

**ITEM: 6.C**

**Rescission of Certain Individual Orders Upon the Regulated Facility's Enrollment Under State Water Resources Control Board Order WQ 2014-0153-DWQ, General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems – Adoption of Rescission Order**

**DISCUSSION**

The Tentative Order (Appendix A) provides for the rescission of 38 existing individual waste discharge requirements orders (individual WDRs) for the facilities listed in Tentative Order Attachment 1 when the facility is enrolled in the State Water Resources Control Board's [General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems](#) (Small Domestic General Order). The Small Domestic General Order is applicable to domestic wastewater systems with flows up to 100,000 gallons per day that discharge to land.

The San Francisco Bay Regional Water Quality Control Board (Water Board) has historically regulated domestic wastewater treatment systems discharging to land by individual orders. Some of these orders were issued many years ago and are outdated. Staff have completed a review of the systems regulated by individual orders, and have determined that the listed 38 facilities are eligible for enrollment in the Small Domestic General Order based on their flow rates and treatment and disposal processes.

The Water Board's strategy for the waste discharge requirements program is to utilize general waste discharge requirements when appropriate for new discharges, and, as appropriate, transition facilities covered under individual orders to general orders to improve consistency and streamline permitting.<sup>1</sup> Therefore, staff plans to transition small domestic wastewater facilities currently regulated by outdated individual orders to the more protective Small Domestic General Order instead of recommending that the Water Board revise these facilities' individual permits. Adoption of the Tentative Order would avoid the Board having to consider a separate rescission order for each of the 38 facilities to be transitioned to the Small Domestic General Order, because it would provide for automatic rescission of a facility's individual WDRs upon the facility's enrollment in the Small Domestic General Order. Facilities will maintain their current permit coverage until they obtain coverage under the Small Domestic General Order. Staff anticipate that the transition process will be completed over the next several years.

To begin the transition process, staff requested each facility submit an updated application and is assisting facilities with the submittal. Once a facility's updated application is complete, the Executive Officer can administratively enroll the facility in the Small Domestic General Order by issuing a notice of applicability that includes site-specific monitoring and reporting requirements.

The Tentative Order was posted for public comment for 30 days and sent to all potentially affected facilities for review and comment. We did not receive any written comments on the Tentative Order. During the comment period, staff was contacted by several facilities and answered their questions about the transition process. We corrected a typographic error in the title of Tentative Order Attachment 1, but did not otherwise make any revisions. We expect this item to be uncontested.

**APPENDIX**

A. Tentative Order

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<sup>1</sup> See [EO Summary Report, Overview of Regional Water Board Proposed Strategic Priorities](#), pp. 18-19 (Nov. 2020).