



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

SEP 17 2015

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mayor Kevin Faulconer
City of San Diego
City Administration Building
202 C Street, 11th Floor
San Diego, CA 92101

Dear Mayor Faulconer:

Thank you for meeting with Administrator McCarthy and me regarding the Pure Water San Diego Program and the Point Loma Wastewater Treatment Plant (WWTP). We have enjoyed a very cordial and productive working relationship with the City and San Diego stakeholders and are confident this productive engagement will continue. We commit to continue working with you on development of the water infrastructure necessary to meet the City's water supply and water quality protection needs.

We strongly support San Diego's plans to develop potable reuse capacity to reduce the region's reliance on imported supplies. We commend your work to involve and build support among local communities, businesses, and citizen groups in developing the Pure Water Program and its relationship to Point Loma operations. The Pure Water Program will optimize the benefits of investments in wastewater infrastructure in a way that is fully consistent with EPA's integrated planning initiative.

As we discussed, we understand San Diego area communities are concerned that investing in the infrastructure expansion associated with the Pure Water program will limit their financial capacity to upgrade treatment at Point Loma. As a result of expected Pure Water improvements in effluent quality, upgrades at Pt. Loma to achieve secondary treatment may not be needed to protect ocean water quality. I understand that the Pure Water planning process is progressing quickly and thus the City and its regional partners seek greater clarity regarding EPA views on the long-term regulatory prospects for the Point Loma plant. I value your efforts to work with us to explore potential options for addressing these concerns. We believe we can provide a significant level of assurance regarding these concerns based on what we now know.

We appreciate the City's timely submittal of its application for renewal of the NPDES permit and associated treatment standards for Point Loma pursuant to Clean Water Act Sections 402, 301(h) and 301(j)(5). We are reviewing the application in coordination with the San Diego Regional Water Quality Control Board, which jointly issues the NPDES permit for the Point Loma WWTP with EPA. We commend the City's willingness to incorporate specific provisions in the Point Loma permit linked to milestones in the Pure Water Program planning and implementation process. To date, we have identified no barriers to renewal of the permit and modified secondary treatment standards. EPA approved the three prior applications for modified secondary treatment standards for the Point Loma WWTP in 1995, 2002, and 2010 based on administrative records that demonstrated, in each instance, full satisfaction of the provisions of CWA Section 301(h) and 301(j)(5).

We expect that EPA and the Regional Water Board will be able to propose the revised NPDES permit with associated modified secondary treatment requirements by April, 2016 and issue the final permit by August, 2016 based on the application materials we have received. As you know, these permits are renewed on a five-year cycle. I expect EPA will be able to continue to renew subsequent CWA 301(h) modified permits for the Point Loma WWTP for as long as there are no relevant changes in the Clean Water Act and implementing regulations, and no significant deterioration in the quality of the Point Loma discharge or the response of the receiving ocean ecosystem to the ongoing discharge.

During our meeting, you explained that, due to ratepayer limitations, San Diego may be interested in seeking a legislative solution in order to provide long term financial certainty that the Cities will not need to fund both the Pure Water Program and further upgrades to achieve secondary treatment at Point Loma. While this letter is intended to provide you with a better understanding of the long-term permitting requirements for Point Loma, nothing in this letter precludes the City's ability to pursue legislative amendments.

As we discussed, EPA understands that local governments face substantial challenges in funding water infrastructure needs. The California Clean Water and Drinking Water State Revolving Funds may offer a cost-effective mechanism to finance elements of the Pure Water Program, and we would be happy to discuss funding options with the State Water Resources Control Board and the City.

We commend the City's leadership in developing an integrated long-term plan to build a more sustainable regional water supply system while ensuring water quality protection. Building on our productive meeting with Halla Razak on August 27th, we look forward to continuing our efforts to help move the Pure Water project forward. If you have questions, please contact me at (415) 947-8702 or David Smith, NPDES Permits Section, at (415) 972-3464.

Sincerely,



Jared Blumenfeld

cc: Gina McCarthy, EPA
David Gibson, RWQCB
Charles Lester, CCC