

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER NO. 70-6

REQUIRING THE MILPITAS SANITARY DISTRICT TO
CEASE AND DESIST FROM DISCHARGING WASTES FROM
ITS SEWAGE TREATMENT PLANT CONTRARY TO REQUIRE-
MENTS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER
QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION

The State Water Resources Control Board finds that:

1. On June 24, 1969, the California Regional Water Quality Control Board, San Francisco Bay Region, adopted Resolution No. 69-27 prescribing waste discharge requirements for the discharge from the sewage treatment plant of Milpitas Sanitary District (hereinafter referred to as the district) into Coyote Creek in Santa Clara County, which requirements were ordered to become effective on January 1, 1970.

2. The discharge requirements, in part, provide that the discharge shall not cause

(1) unsightliness, odors or damage to any of the protected beneficial water uses resulting from floating, suspended or deposited macroscopic particulate matter, foam, oil or grease.

(2) waters of the State to exceed prescribed limits of pH, dissolved sulphides and dissolved oxygen.

The requirements further regulated toxicity, BOD removal and bacterial quality of the waste discharge.

70-6

(3) On February 24, 1970, a hearing panel of the regional board conducted a hearing to receive information concerning the discharge and violations of the requirements and to consider issuance of a cease and desist order. The hearing panel reported to the regional board on February 26, 1970. The district was instructed to report back to the board by March 25, 1970, concerning its compliance status and, if not then in compliance, to propose a time schedule for compliance.

On March 14, 1970, at Martinez, California, after due notice to the district, this Board conducted a public hearing at which the district appeared and evidence was received concerning the discharge, including the records of the regional board.

The Board finds that the district is violating the requirements listed in paragraph 2 above.

ORDER

IT IS HEREBY ORDERED that

1. The Milpitas Sanitary District cease and desist forthwith from discharging wastes from its sewage treatment plant contrary to the aforesaid requirements adopted by the regional board, provided compliance with the toxicity requirements be completed by July 1, 1970.

2. Subsequent to March 14, 1970, the district prohibit additional connections to the sewer system, provided this prohibition shall not apply to facilities under construction or for which a building permit was issued prior to said date.

3. If the district fails to comply with the provisions of this order, the regional board is directed to request the Attorney General to take the appropriate enforcement action against the district, including injunction and civil monetary remedies.

CERTIFICATION

I, Jerome B. Gilbert, Executive Officer of the State Water Resources Control Board, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by said Board at the meeting held on March 14, 1970.

Jerome B. Gilbert
Executive Officer