

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 79-70

ENFORCEMENT ORDER FOR ISSUANCE OF A TIME SCHEDULE

ORDER DIRECTING CITY OF LIVERMORE
TO COMPLY WITH REQUIREMENTS PRESCRIBED BY THE
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
SAN FRANCISCO BAY REGION, IN ORDER NO. 79-68
(NPDES PERMIT NO. CA0037869)

The California Regional Water Quality Control Board (hereinafter Board),
San Francisco Bay Region, finds that:

1. This Board on June 19, 1979 adopted Order No. 79-68 prescribing waste discharge requirements including a compliance time schedule for the City of Livermore (hereinafter "discharger") in accordance with statutory requirements of the Federal Water Pollution Control Act and the California Water Code. The permit contains an immediate compliance date for achieving secondary effluent limitations as required by the Federal Act and also includes more stringent effluent and receiving water limitations consistent with the Board's Basin Plan. The discharger currently meets secondary effluent limitations.
2. The discharger has submitted evidence which documents that the above more stringent requirements contained in Order No. 79-68 cannot be achieved. The discharger has experienced delays beyond its control because of the grant process for construction of necessary facilities and complexity of Livermore-Amador Valley water quality problems.
3. The discharger has submitted a time schedule by which it can achieve the requirements contained in Order No. 79-68.
4. The Board has notified the discharger and interested agencies and persons of its intent to adopt a time schedule for compliance.
5. The Board in a public hearing heard and considered all comments pertaining to this discharger's ability to achieve compliance.
6. The Board finds that this action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED, that in accordance with Water Code Section 13300, the discharger shall comply with Prohibitions A.2 (10:1) and A.4 (dry weather discharge), and Receiving Water Limitation VIII.A.5. (TDS, Cl) of Order No. 79-68 in accordance with the following schedule:

1. Revised Compliance time schedule for Prohibitions A.2 and A.4 and Receiving Water Limitation VIII.A.5:

| <u>Task</u> | <u>Compliance Date</u> | <u>Report of Compliance Due</u> |
|---|------------------------|---------------------------------|
| Commence discharge into LAVWMA interceptor for discharge at EBDA facilities | January 1, 1980 | January 15, 1980 |

2. This Order expires on January 1, 1981.

The Board declares that it shall not undertake further enforcement action to bring the discharger into compliance with final effluent and receiving water limitations immediately as contained in Order No. 79-68 provided:

- a. The discharger complies fully with all terms of the time schedule contained in this Order;
- b. The discharger complies fully with all terms of the permit with the exception of provisions A.2, A.4, and VIII.A.5.
- c. Circumstances do not occur which would warrant modification of the permit or time schedule; and
- d. Circumstances do not occur which would warrant an action under Section 504 of the Federal Water Pollution Control Act.

The action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Pollution Control Act.

I, Fred H. Dierker, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 19, 1979.

FRED H. DIERKER
Executive Officer