

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 87-82

APPROVAL OF AMENDMENTS TO CHAPTER 5 OF THE WATER
QUALITY CONTROL PLAN FOR THE SAN FRANCISCO BAY BASIN

WHEREAS:

1. The California Regional Water Quality Control Board, San Francisco Bay Region (San Francisco Bay Regional Board), revised the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on October 21, 1982.
2. Division 7 of the California Water Code states that basin plans shall be periodically reviewed and, if appropriate, revised.
3. The San Francisco Bay Regional Board developed new proposed amendments to the Basin Plan which were considered at public workshops held on April 30, 1986 and May 19, 1986 and public hearings held on September 19, 1986 and December 17, 1986.
4. The amendments revise Beneficial Uses (Chapter 2), Water Quality Objectives (Chapter 3), Implementation Plan (Chapter 4), and Plans and Policies (Chapter 5).
5. The amendments to Chapters 2 through 4 were considered and acted upon through State Board Resolution No. 87-49 adopted May 21, 1987.
6. Proposed changes to Chapter 5 were to be considered at a later date to allow adequate review of guidance documents referenced.
7. The Chapter 5 references to three guidance documents do not constitute actual incorporation into the Basin Plan.
8. The referenced guidelines were reviewed pursuant to Section 13245.5 of the California Water Code.
9. The guideline entitled "Discharge of Polluted Ground Water to Surface Water: Guidance Document" is inconsistent with Clean Water Act requirements.
10. The guideline entitled "Enforcement Guidelines for POTW Chlorine Residual Violations" is appropriate, but may allow for impacts to aquatic organisms and may not reflect the implementation of the best available technology.
11. The guideline entitled "Guidance For Addressing Fuel Leaks" is inappropriate because it duplicates and overlaps guidance provided by the Leaking Underground Fuel Tank (LUFT) statewide field manual.

12. Deletion of reference to the Resources Agency "Policy for Preservation of Wetlands in Perpetuity" is appropriate since the Regional Board is developing a comprehensive protection plan for the Region's wetlands.
13. The proposed amendments make numerous incorrect references to State Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California," as either the Non- or Anti-degradation Policy.
14. The deletion of on-site disposal county waivers Nos. 583 and 598 and the addition of Regional Board Resolution Nos. 83-1, 83-2, and 83-12 are appropriate.
15. The addition of the reference to the policy statement, Regional Board Resolution No. 83-10, with respect to the results of the San Francisco Bay Shellfish Program approved by State Board through Resolution No. 84-23, March 15, 1984, is not appropriate.
16. The proposed Basin Plan amendments are consistent with the requirements of Public Resources Code Section 21000 et seq (California Environmental Quality Act).
17. Basin Plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. Reference in Chapter 5 to the guideline entitled "Enforcement Guideline for POTW Chlorine Residual Violations" is approved. This guideline is conditionally approved pursuant to Water Code Section 13245.5. The conditions are:
 - a. The Regional Board should reconsider the performance thresholds to prevent receiving water impacts and to implement best available technology.
 - b. The Regional Board should consider development of an annual frequency threshold to limit the maximum number of days that violations can occur on an annual basis.
 - c. That any discharger which fails to meet the performance threshold be required to consider corrective actions and system upgrades to reflect best available technology and operational performance. State Board staff will assist Regional Board staff in review of dechlorination system adequacy.

2. That the other amendments to Chapter 5 of the Basin Plan as adopted in the San Francisco Bay Regional Board Resolution No. 86-14 adopted on December 17, 1986 be approved with the exception of the following:
 - a. That all references to anti- and non-degradation policy are remanded to the San Francisco Bay Regional Board as inappropriate. That such language should be replaced with the appropriate reference to State Board Resolution No. 68-16 "Statement of Policy With Respect to Maintaining High Quality of Waters in California."
 - b. Reference to the guidance document "Discharge of Polluted Ground Water to Surface Waters" is not approved. This guideline is also not approved pursuant to Water Code Section 13245.5.
 - c. Reference to the guidance document "Guidelines for Addressing Fuel Tanks" is not approved. This guideline is also not approved pursuant to Water Code Section 13245.5.
 - d. Incorporation of the reference to the policy statement (Regional Board Resolution No. 83-10) concerning the results of the San Francisco Bay Shellfish Program is also not approved.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on August 20, 1987.


Maureen Marche
Administrative Assistant to the Board