

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-4

PRESCRIBING REVISED REQUIREMENTS FOR WASTE DISCHARGES  
BY CHARLES PFIZER & COMPANY, INC. INTO TEMESCAL CREEK  
IN EMERYVILLE, ALAMEDA COUNTY

WHEREAS THIS REGIONAL BOARD HAS CONSIDERED

INFORMATION ABOUT THIS DISCHARGE

1. This Regional Water Quality Control Board prescribed requirements for all waste discharges into that portion of Temescal Creek lying within the Town of Emeryville in Resolution No. 235 adopted on December 13, 1956. Charles Pfizer & Company, Inc., called the discharger below, discharges waste to the above designated area and has been subject to these prescribed requirements.
2. This Regional Board has stated its intent to revise requirements for existing waste discharges to conform with the policy adopted by Resolution No. 67-30.
3. Information in the Regional Board's files describe the waste discharges as industrial waste only of 0.18 mgd. Three outlets with these approximate diameters, discharge through the side of the concrete lined creek channel: a 2-inch steam outlet, a 6-inch industrial waste outlet and a 12-inch industrial waste outlet. Process wastes are treated in a settling tank before being discharged to the stream.

CORRESPONDENCE

This Regional Board has considered recommendations about this matter from:

1. State Department of Fish and Game in its memorandum dated January 22, 1970
2. State Department of Public Health in its memorandum dated January 9, 1970
3. State Department of Water Resources in its memorandum dated December 19, 1969

STAFF INVESTIGATION

1. These wastes can affect the following present and proposed beneficial water uses in Temescal Creek and San Francisco Bay:

Swimming, water-skiing, wading, pleasure boating, and fishing

Fish, shellfish, and wildlife propagation and sustenance, and waterfowl and migratory birds habitat and resting

Esthetic enjoyment.

2. Land within 1000 feet of the Outfall is used for recreation, industry, and transportation.

RESOLVED BY THIS REGIONAL BOARD

BOARD INTENT

1. Protect public health as it may be affected by this waste discharge.
2. Prevent nuisance, as defined in Section 13050(m) of the California Water Code.
3. Protect the beneficial water uses listed under "Staff Investigation" above.

WASTE DISCHARGE REQUIREMENTS - RECEIVING WATERS

1. The treatment or disposal of waste shall not create a nuisance as defined in Section 13050(m) of the California Water Code.
2. The discharge shall not:
  - a. Unreasonably affect any of the protected beneficial water uses resulting from:

Floating, suspended, or deposited macroscopic particulate matter, or foam in waters of the State at any place;

Any alteration in the apparent color of the waters of the State beyond the bayward headwall of the culvert under the Eastshore Freeway;

Bottom deposits at any place;

Aquatic growths at any place;

Alteration of temperature or turbidity beyond present natural background levels in waters of the State at any place.
  - b. Cause visible, floating, suspended or deposited oil or other products of petroleum origin in waters of the State at any place.
  - c. Cause waters of the State to exceed the following limits of quality at any point:

pH	7.0 minimum 8.5 maximum
Dissolved oxygen	5.0 mg/l minimum
Dissolved sulfide	0.1 mg/l maximum
Nutrients	to be prescribed at the earliest practicable date
Other substances	any one or more substances in concentrations that impair any of the protected beneficial water uses or make aquatic life or wildlife unfit or unpalatable for consumption.

WASTE DISCHARGE REQUIREMENTS - WASTE STREAM

The waste stream discharged to waters of the State shall meet these quality limits at all times:

1. In any grab sample:

Settleable matter

The arithmetic average of any six or more samples collected on any day 0.5 ml/l/hr maximum

80% of all individual samples collected during maximum daily flow over any 30-day period 0.4 ml/l/hr maximum

Any sample 1.0 ml/l/hr maximum

2. In any representative, 24-hour composite sample:

Toxicity: survival of test fishes in 96-hour bioassays of the waste as discharged

Any sample 75% minimum

Average of any three or more consecutive samples collected during any 21 or more days 90% minimum

REPORTING REQUIREMENTS

1. This Regional Board requires the discharger to file, by March 1, 1970, a report on facilities proposed to comply with the requirements of this Resolution, and the schedule for providing such facilities. The schedule shall include completion dates for the following steps:

Complete studies needed to design the necessary facilities

Complete construction plans and specifications for the necessary facilities

Award contract(s) for construction of the necessary facilities

Begin construction of the necessary facilities

Complete construction of the necessary facilities, as evidenced by acceptance of the work by the discharger

Demonstrate compliance with these requirements as evidenced by appropriate data collected by the discharger and filed at the office of the Regional Board.

(Reference Section 13267, California Water Code, and this Board's Resolution No. 398).

2. This Resolution includes items numbered 1, 6 and 7 of the attached "Reporting Requirements", dated January 1, 1970.

#### NOTIFICATIONS

This Resolution includes items numbered 1, 2, 3, 4, 5 and 6 of the attached "Notifications", dated January 6, 1970.

WILLIAM C. WEBER  
Chairman

January 29, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-4 adopted by the California Regional Water Quality Control Board - San Francisco Bay Region at its regular meeting on January 29, 1970.

FRED H. DIERKER  
Executive Officer  
CALIFORNIA REGIONAL WATER QUALITY CONTROL  
BOARD - SAN FRANCISCO BAY REGION

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION  
January 1, 1970

REPORTING REQUIREMENTS

1. This Board requires the discharger to file technical reports on self-monitoring work performed according to detailed specifications developed pursuant to the Regional Board's Resolution No. 398. (Reference: Sections 13267(b) and 13268, California Water Code.)
2. This Board requires the discharger to file a written report within 90 days after the average dry-weather waste flow for any month equals or exceeds 80% of the design capacity of his waste treatment and/or disposal facilities. The discharger's senior administrative officer shall sign a letter which transmits that report and certifies that the policy-making body is adequately informed about it. The report shall include:

Average daily flow for the month, the date on which the instantaneous peak flow occurred, the rate of that peak flow, and the total flow for that day.

The discharger's best estimate of when the average daily dry-weather flow rate will equal or exceed the design capacity of his facilities.

The discharger's intended schedule for studies, design, and other steps needed to provide additional capacity for his waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units. (Reference: Sections 13260, 13267(b) and 13268, California Water Code.)

3. This Board requires the discharger to file a time schedule for engineering studies on facilities needed to comply with the Board's receiving water objective of 5.0 mg/l of dissolved oxygen and/or to file a time schedule for deciding upon the feasibility of participating in regional water quality control systems if he does not meet that dissolved oxygen objective after providing waste treatment facilities which comply with the effluent BOD requirement prescribed elsewhere in this Resolution. (Reference: Sections 13267(b) and 13268, California Water Code.)
4. This Board requires the discharger to file technical reports on studies into correcting violations of the Board's water quality objectives caused by discharging combined storm water and sewage. Specifications for these studies shall be developed pursuant to the Board's Resolution No. 398. (Reference: Sections 13267(b) and 13268, California Water Code.)

5. This Board requires the discharger to file written reports within 15 days after each calendar quarter to include:

Name of and number of lots in each subdivision for which an application has been received for connection to the sewerage system.  
Anticipated date of connection of each subdivision to the sewerage system.

Finding and supporting data by governing body on effect of addition of each subdivision on violation of waste discharge requirements.

(Reference: Section 11551.6 Business and Professions Code and Sections 13267(b) and 13268, California Water Code.)

6. This Board requires the discharger to file a report on waste discharge at least 120 days before making any material change or proposed change in the character, location or volume of the discharge. (Reference: Sections 13060(b) and 13264, California Water Code.)
7. This Board requires the discharger to file a written technical report at least 15 days prior to advertising for bids on any construction project which would cause or aggravate the discharge of waste in violation of these requirements; said report to describe the nature, costs, and scheduling of all actions necessary to preclude such discharge. In no case should any discharge of sewage bearing wastes be permitted without at least primary treatment and chlorination. (Reference: Sections 13267(b) and 13268, California Water Code.)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION  
January 6, 1970

NOTIFICATIONS

1. This Board requests the discharger to take note of the comments and recommendations contained in all the correspondence the Board has received and considered concerning this matter, and the Executive Officer is directed to transmit copies of that correspondence to the discharger.
2. This Board considers "Waters of the State" as defined in Section 13050(e) of the California Water Code to include waste waters over which the discharger has lost control.
3. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, nor protect the discharger from his liabilities under Federal, State, or local laws, nor guarantee the discharger a capacity right in the receiving waters.
4. This Board will prescribe more restrictive requirements for this waste discharge if necessary:
  - To achieve or maintain dissolved oxygen concentration of at least 5.0 mg/l in tidal waters of the San Francisco Bay System pursuant to Resolution No. 67-30,
  - To protect shellfishing areas which the Board designates pursuant to Resolution No. 803,
  - To protect the beneficial water uses, and to achieve other objectives adopted in the resolutions cited above.
5. This Board will review these requirements periodically, as required by law, and will notify the responsible persons before doing so. (Reference: Section 13263(e), California Water Code.)
6. The water quality parameters used in this resolution are as defined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" by the American Public Health Association.
7. The discharger is advised that this Board will use the general concepts of Phase I of the plan recommended by the Final San Francisco Bay-Delta Program Report as guidelines in reviewing any application for construction grants for sewerage facilities proposed to comply with these requirements, and if the discharger intends to make such application he must demonstrate the compatibility of the proposed facilities with the general concepts of the Bay-Delta Program.