

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO.89-43

APPROVAL OF (1) AGREEMENT ON A CONFLICT RESOLUTION PROCESS BETWEEN REGIONAL ADMINISTRATOR, EPA, REGION 9 AND CHAIRMAN, STATE WATER RESOURCES CONTROL BOARD, (2) A REVISED CALIFORNIA NPDES PROGRAM DESCRIPTION AND (3) NPDES MEMORANDUM OF AGREEMENT BETWEEN THE U.S. ENVIRONMENTAL PROTECTION AGENCY AND THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD.

WHEREAS:

1. The Federal Water Pollution Control Act (Act) authorizes the Administrator [EPA] to approve state programs to issue permits for point source discharges of pollutants into the navigable waters within the jurisdiction of such state, which carry out the objectives of the Act, and
2. The State Water Resources Control Board as authorized and directed by the California Water Code, Division 7, Chapter 5.5 in 1973 received authorization from the Administrator, EPA, to issue permits for discharges into the navigable waters within the jurisdiction of the State, and
3. There have been numerous revisions of the California Water Code, Division 7, and the Act since the State's NPDES permit program was approved by the Administrator, EPA in 1973, and
4. The revisions to the California Water Code, Division 7, the Act and subsequent revisions of federal regulations promulgated pursuant to revisions of the Act cause the State Water Resources Control Board to believe it is appropriate to revise the California NPDES Program Description (Attachment 1) and the Memorandum of Agreement between the U.S. Environmental Protection Agency, and the California State Water Resources Control Board (Attachment 2), and
5. The State Water Resources Control Board and the Regional Administrator, EPA, Region 9, wish to establish a process called the Agreement On A Conflict Resolution Process Between Regional Administrator, EPA, Region 9, and Chairman, State Water Resources Control Board (Attachment 3).

THEREFORE, BE IT RESOLVED:

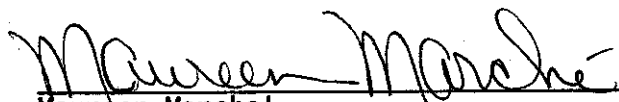
That the State Board:

1. Approves and authorizes the Chairman, State Water Resources Control Board, to sign the Agreement On A Conflict Resolution Process Between Regional Administrator, EPA, Region 9, and Chairman, State Water Resources Control Board.
2. Approves the proposed revisions to the California NPDES Program Description.
3. Approves and authorizes the Chairman, State Water Resources Control Board, to sign the NPDES Memorandum of Agreement between the U.S. Environmental Protection Agency and the California State Water Resources Control Board.

4. Authorizes the Executive Director, State Water Resources Control Board, to submit (1) the Agreement On A Conflict Resolution Process Between Regional Administrator, EPA, Region 9, and State Water Resources Control Board, (2) the revised California NPDES Program Description (Revised May 16, 1989) and (3) the NPDES Memorandum of Agreement Between the U.S. Environmental Protection Agency and the California State Water Resources Control Board to the U.S. Environmental Protection Agency for approval.

#### CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 16, 1989.



Maureen Marche'  
Administrative Assistant to the Board