



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Acting Secretary for
Environmental Protection

Internet Address: <http://www.waterboards.ca.gov/sanfranciscobay>
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 • FAX (510) 622-2460

Edmund G. Brown Jr.
Governor

AGENDA

Wednesday, May 11, 2011
9:00 a.m.

Elihu M. Harris Building
First Floor Auditorium
1515 Clay Street
Oakland, CA 94612

Approximate Time¹
9:00 a.m.

1. **Roll Call and Introductions**
2. **Public Forum**

Any person may address the Water Board regarding a matter within the Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to three minutes, unless otherwise directed by the Chair. Comments regarding pending adjudicatory matters will not be allowed. The public is encouraged to visit the Board website [http://www.waterboards.ca.gov/sanfranciscobay/public_notices] and contact Board staff to determine whether a matter is a pending adjudicatory matter.

3. **[Minutes of the June 9, 2010 Board Meeting](#)**
4. **[Chairman's, Board Members', and Executive Officer's Reports](#)**
5. **Consideration of Uncontested Non-Enforcement Items (See Notes)**
- *A. **California Department of Transportation – Renewal of Conditional Waiver of Waste Discharge Requirements for Tire Shreds Reuse in Road Construction Projects**
[Terry Seward 622-2416, tseward@waterboards.ca.gov]

Final Order [R2-2011-0026](#)
[Staff Summary Report](#)
[Tentative Order](#)

¹ The "approximate time" indicated is an estimate of when the agenda item is expected to be considered by the Board. The Board will follow these times as closely as possible. However, the estimates are provided for convenience and are not legally binding on the Board.

- *B. **ConocoPhillips Company, San Francisco Refinery at Rodeo, Rodeo, Contra Costa County** – Reissuance of NPDES Permit
[John Madigan 622-2405, jmadigan@waterboards.ca.gov]

Final Order [R2-2011-0027](#)
[Staff Summary Report](#)
[Tentative Order](#)

- *C. **Livermore-Amador Valley Water Management Agency (LAVWMA), Dublin San Ramon Services District, City of Pleasanton, and City of Livermore; LAVWMA Export and Storage Facilities, in San Lorenzo and Pleasanton, Alameda County**
– Reissuance of NPDES Permit
[Heather Ottaway 622-2116, hottaway@waterboards.ca.gov]

Final Order [R2-2011-0028](#)
[Staff Summary Report](#)
[Tentative Order](#)

- *D. **Applied Biosystems, LLC, and JR Realty #2, LLC, for the property located at 2690 Casey Avenue, Mountain View, Santa Clara County**
– Adoption of Negative Declaration
[Adriana Constantinescu 622-2353, aconstantinescu@waterboards.ca.gov]

Final Order [R2-2011-0029](#)
[Staff Summary Report](#)
[Tentative Order](#)

- *E. **Applied Biosystems, LLC, and JR Realty #2, LLC, for the property located at 2690 Casey Avenue, Mountain View, Santa Clara County**
– Adoption of Final Site Cleanup Requirements
[Adriana Constantinescu 622-2353, aconstantinescu@waterboards.ca.gov]

Final Order [R2-2011-0030](#)
[Staff Summary Report](#)
[Tentative Order](#)

6. **Consideration of Uncontested Enforcement Item**

- *A. **City of Pacifica, Calera Creek Water Recycling Plant and Sanitary Sewer Collection System, Pacifica, San Mateo County**
– Adoption of Cease and Desist Order
[Lila Tang 622-2425, ltang@waterboards.ca.gov]

[Final Order R2-2011-0031](#)
[Staff Summary Report](#)
[Revised Tentative Cease and Desist Order](#)
[Settlement Agreement](#)
[Comments from the City of Pacifica](#)
[Comments from Bay Area Clean Water Agencies](#)
[Response to Comments](#)

**WASTE DISCHARGE REQUIREMENTS and
WATER QUALITY CERTIFICATION**

7. **Potrero Hills Landfill, Inc., Potrero Hills Landfill, Suisun City, Solano County** – Update to Waste Discharge Requirements, Issuance of Water Quality Certification, and Rescission of Order No. 93-072
[Keith Roberson 622-2404, kroberson@waterboards.ca.gov and Jolanta Uchman 622-2432, juchman@waterboards.ca.gov]

[Final Order R2-2011-0032](#)
[Staff Summary Report](#)
[Revised Tentative Order](#)
[Attachment C](#)
[Attachment D](#)
[Comments](#)
[Responses to Comments](#)

OTHER BUSINESS

8. **Municipal Regional Stormwater Permit**
– Implementation Status Report
[Dale Bowyer 622-2323, dbowyer@waterboards.ca.gov]

[Staff Summary Report](#)
[MRP Implementation Report](#)

9. **Correspondence**

10. **Closed Session – Personnel**

11:30 – 12:30 p.m.

The Board may meet in closed session to discuss personnel matters.
[Authority: Government Code Section 11126(a)]

11. **Closed Session – Litigation**

The Board may meet in closed session to discuss significant exposure to litigation. The Board also may meet to discuss whether to initiate litigation.

[Authority: Government Code Sections 11126(e)(1) and 11126(2)(B)-(C)]

12. **Closed Session – Deliberation**

The Board may meet in closed session to consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence.

[Authority: Government Code Section 11126(c)(3)]

13. **Adjournment to the next Board meeting** – June 8, 2011

NOTES ON WATER BOARD AGENDA

Agenda Annotations – *Uncontested item, expected to be routine and non-controversial. Recommended action will be taken at the beginning of the meeting without discussion. Any interested party, Board member or the Executive Officer may request that an item be removed from the Consideration of Uncontested Items, and it will be taken up in the order indicated by the agenda.

Availability of Agenda Items – Tentative orders and their accompanying materials are available one week before the meeting at www.waterboards.ca.gov/sanfranciscobay.

Copies of agenda items may be obtained at the Board's office after 9 a.m. on the Thursday preceding the Board meeting from the staff member indicated on the agenda.

Conduct of Board Meetings – Items may not be considered in numerical order. Board meetings are accessible to people with disabilities. Individuals who require special accommodations should contact the Executive Assistant at 622-2399 at least 5 working days before the meeting. TTY users may contact the California Relay Service at 800-735-2929 or voice line at 800-735-2922.

Anyone intending to make a presentation using slides, overheads, computer graphics, or other media must coordinate with the staff member for the agenda item in advance of the meeting. Presentation materials must be consistent with and not extend beyond the scope of oral testimony. Power point slides will not be made part of the record unless the Board views them during its meeting. All those addressing the Board should identify themselves for the record. Additional information on making presentations to the Board is available at www.swrcb.ca.gov/sanfranciscobay/public_notices/public_notice.shtml

At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based on evidence introduced in a hearing. [Government Code section 11126(a), (d) and (q)]

Administrative Civil Liabilities and Mandatory Minimum Penalties – A discharger may waive the right to a hearing on an agenda item for an ACL or MMP. If there is a waiver, no hearing will be held unless new, substantial information is made available that was not considered during the public comment period.

Petition of Board Actions – Certain Water Board actions or failures to act may be petitioned to the State Water Resources Control Board under Water Code section 13320. Any such petition shall be limited to those substantive issues or objections that were raised before the Water Board, if there was notice and an opportunity to comment. A petition must be received by the State Water Board within 30 days of the Water Board action or failure to act. See Title 23, California Code of Regulations, sections 2050-2068 for regulations governing petitions.

Contributions to Board Members – All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit before the Board must submit a statement to the Board disclosing any contribution of \$250 or more to be used in a State, federal, or local election, made by the action supporter or opponent or his or her agent, to any Board member within the past 12 months.

All permit applicants and all persons who actively support or oppose adoption of waste discharge requirements or an NPDES permit pending before the Board are prohibited from making a contribution of \$250 or more to any Board member for 3

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - San Francisco Bay Region

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Water Board Members

Name	City of Residence	Appointment Category
John Muller, Chair	Half Moon Bay	Irrigated Agriculture
Terry F. Young, Vice Chair	Oakland	Recreation, Fish & Wildlife
Shalom Eliahu	Lafayette	Water Supply
James McGrath	Berkeley	Water Quality
Steven M. Moore	Sausalito	Industrial Water Use
William E. Peacock	Redwood City	Undesignated (Public)
Rameshwar Singh	San José	Water Quality
Vacancy		Municipal Government
Vacancy		County Government

Water Board Staff

Executive Officer

Bruce H. Wolfe

Assistant Executive Officers

Thomas Mumley

Dyan Whyte

Counsel to the Board

Dorothy Dickey

Yuri Won

Executive Assistant

Mary E. Tryon

Management Services Division

Anna Torres, Chief

Communications Coordinator

Sandia Potter

Planning and TMDL Division

Vacancy, Chief

Naomi Feger, Section Leader

James Ponton, Section Leader

Vacancy, Section Leader

Watershed Management Division

Shin-Roei Lee, Chief

Dale C. Bowyer, Section Leader

William Hurley, Section Leader

Christine Boschen, Section Leader

***Groundwater Protection/
Waste Containment Division***

Terry Seward, Acting Chief

Vacancy, Section Leader

Alec Naugle, Section Leader

Keith Lichten, Section Leader

Permits Division

Lila Tang, Chief

Bill Johnson, Section Leader

Gina Kathuria, Section Leader

Toxics Cleanup Division

Stephen Hill, Chief

John D. Wolfenden, Section Leader

Vacancy, Section Leader

Chuck Headlee, Section Leader

Mary Rose Cassa, Section Leader

The primary responsibility of the Water Board is to protect and enhance the quality of regional surface water and groundwater for beneficial uses. This duty is carried out by formulating, adopting, and implementing water quality plans for specific water bodies, by prescribing and enforcing requirements on waste dischargers, and by requiring cleanup of water contamination and pollution. Specific responsibilities and procedures of the Board are outlined in the Porter-Cologne Water Quality Control Act.

Meetings of the Water Board normally are held on the second Wednesday of each month in the Elihu M. Harris State Office Building, First Floor Auditorium, 1515 Clay Street, Oakland. They are scheduled to begin at 9:00 a.m.

The purpose of the meetings is to provide the Board with an opportunity to receive testimony and information from concerned and affected parties and to make decisions after considering the evidence presented. A public forum is held at the beginning of each general meeting where persons may speak on matters within the Board's jurisdiction that are not specific agenda items. The Board welcomes information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take appropriate action. Written comments must be received prior to the Board meeting by the date indicated by staff. Verbal testimony made at the Board meeting should only summarize the written material.

Tape recordings are made of each Board meeting and these tapes are retained in the Board's office for two years. Anyone desiring copies of these tapes may, at their own expense, arrange to have duplicate tapes made by contacting the Executive Assistant at (510) 622-2399. A copy of the written transcript may be obtained by calling

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
San Francisco Bay Region

Summary of Board Actions Taken at the Regular Meeting

April 13, 2011

NPDES Permits

- | | |
|--------------------------------|---|
| Adopted Order No. R2-2011-0016 | Reissuance of NPDES Permit for
Sanitary District No. 5 of Marin County,
Paradise Cove Treatment Plant and Its Wastewater
Collection System, Tiburon, Marin County |
| Adopted Order No. R2-2011-0017 | Reissuance of NPDES Permit for
BAE Systems San Francisco Ship Repair,
Facility at Foot of 20th Street,
San Francisco, San Francisco County |
| Adopted Order No. R2-2011-0018 | Rescission of NPDES Permit for
The Dow Chemical Company, Pittsburg Plant,
Pittsburg, Contra Costa County |

**Waste Discharge Requirements and
Water Quality Certification**

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|--------------------------------|--|
| Adopted Order No. R2-2011-0020 | Adoption of Waste Discharge Requirements and
Water Quality Certification for
Sonoma County Water Agency, Sonoma County
Water Agency's Stream Maintenance Program,
Sonoma County |
|--------------------------------|--|

Other Business

- | | |
|-------------------------------------|---|
| Adopted Resolution No. R2-2011-0019 | Adoption of Resolution Supporting Nominations to
State Water Resources Control Board's
Emergency, Abandoned, and Recalcitrant (EAR)
Underground Storage Tank Account |
| Heard Presentation | Heard Presentation on
The Conservation Lands Network, an Initiative of
the San Francisco Bay Area Upland Habitat Goals
Project: What It Is and Where It's Headed |

Minutes

- | | |
|-----------------|--|
| Adopted Minutes | Adoption of Minutes of the
May 12, 2010 Board Meeting |
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