

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition)
of William I. Shultz, M.D., for)
Review of Order No. 72-135 of)
the California Regional Water)
Quality Control Board, Central)
Valley Region)

Order No. 72-3

On January 13, 1972, William I. Shultz, M.D., petitioned the State Water Resources Control Board to review order No. 72-135 of the Central Valley regional water quality control board adopted on December 17, 1971. Order No. 72-135 prohibits waste discharge from a proposed development of Dr. Shultz located near Chico. The petition requests that the prohibition be rescinded and that waste discharge requirements be issued.

The state board having considered the petition and the records of the regional board which concern petitioner's contentions finds:

1. On December 17, 1971, the regional board adopted order No. 72-135 prohibiting discharge from a development of Dr. Shultz.
2. The basis for such prohibition was a finding that the proliferation of small treatment plants in the area would result in an ultimate threat to water quality.
3. The record does not contain evidence which supports finding No. 9 of order No. 72-135 of the regional board. The prohibition of waste discharge without evidence of unreasonable effects

upon water quality is improper and not an acceptable method of implementation of water quality control plans as required by Water Code Section 13263(a).

IT IS HEREBY ORDERED that the California Regional Water Quality Control Board, Central Valley Region, reconsider order No. 72-135 and after hearing adopt an appropriate order based upon evidence concerning the following: (1) the beneficial uses to be protected, (2) the quality of the waste discharge necessary to protect these beneficial uses, and (3) the necessity of preventing a nuisance.

Adopted as the order of the State Water Resources Control Board at a meeting duly called and held at Sacramento, California.

Dated: February 17, 1972

ABSENT

E. F. Dibble, Acting Chairman

Norman B. Hume
Norman B. Hume, Member

Ronald B. Robie
Ronald B. Robie, Member

W. W. Adams
W. W. Adams, Member