

H.R. Ocean Pollution Reduction Act II

Congressman Scott Peters

Problem: The Point Loma Wastewater Treatment Plant (PLWTP) is located in San Diego, CA. It currently treats 175 million gallons of wastewater per day, serving 2.2 million residents, and 12 water agencies in a 450-square-mile area. PLWTP's ocean outfall is 4.5 miles and 300 feet deep and is one of the longest and deepest outfalls in the world. Since 2010, the PLWTP has met alternate discharge for total suspended solids (TSS) and biochemical oxygen demand (BOD) under a modified National Pollutant Discharge Elimination System (NPDES) permit approved by EPA as authorized by section 301(h) of the Clean Water Act and the Ocean Pollution Reduction Act of 1994 (OPRA). As part of its efforts to meet these alternate standards, the City is making a long-term investment in The Pure Water Program, a multi-year, multi-billion-dollar program that will use proven water purification technology to provide one-third of San Diego's water supply by 2039. Although the City has never failed to renew its modified permit, the renewal process creates unnecessary regulatory uncertainty for ratepayers and municipal water and sewer authorities.

This bill:

- Codifies that, as a result of implementing the comprehensive Pure Water San Diego program, the Point Loma Ocean Outfall discharge is recognized as equivalent to secondary treatment for purposes of compliance with the CWA (secondary treatment equivalency).
- Requires the City of San Diego to demonstrate that its Pure Water Program is able to produce 83 million gallons a day of water by 2039, an estimated one-third of the City's water supply. With associated water recycling and conservation efforts, this would reduce treated wastewater flows to the ocean from PLWTP by over 65 percent.
- Creates a federal backstop so that if the Pure Water San Diego program does not produce 83 million gallons per day of potable reuse as required, the City would be deemed not compliant with the terms set forth in the legislation and would be subject to actions that include reverting back to the current permitting process.
- Ensures that reduction in outflow and waste will be continuously monitored and subjected to ongoing research efforts by academic, city, state, and national entities.

Goals of the legislation:

- Provide the City with regulatory certainty as it continues to make significant progress, as well as major investments, in enhancing its water and wastewater systems.
- Ensure that San Diego has long-term certainty for its water supply, while not weakening the Clean Water Act or relaxing existing environmental standards of PLWTP or other wastewater treatment facilities.

Supporting organizations: Surfrider Foundation, San Diego County; San Diego Audubon Society; Coastal Environmental Rights Foundation; San Diego Coastkeeper; Paul Dayton, Ph.D., Distinguished Professor Emeritus and Ed Parnell, Ph.D., Associate Research Oceanographer, Scripps Institution of Oceanography; Biocom; Building Industry Association of San Diego County; Industrial Environmental Association (IEA); Plumbers & Steamfitters Local Union #230; the Otay Water District; and the City of Lemon Grove Public Works Department. *Elected officials from:* The City of San Diego; The City of Chula Vista, CA; The City of Coronado, CA; The City of Del Mar, CA; The City of El Cajon, CA; The City of Imperial Beach, CA; The City of Poway, CA; The City of La Mesa, CA; and National City, CA.

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