



Darryl Cotton <151darrylcotton@gmail.com>

California Public Records Act request — septage / chemical-toilet waste storage, hauling, and disposal at United Rentals, 6144 Federal Blvd., San Diego, CA 92114

1 message

Darryl Cotton <151darrylcotton@gmail.com>
To: rb9_records@waterboards.ca.gov

Thu, Jul 2, 2026 at 3:35 PM

Darryl Cotton
6176 Federal Blvd.
San Diego, CA 92114
619.954.4447 · 151darrylcotton@gmail.com

July 2, 2026

San Diego Regional Water Quality Control Board (Region 9)
Attn: Public Records / File Review Request
2375 Northside Drive, Suite 100
San Diego, CA 92108
Submitted by email to rb9_records@waterboards.ca.gov

RE: California Public Records Act request — septage / chemical-toilet waste storage, hauling, and disposal at United Rentals, 6144 Federal Blvd., San Diego, CA 92114

This is a request under the California Public Records Act (Gov. Code § 7920.000 et seq.) to inspect and obtain copies of the Board records described below.

Background and scope. “The Property” is 6144 Federal Blvd., San Diego, CA 92114. “The Operation” is the porta-potty septage hauling-and-storage activity at the Property, operated by United Rentals (North America), Inc. through its “Reliable Onsite Services” division (Branch 70M; USDOT 899748; State hazardous-waste ID CAL000432214); the listed owner/landlord is Westport Properties, Inc. Ten or more vacuum trucks per day pump collected porta-potty (chemical-toilet) waste into an approximately 21,000-gallon FRAC holding tank on the Property. The City's Industrial Wastewater Control Program has confirmed the Property does not discharge to the sewer from the site and that the wastewater is hauled off-site. Because chemical-toilet/septage waste must be disposed only at a site holding Waste Discharge Requirements (WDRs) from a Regional Water Board, the Board is the agency most likely to hold records identifying where this waste is authorized to go.

Records requested (any format; “records” as defined in Gov. Code § 7920.530):

1. Any Waste Discharge Requirements (WDRs), general-order enrollments, waivers, or notices of applicability issued to or covering the Operation, the Property, the tank, or either of the Companies — together with any associated monitoring or self-monitoring reports.
2. Any records identifying the permitted disposal facility or facilities authorized to receive septage / chemical-toilet waste from the Operation, and any hauler-disposal, receiving-facility, or manifest records in the Board's possession relating to that waste stream.
3. All complaints, inspections, investigations, field notes, photographs, or enforcement records concerning the Operation, the Property, or either of the Companies relating to septage,

001

wastewater, or waste storage.

4. All records concerning any actual or alleged discharge, or threatened discharge, from the Property or the Operation to waters of the state or to the municipal storm drain system (MS4).
5. All communications between the Board and either of the Companies (or their representatives, agents, or counsel) concerning the Operation, the Property, or any related complaint or enforcement matter.
6. Any record reflecting that no WDRs, enrollment, waiver, or other authorization exists for the Operation.

Date range: January 1, 2020 to the date this request is processed — except that any permits, WDRs, enrollments, approvals, or registrations are requested regardless of date.

Please provide records electronically where possible, in native format with metadata where available. Partial or rolling production is preferred. To minimize cost, please notify me before incurring any duplication or programming charges (Gov. Code §§ 7922.530, 7922.575) so I can confirm before fees are incurred. This request invokes the agency's duty to assist under § 7922.600(a); if any part is unclear or can be focused to speed production, please contact me. Please provide the determination required by § 7922.535(a) within 10 days. If any record or portion is withheld, please cite the specific exemption and produce all reasonably segregable non-exempt portions (Gov. Code §§ 7922.525, 7922.000); for anything withheld as privileged, please provide a log identifying the date, author, recipients, and privilege asserted. This request seeks records already in the Board's possession; it does not ask the Board to create new records.

Thank you for your assistance.

Darryl Cotton
619.954.4447

From: Osibodu, Fisayo@Waterboards
To: ["McCullough, Jamelle"](mailto:McCullough, Jamelle); Izadmehr, Mahsa@Waterboards
Cc: Liwag, Ernie; Johnson, Ryan; Lee, Joann
Subject: RE: [External] RE: UNITED RENTALS/DBA RELIABLE ONSITE SERVICES - DEHQ permitted sewage hauler
Date: Tuesday, July 7, 2026 10:52:00 AM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Thanks for the information, Jemelle. I will be available for a phone call any time between 330pm and 5 pm today or between 10am and 12pm tomorrow.



Fisayo Osibodu, P.E

Senior WRC Engineer

Region 9 SAN DIEGO
Site Restoration & Groundwater Protection Branch
Water Sustainability and Protection Unit

Email: Fisayo.Osibodu@Waterboards.ca.gov
Phone: +1 (619) 521-8036

San Diego Regional Water Quality Control Board
2375 Northside Drive, Suite 100, San Diego CA 92108
Website: www.waterboards.ca.gov

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From: McCullough, Jamelle <Jamelle.McCullough@sdcounty.ca.gov>
Sent: Tuesday, July 7, 2026 9:20 AM
To: Osibodu, Fisayo@Waterboards <Olufisayo.Osibodu@waterboards.ca.gov>; Izadmehr, Mahsa@Waterboards <Mahsa.Izadmehr@Waterboards.ca.gov>
Cc: Liwag, Ernie <Ernie.Liwag2@sdcounty.ca.gov>; Johnson, Ryan <Ryan.Johnson@sdcounty.ca.gov>; Lee, Joann <Joann.Lee@sdcounty.ca.gov>
Subject: RE: [External] RE: UNITED RENTALS/DBA RELIABLE ONSITE SERVICES - DEHQ permitted sewage hauler

Hi Fisayo,

[See responses below.](#)

Jamelle McCullough, MPH, REHS

Supervising Environmental Health Specialist
Department of Environmental Health and Quality
O: 858-505-6843

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For your convenience, you may also pay your fees online via six easy steps with this link [here](#).

Please note that on 12/1/2025, the Land and Water Quality counter in building 5510 will be relocated to building 5500 Overland Ave. Suite 110.

From: Osibodu, Fisayo@Waterboards <Olufisayo.Osibodu@waterboards.ca.gov>

Sent: Tuesday, July 7, 2026 8:55 AM

To: McCullough, Jamelle <Jamelle.McCullough@sdcounty.ca.gov>; Izadmehr, Mahsa@Waterboards <Mahsa.Izadmehr@Waterboards.ca.gov>

Cc: Lee, Joann <Joann.Lee@sdcounty.ca.gov>; Liwag, Ernie <Ernie.Liwag2@sdcounty.ca.gov>

Subject: RE: [External] RE: UNITED RENTALS/DBA RELIABLE ONSITE SERVICES - DEHQ permitted sewage hauler

Hi Jamelle,

The RV parks we regulate under WDRs also have septic tanks connected to leach fields or seepage pits. In those cases, there is a discharge to land and potential impact to groundwater. I have a few questions:

- What's the volume of the holding tank? [40,000 gallons](#)
- Is the holding tank meant to be temporary or is it part of permanent operations? [The holding tank serves as temporary storage of sewage collected from port-a-potties. Sewage is transferred as needed from the 40,000 gallon tank to their 4,000 gallon trailer and transported to the El Cajon Dump Station. Depending on the need they might make multiple trips a day from the yard to dump in El Cajon. It serves as temporary storage for a permanent operation.](#)
- Does the facility have any plans to connect to the sewer system? [I am not certain, but I believe the office, may be connected to City of San Diego sewer. We do not have any septic records and would need to confirm with City of San Diego Public Utilities if this parcel is served by their public sewer.](#)
- Are the contents of the holding tank pumped out and hauled offsite to the City of San

Diego's pump station or another facility? Yes, the contents are transferred to a 4,000 gallon trailer and transported mainly to the El Cajon Dump station.

It may be helpful to have a quick call to discuss this facility. I think a call would be helpful, do you have availability today? We will be responding to a public record request tomorrow. @Lee, Joann and @Ryan Johnson are you available for a call today?

Thanks,



Fisayo Osibodu, P.E

Senior WRC Engineer

Region 9 SAN DIEGO
Site Restoration & Groundwater Protection Branch
Water Sustainability and Protection Unit

Email: Fisayo.Osibodu@Waterboards.ca.gov

Phone: +1 (619) 521-8036

San Diego Regional Water Quality Control Board
2375 Northside Drive, Suite 100, San Diego CA 92108
Website: www.waterboards.ca.gov

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From: McCullough, Jamelle <Jamelle.McCullough@sdcounty.ca.gov>

Sent: Monday, July 6, 2026 8:38 AM

To: Osibodu, Fisayo@Waterboards <Olufisayo.Osibodu@waterboards.ca.gov>; Izadmehr, Mahsa@Waterboards <Mahsa.Izadmehr@Waterboards.ca.gov>

Cc: Lee, Joann <Joann.Lee@sdcounty.ca.gov>; Liwag, Ernie <Ernie.Liwag2@sdcounty.ca.gov>

Subject: RE: [External] RE: UNITED RENTALS/DBA RELIABLE ONSITE SERVICES - DEHQ permitted sewage hauler

Good morning Fisayo,

Thanks for your email. DEHQ is able to permit holding tanks under very specific situations, see ordinance and snip from LAMP below. I do not believe this operation meets the outlined criteria. I understand that your department permits holding tanks that do not discharge to land or surface water, such as for RV dump stations. I was wondering if the sewage holding tank we have been discussing would fall under that category of use?

SEC. 68.320. TEMPORARY USE OF HOLDING TANKS.

The Director may issue a permit authorizing a property owner to temporarily install a holding tank in lieu of an on-site wastewater treatment system if: (a) public sewer is not available, (b) an OWTS is not practicable and (c) the Director determines that the property will be

able to connect to a public sewer within 24 months of the permit application. The Director may issue a permit for a holding tank for up to 24 months and may grant one extension for up to an additional 12 months if the Director determines the property owner has been unable to connect with the sewer through no fault of the property owner. An annual operating permit is required to ensure proper maintenance of the system.

1. Temporary Holding Tank Requirements

1.1 A holding tank may be permitted in lieu of an OWTS if public sewer is not available, an OWTS is not practicable; and the Director determines that the property will be able to connect to public sewer within 24 months of the permit application.

1.2 A permit is required to install temporary holding tanks and is valid for 24 months. The Director may grant one extension for up to an additional 12 months if it is determined the holding tank is being properly maintained and the property owner has been unable to connect with the sewer through no fault of the property owner.



Jamelle McCullough, MPH, REHS

Supervising Environmental Health Specialist
Department of Environmental Health and Quality
O: 858-505-6843

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From: Osibodu, Fisayo@Waterboards <Olufisayo.Osibodu@waterboards.ca.gov>

Sent: Tuesday, June 30, 2026 2:53 PM

To: McCullough, Jamelle <Jamelle.McCullough@sdcounty.ca.gov>; Izadmehr, Mahsa@Waterboards <Mahsa.Izadmehr@Waterboards.ca.gov>

Cc: Lee, Joann <Joann.Lee@sdcounty.ca.gov>; Liwag, Ernie <Ernie.Liwag2@sdcounty.ca.gov>

Subject: [External] RE: UNITED RENTALS/DBA RELIABLE ONSITE SERVICES - DEHQ permitted sewage hauler

Hi Jamelle,

My initial thought is the above ground holding tank would not need to be permitted by the Regional Board since there isn't a discharge to land or surface waters. You may be able to refer the odor complaints to the San Diego County Air Pollution Control District or the California Air Resources Board. If the operation is connected to the City of San Diego's sewer system, the City of San Diego's pretreatment program staff may be able to investigate the issue. However, I assume the operation may not be connected to the sewer system since they have an above ground holding tank.

Thanks,



Fisayo Osibodu, P.E

Senior WRC Engineer

Region 9 SAN DIEGO
Site Restoration & Groundwater Protection Branch
Water Sustainability and Protection Unit

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San Diego Regional Water Quality Control Board
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Website: www.waterboards.ca.gov

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From: McCullough, Janelle <Janelle.McCullough@sdcounty.ca.gov>

Sent: Tuesday, June 30, 2026 11:59 AM

To: Izadmehr, Mahsa@Waterboards <Mahsa.Izadmehr@Waterboards.ca.gov>; Osibodu, Fisayo@Waterboards <Olufisayo.Osibodu@waterboards.ca.gov>

Cc: Lee, Joann <Joann.Lee@sdcounty.ca.gov>; Liwag, Ernie <Ernie.Liwag2@sdcounty.ca.gov>

Subject: UNITED RENTALS/DBA RELIABLE ONSITE SERVICES - DEHQ permitted sewage hauler

Caution: External Email. Use caution when clicking links or opening attachments. When in doubt, contact DIT or use the Phish Alert Button.

Good morning Masha and Fisayo,

Last week DEHQ received concerns regarding odors coming from a sewage hauler operation that utilized an above ground sewage holding tank as part of their operation. UNITED RENTALS/DBA RELIABLE ONSITE SERVICES is located at 6144 Federal Blvd in San Diego (APN: 543-020-31,36, & 37) and holds a DEHQ annual operating permit (DEH2020-LSHOP-000063) to collect and transport sewage in San Diego County. Their fleet includes a total of 23 trucks with yards in both Vista and San Diego.

Our staff performed a site investigation yesterday and did not observe any issues with the pumper trucks stored in the yard but did detect a sewage odor when he was within 2 feet of the holding tank. At the time of his visit, he did not observe any pooling of sewage on the ground. The DEHQ permit they hold does not include the design and operation of an above ground sewage holding tank. Can you confirm whether operation of a sewage holding tank would require referral to the Regional Board for permitting? If so, can you provide contact details for the person or working group so that we can make the referral? We would also like to provide this information to the complainant and site operator.

The reporting party has reached out to many agencies and is continuing to escalate their concerns. They have now involved the media as well.

Thank you,



Jamelle McCullough, MPH, REHS

Supervising Environmental Health Specialist

Department of Environmental Health and Quality

O: 858-505-6843

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Please note that on 12/1/2025, the Land and Water Quality counter in building 5510 will be relocated to building 5500 Overland Ave. Suite 110.

EXHIBIT 5.10.1

ANALYSIS

RWQCB Region 9 PRA Production
County DEHQ Holding Tank Admissions

COTTON v. UNITED RENTALS, et al.

6144 / 6176 Federal Blvd., San Diego, CA 92114

Field	Detail
Preceding pages	PRODUCTION — Email chain, County DEHQ–LWQ to RWQCB Region 9, June 30 – July 7, 2026 (6 pages)
Following pages	ANALYSIS — Prepared July 9, 2026 (7 pages)
Provenance	Production presumed to be the RWQCB Region 9 response to the CPRA request of July 2, 2026 (Exhibit 5.10.0). To be confirmed.
Nature	The analysis is AI-assisted issue-spotting prepared for counsel. It is not legal advice, is not a part of the agency production, and was not authored by any agency.

The pages that follow are commentary. They are not agency records.

All quotations within the analysis are verbatim from the production preceding this sheet.

5.10.1) ANALYSIS — RWQCB REGION 9 PRA PRODUCTION

County DEHQ–LWQ to Region 9 Email Chain re United Rentals Holding Tank

COTTON v. UNITED RENTALS, et al. — 6144 / 6176 Federal Blvd., San Diego, CA 92114

Field	Detail
Prepared	Thursday, July 9, 2026 at 4:08 PM PDT
Source document	5.10.1) “Emails with DEHQ Regarding United Rentals.pdf” — 6 pages, PDF created July 8, 2026, 2:33 PM PDT. Email chain dated June 30 – July 7, 2026.
Provenance	PRESUMED to be the RWQCB Region 9 production responding to Cotton's July 2 CPRA request (5.10.0). Basis: filed in the Cal Waterboards folder; PDF created July 8; and Osibodu writes on July 7, “We will be responding to a public record request tomorrow.” CONFIRM BEFORE RELYING.
Parties	County DEHQ–LWQ: Jamelle McCullough (Supervising EHS), Joann Lee, Ernie Liwag, Ryan Johnson · RWQCB Region 9: Fisayo Osibodu, P.E. (Senior WRC Engineer), Mahsa Izadmehr
Caveat	AI-assisted analysis. Informational only — not legal advice. All quotations verbatim. Verify with California counsel before reliance.

Bottom Line

The County agency that issued the sewage-hauler permit has stated, in writing and unprompted, that the permit does not cover the holding tank — and that the tank appears not to qualify under the County's holding-tank ordinance either. In the same chain, the Regional Board's initial position is that it does not require a Regional Board permit. **The 40,000-gallon tank may not be permitted by any agency at all.**

The chain also produces the first named disposal destination in the entire record — **the El Cajon Dump Station** — which conflicts with the destination named on the hauler permit itself, and which supplies, for the first time, a records custodian who can confirm or refute compliant disposal.

Facts That Correct the Existing Record

Fact	Prior understanding	County's statement	Consequence
Tank volume	≈21,000 gallons (estimated from photographs)	40,000 gallons	Nearly double. Correct across all documents before media or counsel distribution.
Disposal destination	Pump Station #1, San Diego (primary) and a Fountain Valley facility (alternate), per United Rentals' own permit application LSHOP-000063	“transported mainly to the El Cajon Dump station”	Direct conflict with the operator's perjury-declared filing. El Cajon appears nowhere on the application. See § “The Disposal-Destination Contradiction.”
Transfer method	Unknown	40,000-gal tank → 4,000-gal trailer → El Cajon; “multiple	≈10 trailer loads to empty the tank once.

Fact	Prior understanding	County's statement	Consequence
		trips a day"	
Parcel	APN 543-020-31-00	APN 543-020-31, 36, & 37	Three parcels, not one.
Fleet	10+ vacuum trucks	23 trucks, yards in both Vista and San Diego	The Federal Blvd. vehicle inventory is a per-yard form. A 15-vehicle inventory here plus a Vista yard is consistent with 23. Not a contradiction.

The 21,000-gallon figure appears throughout the existing file and is wrong by roughly half — understating the hazard. It was a good-faith estimate from photographs. The County's 40,000-gallon figure comes from the permitting agency answering a direct question from another regulator. Being low by half is a gift to the other side if they find it first. Correct it everywhere.

The Key Admissions

1. The permit does not cover the tank

Jamelle McCullough, Supervising Environmental Health Specialist, County DEHQ — to RWQCB Region 9, **June 30, 2026, 11:59 AM**:

*“UNITED RENTALS/DBA RELIABLE ONSITE SERVICES is located at 6144 Federal Blvd in San Diego (APN: 543-020-31, 36, & 37) and holds a DEHQ annual operating permit (DEH2020-LSHOP-000063) to collect and transport sewage in San Diego County. Their fleet includes a total of 23 trucks with yards in both Vista and San Diego... **The DEHQ permit they hold does not include the design and operation of an above ground sewage holding tank.** Can you confirm whether operation of a sewage holding tank would require referral to the Regional Board for permitting?”*

This is the “haul is not store” distinction, conceded by the agency that issued the permit. It was previously an inference drawn from the permit's scope. It is now a written statement by a County supervising specialist, made to another regulator, before any dispute about it arose. It is the single most useful sentence produced by any agency in this matter to date.

2. A third agency inspector confirms the odor

Same email. County staff conducted a site investigation on **June 29, 2026**:

*“Our staff performed a site investigation yesterday and did not observe any issues with the pumper trucks stored in the yard but **did detect a sewage odor when he was within 2 feet of the holding tank.** At the time of his visit, he did not observe any pooling of sewage on the ground.”*

Three agency inspectors have now confirmed the odor in writing: **Melanie Sanchez (SDAPCD)**, **Daniel DeCurtins (City Stormwater)**, and now **County DEHQ-LWQ staff**. Note the qualifier — *within 2 feet of the tank* — and the negative findings on truck condition and ground pooling. Both cut both ways and should be quoted in full.

3. The tank does not qualify under the County's own holding-tank ordinance

McCullough to Region 9, **July 6, 2026, 8:38 AM**, quoting **County Ordinance SEC. 68.320, Temporary Use of Holding Tanks**, which permits a holding tank only *in lieu of* an onsite wastewater treatment system, only where (a) public sewer is not available, (b) an OWTS is not practicable, and (c) the Director determines the property can connect to public sewer within 24 months:

*“DEHQ is able to permit holding tanks under very specific situations, see ordinance and snip from LAMP below. **I do not believe this operation meets the outlined criteria.** I understand that your department permits holding tanks that do not discharge to land or surface water, such as for RV dump stations. I was wondering if the sewage holding tank we have been discussing would fall under that category of use?”*

Read with the June 30 email, the County has now said the tank is outside its hauler permit and outside its holding-tank ordinance. Treat this as a supervising specialist's stated view, not a formal determination — he writes “I do not believe.” The correct follow-up is to ask DEHQ to confirm or correct that view in writing, and to identify what permit, if any, authorizes the tank.

4. Permanent operation, temporary tank

McCullough answering Region 9's questions, **July 7, 2026, 9:20 AM:**

"What's the volume of the holding tank? 40,000 gallons. Is the holding tank meant to be temporary or is it part of permanent operations? The holding tank serves as temporary storage of sewage collected from port-a-potties. Sewage is transferred as needed from the 40,000 gallon tank to their 4,000 gallon trailer and transported to the El Cajon Dump Station. Depending on the need they might make multiple trips a day from the yard to dump in El Cajon. It serves as temporary storage for a permanent operation."

SEC. 68.320 contemplates a temporary tank bridging to a sewer connection within 24 months. **The County describes a tank serving a permanent operation with no such bridge.** McCullough adds that the County holds no septic records for the parcel and would need City of San Diego Public Utilities to confirm whether it is served by public sewer — the precise question posed by City PRA 26-6533.

5. Region 9's initial position

Fisayo Osibodu, P.E., Senior WRC Engineer, RWQCB Region 9 — **June 30, 2026, 2:53 PM:**

***"My initial thought** is the above ground holding tank would not need to be permitted by the Regional Board since there isn't a discharge to land or surface waters. You may be able to refer the odor complaints to the San Diego County Air Pollution Control District or the California Air Resources Board..."*

Note the hedge — *my initial thought* — and note what follows. By **July 7** Osibodu is asking for tank volume, permanence, sewer-connection plans, and disposal destination, and is scheduling calls with County staff. **Region 9 is the first agency in this record to work the question rather than refer it onward.** Its position may not be settled.

The Disposal-Destination Contradiction

United Rentals' own **Application for Annual Sewage Hauler Permit** (LSHOP-000063), signed by **Jeffrey Walker on September 18, 2024** under penalty of perjury, declares the facilities where the collected waste is disposed. **El Cajon is not among them.**

Field on the application	As declared by United Rentals
Form title	"Application for Annual Sewage Hauler Permit to engage in the cleaning of septic tanks, chemical toilets, cesspools, or seepage pits AND THE TRANSPORTATION AND DISPOSAL OF CLEANINGS"
Services provided	Portable Restrooms (checked)
Primary liquid waste disposal facility	Pump Station #1, East Harbor Drive, San Diego, CA
Alternate liquid waste disposal facility	"Ocean County Sanitation District," 10844 Ellis Dr, Fountain Valley, CA 92708
Locations where waste is disposed (p. 3)	1) Pump Station #1 — 3550 East Harbor Dr, San Diego, CA 2) "Ocean County Sanitation District," 10844 Ellis Dr, Fountain Valley, CA
Vehicle storage address	6144 Federal Blvd., San Diego, CA 92114
Legal owner	United Rentals (North America), Inc., 100 First Stamford Place, Suite 700, Stamford, CT
Signed	Jeffrey Walker, 9/18/2024, under penalty of perjury

The permit application says the waste goes to Pump Station #1 and a Fountain Valley treatment plant. The County's supervising specialist told the Regional Water Board it goes "mainly to the El Cajon Dump station." Those are different places, and El Cajon appears nowhere on the application.

Two documents, two destinations

Question	United Rentals' permit application (9/18/2024)	McCullough to Region 9 (7/7/2026)
Where does the septage go?	Pump Station #1, San Diego (primary); Fountain Valley facility (alternate)	"transported mainly to the El Cajon Dump station"
How is it moved?	By permitted vacuum trucks listed on the vehicle inventory	40,000-gal tank → 4,000-gal trailer → El Cajon; "multiple trips a day"
Is a holding tank disclosed?	No. The form addresses cleaning, transportation and disposal. It contains no holding tank, no storage, no FRAC tank.	A 40,000-gallon above-ground holding tank serving "a permanent operation"

Reading it correctly — a caution before use

McCullough is not asserting that the FRAC tank is part of the permitted operation. He states the opposite: the permit "does not include the design and operation of an above ground sewage

holding tank,” and the holding-tank ordinance criteria are, in his view, not met. He is describing the operation as it is reported to occur, while disclaiming that his Department's permit authorizes it. **Any framing that says the County has blessed the tank misreads the record and will be corrected on contact.**

The real contradiction is narrower and harder to answer. A supervising specialist at the division that issued the hauler permit described, to another regulator, a disposal practice that does not match the destinations declared on that permit — and appears not to have noticed the mismatch. Three explanations exist, and the records can distinguish among them:

1. The operator told the County something inconsistent with its own perjury-declared filing.
2. The operator has been disposing at a facility not listed on its permit.
3. A further authorization exists that no agency has produced.

The arithmetic

A 40,000-gallon tank emptied by a 4,000-gallon trailer is ten round trips per fill. The receiving facility — whichever it is — logs every load it accepts. That is a countable, falsifiable record. Ask how many times a Reliable Onsite trailer has crossed the scale, and compare it to the tank's throughput.

Anomalies on the face of the application

- **“Ocean County Sanitation District” does not exist.** There is no Ocean County in California. The address given — 10844 Ellis, Fountain Valley 92708 — is that of the **Orange County Sanitation District** (Ellis Avenue, not Drive). A misnamed disposal facility on a document signed under penalty of perjury goes to the care with which it was prepared.
- **The Harbor Drive address is inconsistent between pages** in the scanned copy. Page 1 reads as 3000 East Harbor Drive; page 3 reads 3550 East Harbor Dr. **Examine the original before quoting either.** The City of San Diego's Pump Station 1 is at 3550 East Harbor Drive.
- **Vehicle count is not a contradiction — do not treat it as one.** The application's vehicle inventory covers the Federal Blvd. yard, and the form directs that a *separate form be completed for each location where vehicles are stored*. McCullough told Region 9 the fleet totals **23 trucks with yards in both Vista and San Diego**. A 15-vehicle inventory at Federal Blvd. plus a Vista yard is consistent with 23. Spending credibility on this point would be a mistake.
- **The permit is about trucks, not tanks.** Its subject is “the cleaning of septic tanks, chemical toilets, cesspools, or seepage pits and the transportation and disposal of cleanings.” Storage appears nowhere in the title, the services checklist, or the disclosures. This is the documentary basis for McCullough's own statement that the permit does not reach the holding tank.

The question that now writes itself

To DEHQ–LWQ: *Your Department issued LSHOP-000063 naming Pump Station #1 and a Fountain Valley facility as the disposal destinations. Your supervising specialist advised the San Diego Regional Water Quality Control Board that the septage from the 6144 Federal Blvd. holding tank is transported mainly to the El Cajon Dump Station. Which is correct? What records does the*

Department hold reconciling the two? And what permit, if any, authorizes a 40,000-gallon above-ground sewage holding tank at this site?

What This Does to the Referral Loop

Agency	Position on the tank
County DEHQ — HMD / CUPA	Sewage is excluded from solid- and hazardous-waste definitions; no CUPA nexus. (LeClair, Jun 22)
County DEHQ — LWQ	The hauler permit “does not include the design and operation of an above ground sewage holding tank.” The holding-tank ordinance criteria are, in his view, not met. (McCullough, Jun 30 / Jul 6)
SDAPCD	“we do not regulate United Rentals' operation or their storage tank.” Rule 51 still applies. Complaint closed. (Sanchez / Wolff, Jun 16–22)
City IWCP / Public Utilities	Not permitted; no industrial wastewater discharged to sewer from the site. (Jarvis, Jun 16)
City Stormwater	No proactive IDDE screening absent an observed discharge. (DeCurtins, Jun 30)
RWQCB Region 9	“My initial thought is the above ground holding tank would not need to be permitted by the Regional Board.” Position appears to be under active reconsideration. (Osibodu, Jun 30 → Jul 7)
DTSC	Septage is not a DTSC waste stream. No code-531 manifests exist.

Every agency with a plausible claim to the tank has now disclaimed it in writing. The County says its permit doesn't reach the tank and the ordinance doesn't fit. The Regional Board's initial view is that it needs no Board permit. APCD says it doesn't regulate the tank. The City says the site doesn't discharge to sewer. **A 40,000-gallon open-vented tank of raw septage, four feet from an occupied building, appears to be authorized by nobody — and the agencies established that among themselves, in writing, without being asked.**

The County Is Tracking the Escalation

McCullough to Region 9, June 30:

*“The reporting party has reached out to many agencies and is continuing to escalate their concerns. **They have now involved the media as well.**”*

Two implications. The County was aware of the media dimension **before** it made its July 2 production in 26-3709 — relevant to how that production was assembled and reviewed. And the sentence is itself a produced record, which means it will be read by anyone who later obtains the file. It is neither favorable nor unfavorable; it is simply now part of the record.

What Changes on the PRAs

Request	Effect
RWQCB Region 9 (5.10.0, filed Jul 2)	If this is the Region 9 production, the Board produced on July 8 — five days before its July 13 deadline, and it is the only agency to have volunteered substantive material. But the production is PARTIAL and NO DETERMINATION LETTER accompanies it. Measured against the six enumerated items: Item 3 is answered; Item 2 only by hearsay; Items 1, 5 and 6 are untouched. Do not describe the Board as compliant. CONFIRM PROVENANCE.
County DEHQ 26-3709 — LWQ	LWQ has produced nothing on the request. Yet LWQ's supervising specialist authored this chain. These emails are LWQ records concerning 6144 Federal Blvd. and are squarely responsive to Items 1 and 3. Their absence from the County's production is now a documented gap, not a suspected one.
City Public Utilities 26-6533	McCullough states the County has no septic records and must ask City Public Utilities whether the parcel is served by public sewer. The City's answer is now load-bearing for two agencies, not one.
NEW — El Cajon receiving facility	The El Cajon Dump Station operator holds the receiving records that would confirm or refute compliant disposal. No request has been directed there. This is the first custodian of the manifest trail identified anywhere in the record.

The manifest gap now has an address. For six weeks the question “where does it go?” had no custodian. The County has named one. Whether the El Cajon receiving records match a 40,000-gallon tank emptied by 4,000-gallon trailer, multiple trips a day, is an arithmetic question that records can answer.

Measured Against the Request (5.10.0)

The July 2 CPRA request to Region 9 enumerated six categories. This production does not satisfy them. It should not be treated as a complete response, and the July 13 determination deadline still runs.

Item	What 5.10.0 asked for	Status	Note
1	Any WDRs, general-order enrollments, waivers, or notices of applicability covering the Operation, the Property, the tank, or either Company — with monitoring reports	NOT PRODUCED	No Board permit record of any kind has been produced.
2	Records identifying the permitted disposal facility authorized to receive this waste, and any hauler-disposal, receiving-facility, or manifest records the Board holds	PARTIAL — hearsay only	“El Cajon Dump station” appears only as the County relaying what the operator reported. No Board record, no manifest, no receiving-facility document.
3	Complaints, inspections, investigations, field notes, photographs, or enforcement records concerning the Operation	ANSWERED	The email chain is the Board's investigation record. This is the item the production satisfies.
4	Records concerning any actual, alleged, or threatened discharge to waters of the state or to the MS4	NOT ADDRESSED	Osibodu states there is no discharge to land or surface water; no records produced either way.
5	All communications between the Board and either Company, or their representatives, agents, or counsel	NOT PRODUCED	The chain is Board-to-County. Nothing between the Board and United Rentals or Westport.
6	Any record reflecting that no WDRs, enrollment, waiver, or other authorization exists for the Operation	NOT PRODUCED	Osibodu's “my initial thought” in an internal email is an opinion, not a record responsive to this item — and it predates his learning the tank holds 40,000 gallons.

The Board has produced its investigation file and nothing else. The records that would answer the question the request was built around — is this operation authorized, and where is the waste permitted to go — have not been produced. **Item 6 is the one to press.** A written statement that no WDRs, enrollment, or waiver exists for a 40,000-gallon septage holding tank is, on this record, as consequential as a permit would be.

A correction the requester should make

Request 5.10.0 describes “an approximately 21,000-gallon FRAC holding tank.” The County has since told the Board the tank holds 40,000 gallons. The operative request therefore understates the tank by roughly half — and volume was material to the Board's analysis, since Osibodu asked for it directly before forming a view. A short supplement to Region 9 correcting the

figure, citing the County's own statement, is warranted before the July 13 determination issues. It also preserves the record against a later claim that the Board evaluated a different facility than the one that exists.

Recommended Next Actions

4. **Supplement 5.10.0 to correct the tank volume from ~21,000 to 40,000 gallons**, citing McCullough's July 7 statement, and expressly renew Items 1, 5 and 6. Do this before the July 13 determination.
5. **Confirm the provenance of this document.** If it is the Region 9 PRA production, say so on the record and update the log. If it arrived another way, the status of Region 9's request is unchanged and the July 13 deadline still runs.
6. **Correct 21,000 → 40,000 gallons across every document in the file** before anything further goes to counsel or media. Cite the County's own statement as the source.
7. **File a CPRA request with the operator of the El Cajon Dump Station** for receiving records, trip tickets, and manifests for United Rentals / Reliable Onsite Services, January 1, 2023 to present. Identify the correct public agency operator before filing (Padre Dam Municipal Water District and the City of El Cajon are the candidates — verify).
8. **Put the permit-scope question to DEHQ in writing.** Ask the Department to confirm or correct McCullough's statements: (a) that DEH2020-LSHOP-000063 does not cover the tank, (b) that the operation does not meet SEC. 68.320 criteria, and (c) to identify what permit, if any, authorizes a 40,000-gallon above-ground sewage holding tank at this site.
9. **Add these emails to the LWQ production demand on 26-3709.** They are LWQ records about this facility, authored by an LWQ supervisor during the request period, and they were not produced.
10. **Put the destination contradiction to DEHQ–LWQ in writing.** The permit names Pump Station #1 and a Fountain Valley facility; the Department told Region 9 the waste goes to El Cajon. Ask which is correct, and for the records reconciling them.
11. **Ask Region 9 whether its “initial thought” is now its position**, given the tank volume, the permanence of the operation, and the County's view that neither its hauler permit nor its holding-tank ordinance reaches the tank.

Cautions

- **McCullough's ordinance analysis is his stated view**, not a formal County determination. He writes “I do not believe this operation meets the outlined criteria.” Frame it as a supervising specialist's contemporaneous assessment, not a finding.
- **Osibodu's June 30 email is expressly preliminary** — “my initial thought” — and was written before he knew the tank held 40,000 gallons. Quoting it as Region 9's settled position would be unfair and would not survive contact with the July 7 email.
- **The June 29 inspection contains negative findings too:** no issues with the pumper trucks, no pooling of sewage on the ground, and the odor detected within two feet of the tank. Quote the passage whole.

- **“El Cajon Dump Station” is the County's characterization**, relayed second-hand from the operator. It is a lead, not a verified fact. The receiving facility's own records are what establish disposal.
- **The permit application is a scanned document read by OCR.** The Harbor Drive street number differs between pages 1 and 3 in the machine reading, and the office-use vehicle count is not legible. Verify against the original paper before quoting any figure or address.
- **Provenance is unconfirmed.** Everything in the “What Changes on the PRAs” section that depends on this being the Region 9 production is contingent on that confirmation.

Prepared as issue-spotting for counsel. All quotations are verbatim from the source document. This is not legal advice; the ordinance citation, permit scope, and CPRA deadline consequences should be independently verified by a licensed California attorney before reliance.