



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

OFFICE OF THE
REGIONAL ADMINISTRATOR

In Re:

CITY OF SAN DIEGO'S POINT LOMA
WASTEWATER TREATMENT PLANT,
APPLICATION FOR A MODIFIED NPDES PERMIT
UNDER SECTIONS 301(h) AND (j)(5)
OF THE CLEAN WATER ACT

FINAL DECISION OF THE
REGIONAL ADMINISTRATOR
PURSUANT TO 40 CFR PART 125,
SUBPART G

It is my final decision to grant the request by the City of San Diego for renewal of a National Pollutant Discharge Elimination System (NPDES) permit modified under Sections 301(h) and (j)(5) of the Clean Water Act. The basis for this decision is described in the draft 301(h)-modified permit fact sheet for the E.W. Blom Point Loma Metropolitan Wastewater Treatment Plant and Ocean Outfall and the December 2, 2008 301(h) Tentative Decision Document issued by USEPA on December 5, 2008.

The USEPA received the City of San Diego's renewal application on December 10, 2007. A tentative decision to approve the application was signed by the Regional Administrator on December 2, 2008. Concurrently, the USEPA and San Diego Regional Water Quality Control Board jointly proposed reissuance of a draft 301(h)-modified NPDES permit incorporating both federal NPDES and State Waste Discharge Requirements on December 5, 2008. A joint public hearing on the 301(h) tentative decision and draft permit was held on January 21, 2009 at which time oral and written testimony was presented by the public. The USEPA and Regional Water Quality Control Board revised the draft permit based, in part, on public comments. The Regional Water Quality Control Board adopted the 301(h)-modified permit incorporating State Waste Discharge Requirements on June 10, 2009.

When a final 301(h)-modified permit is issued by USEPA, it will become effective on August 1, 2010 unless a request for review is filed before the permit effective date. Persons filing a request for review must have filed comments on the 301(h) tentative decision and draft permit, or participated in the public hearing, except as provided in 40 CFR 124.19.

This final decision is issued without prejudice to the rights of any party to address the legal issue of the applicability of 33 U.S.C. section 1311(j)(5) to the City of San Diego's future NPDES permits.

Dated: May 27, 2010


Regional Administrator