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Arnold Schwarzenegger
Governor

TENTATIVE ORDER R2-2011-XXXX

AMENDMENT OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGERS WITH PRETREATMENT PROGRAM REQUIREMENTS

WHEREAS the California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter “Regional Water Board”), finds that:

1. The Regional Water Board issued waste discharge requirements that serve as National Pollutant Discharge Elimination System (NPDES) permits for the dischargers listed in Table 1 (hereinafter “Dischargers”). These permits authorize the Dischargers to discharge treated effluent from their respective publicly owned treatment works (POTWs) to waters of the United States under specific conditions.
2. POTWs collect wastewater from homes, commercial and industrial facilities, and transport it via the collection system to the treatment plant. Here, the POTW removes harmful organisms and other contaminants from the sewage so it can be discharged safely into waters of the United States. Generally, POTWs are designed to treat domestic sewage only. However, POTWs also receive wastewater from industrial (non-domestic) users. The pretreatment program aims at controlling pollutants from the industrial users which may pass through or interfere with POTW treatment processes or which may contaminate sewage sludge. In the San Francisco Bay region, there are 28 POTW’s with pretreatment programs.
3. The USEPA formally delegated the Pretreatment Program to the State Water Resources Control Board and the Regional Water Boards on September 22, 1989. As of September 22, 1989, the Regional Water Board is the Approval Authority and is responsible for the review and approval of new and modified POTW Pretreatment Programs.
4. In 2002, the Regional Water Board developed Attachment H to centralize all pretreatment program requirements within an NPDES permit.
5. This Order amends the orders listed in Table 1 to replace the pretreatment program provisions contained in Attachment H to those orders with the revised version of Attachment H attached to this Order (hereinafter “new Attachment H”).
6. The Regional Water Board revisions in the new Attachment H are both programmatic and non-programmatic as discussed below:
 - a. Programmatic revisions

- 1) Attachment H, Provision 1 authorizes the Regional Water Board's Executive Officer to grant a short extension of no greater than six months beyond an original six-month period for implementation of a new federal pretreatment regulatory rule that may come into effect during the term of the Discharger's permit if the Discharger demonstrates that it needs additional time, such as to adopt a new sewer use ordinance. This revision was included because it can take more than 6 months for the Discharger to complete the ordinance adoption process.
- 2) Appendix H-4 allows the Discharger to request a reduction in monitoring frequency. The Regional Water Board would consider the Discharger's request as part of the NPDES permit reissuance. Appendix H-4 sets forth criteria for when the Discharger may make the request (e.g., when results have been non-detect for past eight years), and a minimum monitoring frequency based on the number of significant industrial users in the Discharger's service area. This revision was included because it would eliminate unnecessary costs of monitoring for constituents that are not present in the Discharger's wastestream.
- 3) Appendix H-3 requires the Discharger to submit only electronic files of its pretreatment annual and semiannual reports in lieu of a hard copy. This new requirement will reduce paper use and mailing costs, and help facilitate the Regional Water Board's paperless office efforts.

b. Non-programmatic revisions

- 1) Reduce redundancy in the pretreatment annual and semiannual reporting requirements, and
 - 2) Correct outdated references and grammatical errors, and revise formatting for clarity.
7. This Order is exempt from the provisions of the California Environmental Quality Act pursuant to California Water Code §13389.
 8. The Regional Water Board notified the Dischargers and interested agencies and persons of its intent to consider adoption of this Order, and provided an opportunity to submit written comments.
 9. In a public meeting, the Regional Water Board heard and considered all comments pertaining to this Order.

**TABLE 1
DISCHARGERS SUBJECT TO THIS ORDER**

Discharger	Permit Number	Order Number	Effective Date
American Canyon, City of	CA0038768	R2-2006-0036	7/1/06
Benicia, City of	CA0038091	R2-2008-0014	6/1/08
Burlingame, City of	CA0037788	R2-2008-0008	4/1/08
Central Contra Costa Sanitary District	CA0037648	R2-2007-0008	4/1/07
Central Marin Sanitary Agency	CA0038628	R2-2007-0007	4/1/07
Delta Diablo Sanitation District	CA0038547	R2-2009-0018	5/1/09
Dublin San Ramon Services District	CA0037613	R2-2006-0054	10/1/06
East Bay Municipal Utilities District, Special District No. 1	CA0037702	R2-2010-0060	5/1/10
Fairfield-Suisun Sewer District	CA0038024	R2-2009-0039	6/1/09
Hayward, City of	CA0037869	R2-2006-0053	10/1/06
Livermore, City of	CA0038008	R2-2006-0055	10/1/06
Millbrae, City of	CA0037532	R2-2008-0071	10/1/08
Napa Sanitation District	CA0037575	R2-2011-xxxx	4/1/11
Novato Sanitary District	CA0037958	R2-2010-0074	7/1/10
Oro Loma Sanitary District	CA0037869	R2-2006-0053	10/1/06
Palo Alto, City of	CA0037384	R2-2009-0032	6/1/09
Petaluma, City of	CA0037810	R2-2011-xxxx	3/1/11
Richmond, City of	CA0038539	R2-2008-0003	4/1/08
San Francisco, City and County of (Oceanside Plant)	CA0037681	R2-2009-0062	10/1/09
San Francisco, City and County of (Southeast Plant)	CA0037664	R2-2008-0007	4/1/08
San Jose and Santa Clara, Cities of	CA0037842	R2-2009-0038	6/1/09
San Leandro, City of	CA0037869	R2-2006-0053	10/1/06
San Mateo, City of	CA0037541	R2-2007-0075	2/1/08
South Bayside System Authority	CA0038369	R2-2007-0006	4/1/07
South San Francisco and San Bruno, Cities of	CA0038130	R2-2008-0094	1/1/09
Sunnyvale, City of	CA0037621	R2-2009-0061	10/1/09
Union Sanitary District	CA0037869	R2-2006-0053	10/1/06
Vallejo Sanitation and Flood Control District	CA0037699	R2-2006-0056	10/1/06
West County Wastewater District	CA0038539	R2-2008-0003	4/1/08

IT IS HEREBY ORDERED, pursuant to the provisions of California Water Code Division 7 and regulations adopted thereunder, and the provisions of the federal Clean Water Act and regulations and guidelines adopted thereunder, that the Dischargers listed in Table 1 shall comply with their respective orders listed in Table 1, as amended by this Order.

1. The provisions of the new Attachment H attached to this Order shall replace Attachment H for the orders listed in Table 1.
2. In the orders listed in Table 1, references to the new Attachment H shall replace all references to Attachment H.
3. This Order shall become effective on **April 1, 2011**.

I, Bruce H. Wolfe, 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 **March 9, 2011**.

Bruce H. Wolfe
Executive Officer