

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER: WQ 99 - 07

In the Matter of the Petitions of
**COMMUNITIES FOR A BETTER ENVIRONMENT and
SAN FRANCISCO BAYKEEPER, et al.,**
For Review of Waste Discharge Requirements Orders 98-052, 98-053, 98-054,
NPDES Nos. CA0037842, CA0037621, and CA0037834,
Issued by the
California Regional Water Quality Control Board,
San Francisco Bay Region

SWRCB/OCC FILES A-1167 AND A-1167(a)

BY THE BOARD:

In June 1998, the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) reissued National Pollutant Discharge Elimination System (NPDES) permits to the cities of Palo Alto, Sunnyvale and, collectively, San Jose and Santa Clara. The cities (referred to as the South Bay dischargers) operate wastewater treatment plants that discharge tertiary-treated effluent to shallow waters tributary to South San Francisco Bay.

The following month, Communities for a Better Environment, San Francisco BayKeeper and CLEAN South Bay¹ filed petitions for State Water Resources Control Board (State Water Board or Board) review of the three permits. On October 5, 1998, the petitioners were notified that their petitions were complete.² The Board's petition regulations require final

¹ CLEAN South Bay is a coalition of South Bay groups, including The Sierra Club-Loma Prieta Chapter, The Citizens' Committee to Complete the Refuge, and the Silicon Valley Toxics Coalition, and Trish Mulvey.

² See Cal. Code Regs., tit. 23, § 2050.5.

action on a petition within 270 days or the petition is deemed denied.³ This time period can be extended up to 60 days by written agreement between the Board and the petitioner. Petitioners in this case granted the Board an extension. As extended, the time for final resolution of the petitions is approximately September 1.

The Board anticipates considering a draft order on the permits at the Board's October workshop and board meeting. These dates fall beyond September 1, the deadline for final resolution of the petitions. Therefore, the Board has decided to review the three South Bay permits on its own motion.

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³ See *id.* § 2052(d).

ORDER

IT IS HEREBY ORDERED that the State Water Board will review the South Bay permits on its own motion.

CERTIFICATION

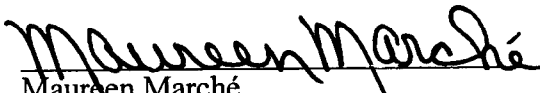
The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 19, 1999.

AYE: James M. Stubchaer
Mary Jane Forster
John W. Brown
Arthur G. Baggett, Jr.

NO: None

ABSENT: None

ABSTAIN: None


Maureen Marché
Administrative Assistant to the Board

