivisions 13385(h) and (i), an SOU in a wastewater treatment unit that treats wastewater using a biological treatment process shall be treated as a single violation, even if the operational upset results in violations of more than one effluent limitation and the violations continue for a period of more than one day, if all the criteria at Water Code sections 13385(f)(2)(A)(i) and (ii) apply [Water Code section 13385(f)(2)(A)]. Water Code section 13385(f)(2)(A) only applies to violations that occur during a period for which the regional board has determined that violations are unavoidable, but in no case may that period exceed 30 days [Water Code section 13385(f)(2)(B)].

The following table lists effluent exceedances that occurred from March 17 to April 7, 2018. The Encina Wastewater Authority (EWA or Permittee) has reported that the effluent exceedances occurred as a result of an SOU and has met all of the conditions for an SOU pursuant to Water Code section 13385(f). For additional information about the effluent exceedances listed in the table:

1. Refer to the State Water Resources Control Board Public Reports webpage:
http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml;
2. Choose the "MMP Report" link located under the "Violations Reports" category; and
3. Enter the search criteria.

An SOU led to the following simultaneous violations for a period of more than one day. Water Code section 13385(f) provides that an SOU shall be treated as a single violation.

Violation ID	Occurred Date	Violation Type	MMP Type	Violation Description	Facility Name
1042806	03/17/2018	CAT1	SOU	The average weekly effluent limitation of 45 mg/L for total suspended solids (TSS) was exceeded, with a reported value of 109.3 mg/L at Monitoring Location M-001.	Encina Water Pollution Control Facility
1042802	03/31/2018	CAT1	SOU	The average weekly effluent limitation of 45 mg/L for TSS was exceeded, with a reported value of 111.5 mg/L at Monitoring Location M-001.	Encina Water Pollution Control Facility
1043836	04/07/2018	CAT1	SOU	The average weekly effluent limitation of 45 mg/L for TSS was exceeded, with a reported value of 51.1 mg/L, at Monitoring Location M-001.	Encina Water Pollution Control Facility
1042804	03/17/2018	CAT1	SOU	The average weekly effluent limitation of 15,000 lbs/day for TSS was exceeded, with a reported value of 21,469 lbs/day, at Monitoring Location M-001.	Encina Water Pollution Control Facility
1042800	03/31/2018	CAT1	SOU	The average weekly effluent limitation of 15,000 lbs/day for TSS was exceeded, with a reported value of 23,967 lbs/day, at Monitoring Location M-001.	Encina Water Pollution Control Facility
1042801	03/31/2018	CAT1	SOU	The average monthly effluent limitation of 30 mg/L for TSS was exceeded, with a reported value of 63.5 mg/L, at Monitoring Location M-001.	Encina Water Pollution Control Facility

Violation ID	Occurred Date	Violation Type	MMP Type	Violation Description	Facility Name
1042803	03/31/2018	CAT1	SOU	The average monthly effluent limitation of 10,000 lbs/day for TSS was exceeded on March 31, with a reported value of 13,024 lbs/day, at Monitoring Location M-001.	Encina Water Pollution Control Facility
1042805	03/31/2018	CAT1	SOU	The minimum average monthly percent removal for TSS of 85% was not met on March 31, with a reported value of 79.6%, at Monitoring Location M-001.	Encina Water Pollution Control Facility
1042808	03/17/2018	CAT1	SOU	The average weekly effluent limitation of 40 mg/L for carbonaceous biochemical oxygen demand 5-day @ 20 degrees Celsius (CBOD ₅) was exceeded on March 17, with a reported value of 50.3 mg/L, at Monitoring Location M-001.	Encina Water Pollution Control Facility
1042807	03/31/2018	CAT1	SOU	The average monthly effluent limitation of 25 mg/L for CBOD ₅ was exceeded on March 31, with a reported value of 30.5 mg/L, at Monitoring Location M-001.	Encina Water Pollution Control Facility

EXPEDITED PAYMENT AMOUNT

Mandatory Minimum Penalty Amount for Effluent Limit Violations

1 Serious Violation × \$3,000 per Serious Violation = \$3,000 Expedited Payment Amount

DEFINITIONS

AM	Effluent exceeds average monthly limitation.
ATOX	Violation of an acute toxicity effluent limitation.
AW	Effluent exceeds average weekly limitation.
CAT1	Violation of an effluent limitation for a Group I pollutant by more than 40%.
CAT2	Violation of an effluent limitation for a Group II pollutant by more than 20%.
CBOD ₅	Carbonaceous Biochemical Oxygen Demand 5-day @ 20 degrees Celsius.
CHRON	Chronic violation as defined by Water Code section 13385 (i). To be counted as a chronic violation, there must be 3 preceding violations within a 180-day period. The fourth non-serious violation that occurs within the 180 period is an MMP violation.
CIWQS	California Integrated Water Quality System database.
CTOX	Violation of a chronic toxicity effluent limitation.
DM	Effluent exceeds daily maximum limitation.
DREP	Deficient reporting violation. This will only result in an MMP if the report is so deficient as to make determination of compliance impossible for that reporting period.
GROUP	The list of pollutants is based on Appendix A to section 123.45 of title 40 of the Code of Federal Regulations.
IM	Effluent exceeds instantaneous maximum limitation.
LREP	Late reporting violation. Every 30 days a report is late counts as one late reporting violation.
M	Effluent exceeds limit for monthly reporting period.
MMP Type	Classification of the type of MMP violation.
Occurrence Date	Date that a violation actually occurred. For continuing violations, such as a monthly average, the last day of the reporting period is used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
Q	Effluent exceeds limit for quarterly reporting period.
S	Effluent exceeds limit for semi-annual reporting period.
SOU	Single Operational Upset pursuant to Water Code sections 13385(f).
SIG	Serious violation as defined by Water Code section 13385 (h). Waste discharge exceeds the effluent limitation for a Group I pollutant by 40% or more (CAT1), or a Group II pollutant by 20% or more (CAT2). Also defined by Water Code section 13385.1 as a failure to file a discharge monitoring report pursuant to Water Code section 13383 for each period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in waste discharge requirements that contain effluent limitations.
TSS	Total Suspended Solids.
Violation Description	Narrative description of the violation.
Violation ID	Identification number assigned to a violation in CIWQS.
Violation Type	Classification of a violation. Two types of violations relate to MMPs: 1) Late Reporting Violations (LREP, DREP) 2) Effluent Violations (ATOX, CTOX, CAT1, CAT2, OEV)

Exhibit B

ACCEPTANCE OF CONDITIONAL RESOLUTION AND WAIVER OF RIGHT TO HEARING OF THE SETTLEMENT OFFER NO. R9-2018-0121

By signing below and returning this Acceptance of Conditional Resolution and Waiver of Right to Hearing (Acceptance and Waiver) to the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board), the Encina Wastewater Authority (EWA or Permittee) hereby accepts the *Offer to Participate in Expedited Payment Program* and waives the right to a hearing before the San Diego Water Board to dispute the allegations of violation described in the Settlement Offer, which is attached hereto as Exhibit A and incorporated herein by reference.

The Permittee agrees that the Settlement Offer shall serve as a complaint pursuant to Article 2.5 of the Water Code and that no separate complaint is required for the San Diego Water Board to assert jurisdiction over the alleged violation through its Chief Prosecutor. The Permittee agrees to pay the penalties required by Water Code section 13385, in the sum of \$3,000 (Expedited Payment Amount), which shall be deemed payment in full of any civil liability pursuant to Water Code section 13385 that otherwise might be assessed for the violation described in the Settlement Offer. The Permittee understands that this Acceptance and Waiver waives the Permittee's right to contest the allegations in the Settlement Offer and the amount of civil liability for such violation.

The Permittee understands that this Acceptance and Waiver does not address or resolve liability for any violation that is not specifically identified in the Settlement Offer.

Upon execution by the Permittee, the completed Acceptance and Waiver shall be returned to:

California Regional Water Quality Control Board, San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108-2700
ATTN: 222754:JLLim

The Permittee understands that federal regulations set forth at title 40 of the Code of Federal Regulations, section 123.27(d)(2)(iii), require the San Diego Water Board to publish notice of and provide at least 30 days for public comment on any proposed resolution of an enforcement action addressing National Pollutant Discharge Elimination System (NPDES) permit violations. Accordingly, this Acceptance and Waiver, prior to execution by the Executive Officer, will be published as required by law for public comment.

During the public comment period, if no comments are received that cause the Executive Officer to question the Expedited Payment Amount, the Executive Officer will execute the Acceptance and Waiver.

The Permittee understands that if significant comments are received in opposition to the Expedited Payment Amount, the offer on behalf of the San Diego Water Board to resolve the violation set forth in the Settlement Offer may be withdrawn. In that circumstance, the Permittee will be advised of the withdrawal and an administrative civil liability complaint may be issued and the matter may be set for a hearing before the San Diego Water Board. For such a liability hearing, the Permittee understands that this Acceptance and Waiver executed by the Permittee will be treated as a settlement communication and will not be used as evidence in that hearing.

The Permittee further understands that once the Acceptance and Waiver is executed by the Executive Officer, the full payment required by the deadline set forth below is a condition of this Acceptance and Waiver. In accordance with Water Code section 13385(n)(1), funds collected

Exhibit B

- 2 -

Acceptance of Conditional Resolution and Waiver
of Right to Hearing of the Settlement Offer
No. R9-2018-0121

for violations of effluent limitations and reporting requirements pursuant to section 13385 shall be deposited in the State Water Pollution Cleanup and Abatement Account. Accordingly, the liability shall be paid by a cashier's or certified check for \$3,000 made out to the "State Water Pollution Cleanup and Abatement Account." Payment must be submitted to the State Water Resources Control Board, Accounting Office, Attn: ACL Payment, P.O. Box 1888, Sacramento, CA 95812-1888, no later than thirty (30) calendar days after the date the Permittee receives written notice that the Executive Officer has executed this Acceptance and Waiver. A copy of the check must also be received by the San Diego Water Board at 2375 Northside Drive, Suite 100, San Diego, CA 92108-2700 within thirty (30) days of approval via U.S. Postal Service or email to SanDiego@waterboards.ca.gov, attention 222754:JLLim.

I hereby affirm that I am duly authorized to act on behalf of and to bind the Permittee in the making and giving of this Acceptance and Waiver.

Encina Wastewater Authority

By:

Michael Steinhilch

Signed Name

Michael Steinhilch

Printed or Typed Name

7/16/2018

Date

General Manager

Title

IT IS SO ORDERED PURSUANT TO WATER CODE SECTION 13385.

By:

David W. Gibson

DAVID W. GIBSON
Executive Officer

27 September 2018

Date

Exhibit C

SUMMARY OF THE SETTLEMENT OFFER NO. R9-2018-0121

Enforcement of Mandatory Minimum Penalty for NPDES Effluent Limit Violation Water Code sections 13385(f), (h), and (i)

You have until August 13, 2018 to act or face more penalties.

Questions: Contact Joann Lim at (619) 521-3362

This is a plain language summary of the attached Settlement Offer No. R9-2018-0121 to participate in an Expedited Payment Program to address alleged violation of Order No. R9-2011-0019, *Waste Discharge Requirements for the Encina Wastewater Authority, Encina Water Pollution Control Facility and Satellite Wastewater Treatment Plants Discharge to the Pacific Ocean through the Encina Ocean Outfall*.

The Encina Wastewater Authority, Encina Water Pollution Control Facility has exceeded effluent limitations established in Order No. R9-2011-0019. The violation is subject to a mandatory minimum penalty of \$3,000 pursuant to Water Code section 13385(f), (h), and (i). Consequently, the San Diego Water Board will assess a monetary liability for \$3,000 for this serious violation. However, instead of pursuing a formal enforcement complaint with penalties higher than the mandatory minimum, the San Diego Water Board is offering the opportunity to participate in an Expedited Payment Program to resolve the violation.

The Encina Wastewater Authority has three response options:

1. **Accept the conditional Settlement Offer** by agreeing to pay a settlement of \$3,000. This is the fastest and most certain way to get closure on this enforcement action. If chosen, sign and submit the Acceptance and Waiver Form, attached to the Settlement Offer letter, by 5 p.m. on August 13, 2018. The form provides submittal instructions.
2. **Contest the violation** by submitting in writing the basis of the challenge with supporting evidence. For example, submit evidence that the alleged violation is inaccurate or meets the criteria for exceptions to mandatory minimum penalties described in Water Code section 13385(j). If chosen, submit challenge by 5 p.m. on August 13, 2018.

The challenge will be reviewed, and if San Diego Water Board staff agrees, the Encina Wastewater Authority will be notified in writing that the enforcement action has been terminated. However, if San Diego Water Board staff does not agree, they will prepare a formal enforcement complaint at a higher dollar amount than the settlement offer of \$3,000. To avoid the latter, contact Joann Lim (see contact information above) as soon as possible to discuss the validity of the challenge.

3. **Reject the conditional Settlement Offer** by not responding or submitting the rejection in writing by 5 p.m. on August 13, 2018. In either case, San Diego Water Board staff will prepare a formal enforcement complaint at a higher dollar amount than the settlement offer. The date of submittal or failure to submit the Acceptance and Waiver form will affect the recommended penalty amount.



ENCINA WASTEWATER AUTHORITY

A Public Agency

6200 Avenida Encinas
Carlsbad, CA 92011-1095
Telephone (760) 438-3941
FAX (760) 438-3861 (Plant)
(760) 431-7493 (Admin)

April 27, 2018

Ref: 18-13215
EMAIL ONLY

California Regional Water Quality Control Board, San Diego Region
2375 Northside Drive, Suite 100
San Diego, CA 92108

Attention: Mr. David Gibson

Subject: **Report of Noncompliance NPDES Permit No. CA0107395**
Order No. R9-2011-0019

In March/April of 2018, the Encina Water Pollution Control Facility (EWPCF) experienced a single operational upset that resulted in violations of effluent limits for Total Suspended Solids (TSS) and Carbonaceous Biochemical Oxygen Demand (CBOD). The cause for the upset is attributed to septic solids from the collection system, which caused a failure in the secondary treatment process due to a loss of the plant's biota. On March 13, 2018, EWA Laboratory Manager Jeff Parks provided initial notification to Joann Lim of the RWQCB about the plant upset and probable violation of the weekly TSS limit. Ms. Lim requested that EWA staff document all actions taken. Additionally, Mr. Parks maintained communication with Ms. Lim as the situation evolved. This letter is to provide written notification of actions taken to identify the cause for the upset and bring the plant back into compliance.

Description of Noncompliance

Beginning March 12, 2018, EWA detected elevated levels of TSS at the outfall due to a loss of biology in the secondary treatment process. In response, staff made process changes, solicited assistance from wastewater consultants, collected samples of plant influent/effluent for analysis, dosed polymer to the mixed liquor suspended solids (MLSS) channel and sodium hypochlorite to the return activated sludge (RAS), and diverted the wet scrubber discharge from the aeration basins. Treatment continued to struggle during the weeks of March 11, 18, and 25, so additional consulting assistance was requested, seed sludge was brought from other local treatment plants, and one of EWA's member agencies was asked to adjust their chemical dosing in the collection system, which had been changed in February. The secondary treatment process has subsequently returned to normal for the week of April 8th with effluent concentrations of 9.6 mg/L TSS and 4.3 mg/L CBOD. The following table lists permit exceedances resulting from the upset.



Date	Parameter	Limit Type	Limit Value	Result
3/17/18	TSS	Weekly Avg.	45 mg/L	109.3 mg/L
3/17/18	TSS	Weekly Avg.	15,000 lbs/day	21,469 lbs/day
3/17/18	CBOD	Weekly Avg.	40 mg/L	50.3 mg/L
3/31/18	TSS	Weekly Avg.	45 mg/L	111.5 mg/L
3/31/18	TSS	Weekly Avg.	15,000 lbs/day	23,967 lbs/day
3/31/18	TSS	Monthly Avg.	30 mg/L	63.4 mg/L
3/31/18	TSS	Monthly Avg.	10,000 lbs/day	13,024 lbs/day
3/31/18	TSS	% Removal	85%	79.6%
3/31/18	CBOD	Monthly Avg.	25 mg/L	30.5 mg/L
4/7/18	TSS	Weekly Avg.	45 mg/L	51.1 mg/L

Cause for Noncompliance and Response

The EWPCF secondary treatment process utilizes naturally occurring microorganisms to break down organic matter present in the wastewater. In February/March, EWA staff noticed a change in the plant's microbiology with a corresponding increase in oxygen demand to the secondary treatment system, indicating that a process upset was occurring. Changes were made to improve treatment performance including: adjusting air flow rates to the aeration basins, changing solids wasting rates to the digesters, and rotating secondary clarifiers.

Staff also developed a list of potential causes for the treatment process upset which included: the new wet scrubber installed as part of the heat dryer safety upgrade in November; cleaning of reverse osmosis membranes at the Carlsbad Desalination Plant starting in December; centrifuge performance testing in January; construction dewatering from Foxes Landing Pump Station since January; use of new odor control chemicals in the collection system by a member agency starting in February; and the possibility of an unknown substance from the service area. Samples were collected between March 22 and April 9 to aid in identifying the cause for the process upset. Samples were taken from: Influent trunklines, Foxes Landing, Carlsbad Desalination Plant, industrial laundries, heat dryer wet scrubber, and secondary effluent. There were no contaminants detected at levels of concern.

On March 12th, solids were observed going over the clarifier weirs. Two additional clarifiers were put online to minimize the discharge of solids and staff began to dose polymer to the MLSS channel. EWA immediately requested assistance from Woodard & Curran, EWA's extension of staff engineering consultant, and wastewater operations expert Dr. David Jenkins, Professor Emeritus from UC Berkeley.



ENCINA WASTEWATER AUTHORITY

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Dr. Jenkins arrived on March 15th and conducted a microbiological examination of EWPCF wastewater samples. He identified an overabundance of filamentous bacteria in the mixed liquor that was preventing solids from settling and an inert material (possibly from the wet scrubber) that may have contributed to the process upset.

Based on Dr. Jenkins' input, staff subsequently began adding sodium hypochlorite to the RAS to reduce the filament concentration and help improve settling, and increased the solids wasting rate. In addition, staff rerouted the wet scrubber discharge from the aeration basins to the primary sedimentation basins on March 16th. The treatment process improved temporarily, but then deteriorated.

On March 25th, solids were once again seen going over the clarifier weirs. Two additional clarifiers were once again put online. Samples were collected from each trunkline along with the secondary clarifiers and sent out for testing (oil & grease, volatile organics, semi-volatile organics, pesticides and PCBs). Staff also requested additional assistance from Dr. Shane Trussell of Trussell Technologies.

Trussell Technologies staff was onsite from March 28th through the week of April 1st. Staff, working with Trussell Technologies, began hourly pH sampling from the three influent trunklines, as well as primary influent and effluent. Based on their analysis of plant operations, they attributed the cause for the treatment process upset to septic solids from the collection system. This has become a common problem in wastewater collection systems due to water conservation efforts and reduced flow. Additionally, a recent change in odor control chemicals used by one of EWA's member agencies (substitution of ferrous chloride for Bioxide in the collection system) is believed to have been the tipping point that resulted in the plant upset.

Based on this new information, EWA took additional steps to help the treatment process recover. Staff requested seed sludge from San Luis Rey and San Elijo Joint Powers Authority. Between March 30th and April 6th, 36 loads were hauled to the EWPCF by the Cities of Carlsbad and Vista, and Atlas Pumping. In addition, EWA requested its' member agency modify their chemical dosing in the collection system. The use of ferrous chloride was cut in half on March 30th and temporary equipment was set up to once again dose Bioxide on April 5th.

The EWPCF has four aeration basins, two of which are normally in use at a given time. At the time of the upset, two of the basins were unavailable for flow equalization due to an ongoing rehabilitation project. EWA paid the contractor to work overtime and complete one of the basins as rapidly as possible. On April 6th, a third basin was returned to service by EWA and was used to equalize peak primary effluent flows. The treatment process subsequently recovered and effluent data for the week of April 8th demonstrated compliance with TSS and CBOD limits.



Serving North
San Diego County

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Future Plans

Additional measures being taken to help prevent future plant upsets include:

- Increasing solids inventory (Solids Retention Time) to overcome septicity.
- Installing additional online analyzers for process monitoring.
- Developing primary effluent flow equalization strategies.
- Working with member agencies to develop a plan to mitigate the septicity of solids in the collection system.

EWA strives to be "a model of excellence and innovation." Our commitment is demonstrated by the fact that we have not recorded any permit violations since April of 2009. Staff is working diligently to address the recent problems and prevent a recurrence. If you have any questions, feel free to contact me at (760) 268-8847.

Sincerely,



Michael Steinlicht
General Manager



Serving North
San Diego County

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Doug Campbell

From: Mike Steinlicht
Sent: Monday, October 8, 2018 2:57 PM
To: Executive Team
Subject: FW: Final Settlement Offer- Expedited Payment Program R9-2018-0121
Attachments: EOO_2018SettlementOffer_FinalSigned.pdf

FYL...

From: Yaeger, Keith@Waterboards <Keith.Yaeger@Waterboards.ca.gov>
Sent: Monday, October 8, 2018 2:53 PM
To: Mike Steinlicht <mikes@encinajpa.com>
Cc: Lim, Joann@Waterboards <Joann.Lim@waterboards.ca.gov>; Outwin-Beals, Brandi@Waterboards <Brandi.Outwin-Beals@waterboards.ca.gov>
Subject: Final Settlement Offer- Expedited Payment Program R9-2018-0121

Mr. Steinlicht,

Attached is the final Settlement Offer (Order No. R9-2018-0121) approved by the San Diego Water Board. The Encina Wastewater Authority has already provided payment. No further action is required.

Please confirm receipt of the attached document.

Respectfully,
Keith Yaeger
Environmental Scientist, Source Control Regulation Unit

San Diego Regional Water Board
2375 Northside Drive, Suite 100
San Diego, CA 92108-2700

(619) 521-5899