

San Francisco Bay Regional Water Quality Control Board

## AGENDA

Wednesday, September 12, 2012

9:00 a.m.

### Elihu M. Harris Building

First Floor Auditorium  
1515 Clay Street  
Oakland, CA 94612

Approximate Time<sup>1</sup>

9:00 a.m.

1. **Roll Call and Introductions**
2. **Public Forum**

*Any person may address the Water Board regarding a matter within the Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to three minutes, unless otherwise directed by the Chair. Comments regarding pending adjudicatory matters will not be allowed. The public is encouraged to visit the Board website [[http://www.waterboards.ca.gov/sanfranciscobay/public\\_notices](http://www.waterboards.ca.gov/sanfranciscobay/public_notices)] and contact Board staff to determine whether a matter is a pending adjudicatory matter.*

3. **[Minutes of the September 14, 2011 Board Meeting](#)**
4. **2012 Dr. Teng-chung Wu Pollution Prevention Awards**  
– Presentation of Awards to Alameda County for Safe Drug Disposal Ordinance and to Thomas Barron in Recognition of Lifetime Achievements in Pollution Prevention  
[Dylan Garner 622-2116, [dgarner@waterboards.ca.gov](mailto:dgarner@waterboards.ca.gov)]

**[Staff Summary Report](#)**

<sup>1</sup>

The "approximate time" indicated is an estimate of when the agenda item is expected to be considered by the Board. The Board will follow these times as closely as possible. However, the estimates are provided for convenience and are not legally binding on the Board.

5. [Chairman's, Board Members', and Executive Officer's Reports](#)
6. **Consideration of Uncontested Item (See Notes)**
- \*A. **Henkel Corporation, for the property located at 37899 Niles Boulevard, Fremont, Alameda County**  
– Rescission of Site Cleanup Requirements  
[Cherie McCaulou 622-2342, [cmccaulou@waterboards.ca.gov](mailto:cmccaulou@waterboards.ca.gov)]

Final Order [R2-2012-0070](#)  
[Staff Summary Report](#)

### **OTHER BUSINESS**

7. **Implementation of the Municipal Regional Stormwater Permit Trash Load Reduction Requirements**  
– Status Report  
[Dale Bowyer 622-2323, [dbowyer@waterboards.ca.gov](mailto:dbowyer@waterboards.ca.gov)]

[Staff Summary Report](#)  
[Staff Comment Letter on Trash Plans and Reports](#)  
[Permittees' Response to Staff Comment Letter](#)

8. **Correspondence**

11:30 – 12:30 p.m.

9. **Closed Session – Personnel**

The Board may meet in closed session to discuss personnel matters.  
[Authority: Government Code Section 11126(a)]

10. **Closed Session – Litigation**

The Board may meet in closed session to discuss significant exposure to litigation. The Board also may meet to discuss whether to initiate litigation.  
[Authority: Government Code Sections 11126(e)(1) and 11126(2)(B)-(C)]

11. **Closed Session – Deliberation**

The Board may meet in closed session to consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence.  
[Authority: Government Code Section 11126(c)(3)]

12. **Adjournment to the next Board meeting** – October 10, 2012

## NOTES ON WATER BOARD AGENDA

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**Agenda Annotations** – \*Uncontested item, expected to be routine and non-controversial. Recommended action will be taken at the beginning of the meeting without discussion. Any interested party, Board member or the Executive Officer may request that an item be removed from the Consideration of Uncontested Items, and it will be taken up in the order indicated by the agenda.

**Availability of Agenda Items** – Tentative orders and their accompanying materials are available one week before the meeting at [www.waterboards.ca.gov/sanfranciscobay](http://www.waterboards.ca.gov/sanfranciscobay). Copies of agenda items may be obtained at the Board's office after 9 a.m. on the Thursday preceding the Board meeting from the staff member indicated on the agenda.

**Conduct of Board Meetings** – Items may not be considered in numerical order. Board meetings are accessible to people with disabilities. Individuals who require special accommodations should contact the Executive Assistant at 622-2399 at least 5 working days before the meeting. TTY users may contact the California Relay Service at 800-735-2929 or voice line at 800-735-2922.

Anyone intending to make a presentation using slides, overheads, computer graphics, or other media must coordinate with the staff member for the agenda item in advance of the meeting. Presentation materials must be consistent with and not extend beyond the scope of oral testimony. Power point slides will not be made part of the record unless the Board views them during its meeting. All those addressing the Board should identify themselves for the record.

At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based on evidence introduced in a hearing. [Government Code section 11126(a), (d) and (q)]

**Administrative Civil Liabilities and Mandatory Minimum Penalties** – A discharger may waive the right to a hearing on an agenda item for an ACL or MMP. If there is a waiver, no hearing will be held unless new, substantial information is made available that was not considered during the public comment period.

**Petition of Board Actions** – Certain Water Board actions or failures to act may be petitioned to the State Water Resources Control Board under Water Code section 13320. Any such petition shall be limited to those substantive issues or objections that were raised before the Water Board, if there was notice and an opportunity to comment. A petition must be received by the State Water Board within 30 days of the Water Board action or failure to act. See Title 23, California Code of Regulations, sections 2050-2068 for regulations governing petitions.

**Contributions to Board Members** – All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit before the Board must submit a statement to the Board disclosing any contribution of \$250 or more to be used in a State, federal, or local election, made by the action supporter or opponent or his or her agent, to any Board member within the past 12 months.

All permit applicants and all persons who actively support or oppose adoption of waste discharge requirements or an NPDES permit pending before the Board are prohibited from making a contribution of \$250 or more to any Board member for 3 months following a Board decision on a permit application.

**Water Quality Certification** – Information regarding pending Section 401 Water Quality Certification applications is available at [http://www.swrcb.ca.gov/sanfranciscobay/public\\_notices/#section401](http://www.swrcb.ca.gov/sanfranciscobay/public_notices/#section401).

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - San Francisco Bay Region**

1515 Clay Street, Suite 1400, Oakland, CA 94612 • (510) 622-2300 • Fax (510) 622-2460

<http://www.waterboards.ca.gov/sanfranciscobay>

***Water Board Members***

<b>Name</b>	<b>City of Residence</b>
John Muller, Chair	Half Moon Bay
Terry F. Young, Vice Chair	Oakland
Shalom Eliahu	Lafayette
James McGrath	Berkeley
Rameshwar Singh	San José
Vacancy	
Vacancy	

***Water Board Staff***

***Executive Officer***

Bruce H. Wolfe

***Assistant Executive Officers***

Thomas Mumley

Dyan Whyte

***Counsel to the Board***

Yuri Won

Tamarin Austin

***Executive Assistant***

Mary E. Tryon

***Management Services Division***

Anna Torres, Chief

***Communications Coordinator***

Sandia Potter

***Planning and TMDL  
Division***

Naomi Feger, Chief

Keith Lichten, Section Leader

James Ponton, Section Leader

***Watershed Management  
Division***

Shin-Roei Lee, Chief

Dale C. Bowyer, Section Leader

William Hurley, Section Leader

Christine Boschen, Section Leader

***Groundwater Protection/  
Waste Containment Division***

Terry Seward, Chief

Alec Naugle, Section Leader

David Elias, Section Leader

Keith Roberson, Section Leader

***Permits Division***

Lila Tang, Chief

Bill Johnson, Section Leader

Claudia Villacorta, Section Leader

Brian Thompson, Section Leader

***Toxics Cleanup Division***

Stephen Hill, Chief

John D. Wolfenden, Section Leader

Chuck Headlee, Section Leader

Mary Rose Cassa, Section Leader

The primary responsibility of the Water Board is to protect and enhance the quality of regional surface water and groundwater for beneficial uses. This duty is carried out by formulating, adopting, and implementing water quality plans for specific water bodies, by prescribing and enforcing requirements on waste dischargers, and by requiring cleanup of water contamination and pollution. Specific responsibilities and procedures of the Board are outlined in the Porter-Cologne Water Quality Control Act.

Meetings of the Water Board normally are held on the second Wednesday of each month in the Elihu M. Harris State Office Building, First Floor Auditorium, 1515 Clay Street, Oakland. They are scheduled to begin at 9:00 a.m.

The purpose of the meetings is to provide the Board with an opportunity to receive testimony and information from concerned and affected parties and to make decisions after considering the evidence presented. A public forum is held at the beginning of each general meeting where persons may speak on matters within the Board's jurisdiction that are not specific agenda items. The Board welcomes information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take appropriate action. Written comments must be received prior to the Board meeting by the date indicated by staff. Verbal testimony made at the Board meeting should only summarize the written material.

Audio recordings are made of each Board meeting and the recordings are retained in the Board's office for two years. Anyone desiring copies of the recordings should contact the Executive Assistant at (510) 622-2399. A copy of the written transcript may be obtained by calling California Reporting, LLC at (415) 457-4417.



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
San Francisco Bay Region

Summary of Board Actions Taken at the Regular Meeting

August 8, 2012

**NPDES Permits**

- |                                |   |
|--------------------------------|---|
| Adopted Order No.R2-2012-0059  | Reissuance of NPDES Permit for<br><b>City of Pinole, Pinole-Hercules Water Pollution Control Plant and Its Wastewater Collection System, Pinole, Contra Costa County</b>  |
| Adopted Order No.R2-2012-0060  | Reissuance of General NPDES Permit for<br><b>General Waste Discharge Requirements for Discharge or Reuse of Extracted Brackish Groundwater, Reverse Osmosis Concentrate Resulting from Treated Brackish Groundwater, and Extracted Groundwater from Structural Dewatering Requiring Treatment</b> |
| Adopted Order No. R2-2012-0061 | Reissuance of NPDES Permit for<br><b>Sewer Authority Mid-Coastside, Wastewater Treatment Plant and Its Wastewater Collection System, Half Moon Bay, San Mateo County</b>  |
| Adopted Order No.R2-2012-0062  | Reissuance of NPDES Permit for<br><b>South Bayside System Authority, Wastewater Treatment Plant and Its Wastewater Collection System, Redwood City, San Mateo County</b>  |

**Waste Discharge Requirements and Water Quality Certification**

- |                               |  |
|-------------------------------|--|
| Adopted Order No.R2-2012-0063 | Adoption of Waste Discharge Requirements and Water Quality Certification for <b>Napa County Flood Control and Water Conservation District, Stream Maintenance Program, Napa County</b> |
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**Waste Discharge Requirements**

- |                               |  |
|-------------------------------|--|
| Adopted Order No.R2-2012-0064 | Issuance of Updated Waste Discharge Requirements and Rescission of Order No. 01-022 for<br><b>Cal-Pox, Inc., and Glendale West, LLC, San Quentin Solid Waste Disposal Landfill, San Rafael, Marin County</b> |
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**Other Business**

Received Report

Received Status Report including Case Closure  
for **Cleanup Programs**

Adopted Minutes

Adopted as Submitted **Minutes  
of the July 13, 2011 Board Meeting**

**Continued**

Item Continued

**Robert W. Dittmer, Ann Lewczyk as Trustee  
of the Michael L. McInnis Revocable Trust,  
Jewel Hirsch doing business as Fairfield  
Cleaners, Obie Goins, and Ray Johnson, for  
the property located at 625 Jackson Street,  
Fairfield, Solano County**  
– Adoption of Site Cleanup Requirements

Item Continued

**Terry A. Duree, Inc., Stephen Spencer,  
Ronald Waslohn, and Tegtmeier Associates,  
Inc., for the property located at 622-630  
Jackson Street, Fairfield, Solano County**  
– Adoption of Site Cleanup Requirements

Item Continued

**RX Daughters, LLC, George Tomasini, Jr.,  
as Trustee of the G. J. Tomasini Trust,  
Gerald Duensing, Sandra Duensing,  
and Thomas Turigliatto, for the property  
located  
at 712 Madison Street, Fairfield, Solano County**  
– Adoption of Site Cleanup Requirements