

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-43

ADOPTING A POLICY STATEMENT RELATIVE TO RESPONSIBILITIES OF WASTE DISCHARGERS AND PROCEDURE FOR FILING SELF-MONITORING AND/OR TECHNICAL REPORTS AND RESCINDING RESOLUTION NO. 398.

WHEREAS

Subdivision (a) of Section 13225 of the California Water Code provides that each Regional Board, with respect to its region, shall obtain coordinated action in water quality control, including the prevention and abatement of water pollution and nuisance;

Subdivision (b) of Section 13267 of the California Water Code provides that a California Regional Water Quality Control Board may require that any person discharging or proposing to discharge waste within its region or any citizen or domiciliary or political agency or entity of this state discharging or proposing to discharge waste outside of its region that could affect the quality of waters within its region shall furnish under penalty of perjury, such technical or monitoring program reports as the board may specify;

Section 13268 of the California Water Code states that any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of Section 13267 or falsifying any information provided therein is guilty of a misdemeanor;

This Regional Board finds that there is a need for a policy statement to further define the responsibilities of waste dischargers with respect to Subdivision (b) of Section 13267 of the California Water Code and to establish a procedure to be followed in the development of detailed specifications for required self-monitoring program or technical reports;

NOW, THEREFORE BE IT RESOLVED THAT

The following procedure is adopted by this Regional Board for the development of detailed specifications for self-monitoring program or technical reports pursuant to Subdivision (b) of Section 13267 of the California Water Code:

- A. The Board's Executive Officer will prepare detailed written specifications and will transmit these to the waste discharger

- B. The waste discharger shall, within the number of days specified by the Executive Officer, submit in writing to the Regional Board:
1. His agreement to do the work specified by the Executive Officer; or
 2. Request for review of the Executive Officer's specifications by the Regional Board with his reasons for the requested review;
- C. If the discharger agrees to do the work specified by the Executive Officer he will be expected to complete all of the work according to the schedule contained in those specifications and failure to complete the work may be considered as "failure" or "refusal" to furnish a self-monitoring program or technical report pursuant to Section 13268 of the California Water Code;
- D. The Regional Board may review the Executive Officer's specifications for any particular waste discharge upon request of either the Executive Officer or the discharger;
- E. Specifications that are reviewed and adopted by the Regional Board will be enforced pursuant to Section 13268 if not complied with by the waste discharger in accordance with the time schedule specified by the Board;

The above procedure is also applicable to the amendment of self-monitoring programs that this Regional Board has required specific waste dischargers to perform;

The Regional Board Resolution No. 398 is hereby rescinded and all Regional Board Resolutions and self-monitoring programs that have been referred to Resolution No. 398 are hereafter referred to this resolution;

The Executive Officer of this Regional Board is instructed to transmit a copy of this resolution to all affected waste dischargers in its region.

WILLIAM C. WEBER
Chairman

May 28, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-43 as adopted at its regular meeting on May 28, 1970.

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