

ORDER REQUIRING THE CITY OF PITTSBURG TO CEASE AND
DESIST DISCHARGING WASTES FROM ITS MONTEZUMA TREATMENT
PLANT CONTRARY TO REQUIREMENTS PRESCRIBED BY THE
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN
FRANCISCO BAY REGION

ORDER NO. 71-17

The California Regional Water Quality Control Board, San Francisco Bay Region
finds:

1. On May 28, 1969, this Regional Board adopted Resolution No. 69-22 pre-
scribing discharge requirements for the discharge by the City of Pittsburg.
2. The discharge requirements provide, in part, as follows:

"... ..

The discharge of the wastes shall not cause:

... ..

2. Unsightliness, odors, nor damage to any of the protected beneficial
water uses resulting from:

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

3. apparent color beyond present natural background
levels in waters of the State at any place more than 50 feet from
Outfall "A"

... ..

"The wastes as discharged shall meet these quality limits at all times:

1. In any grab sample:

pH	7.0, minimum
	8.5, maximum

... ..

... ..

3. 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

4. Bacterial quality of the waste at some point in the treatment process shall be within the limits prescribed in Section 7958, Title 17, California Administrative Code".
3. Data submitted by the discharger indicate that he is violating requirements on effluent pH, toxicity, and MPN coliform, and requirements on floating matter and apparent color in the receiving waters.
4. By letter dated December 29, 1970 and by later conferences, the Regional Board staff notified the discharger of the violations of requirements and requested action to eliminate the violations as soon as possible.
5. On March 9, 1971 at 7:00 p.m. in the Pittsburg City Council Chambers in Pittsburg, California, after due notice to the discharger and all other affected persons, a hearing panel of the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
6. Upon the basis of the evidence received, the hearing panel recommended that the Board issue a cease and desist order against the discharger requiring that it comply with the aforesaid requirements and terminate the aforesaid threatened violations of requirements forthwith.
7. The discharger is violating and/or threatening to violate requirements as listed in 2 above.

IT IS HEREBY ORDERED THAT

1. The City of Pittsburg forthwith cease and desist from discharging wastes contrary to requirements on effluent pH, toxicity, and MPN coliform, and requirements on floating matter and apparent color in the receiving waters.
2. The City of Pittsburg is required to provide to the Board by April 15, 1971 and monthly thereafter a report, under penalty of perjury, on progress toward compliance with requirements. The report filed on May 15, 1971 shall include a report on the discharger's study into sources of compliance problems, and a detailed time schedule for completing permanent facilities needed for reliable compliance with the waste discharge requirements.
3. If, in the opinion of the Executive Officer, the City of Pittsburg fails to comply with the provisions of this order, the Executive Officer is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Fred H. Dierker, Executive Officer of the California Regional Water Quality Control Board, San Francisco Bay Region, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the Regional Board at a meeting held on March 25, 1971.

Executive Officer