

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**TENTATIVE ORDER**

**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**

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

1. California Water Code section 13263(i) authorizes the Water Boards to prescribe general waste discharge requirements (general WDRs) for a category of discharges if the discharges are produced by the same or similar operations, involve the same or similar types of waste, require the same or similar treatment standards, and are more appropriately regulated under general WDRs than individual WDRs. General WDRs provide regulatory consistency for similar types of discharges and create regulatory process efficiencies.
2. Existing processes for rescinding the individual WDRs of facilities that are later enrolled in general WDRs can be inefficient and cumbersome. Currently, staff generally prepares, and the Water Board adopts, rescission orders individually.
3. Discharges to land from small domestic wastewater treatment and disposal systems have similar constituents, concentrations of constituents, disposal techniques, and flow ranges, and they require the same or similar treatment standards. Having determined that these types of discharges were more appropriately regulated under general WDRs, the State Water Resources Control Board's Order WQ 2014-0153-DWQ, General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems (Small Domestic General Order). The Small Domestic General Order applies statewide.
4. Before the issuance of the Small Domestic General Order, the Water Board had issued individual WDRs to 38 facilities that discharge small volumes of domestic wastewater to land (see Attachment 1). The Water Board has now determined that these facilities would be more appropriately regulated under the Small Domestic General Order.
5. To enroll in the Small Domestic General Order, a discharger submits an application to the Water Board that includes a Report of Waste Discharge (Form 200), an application fee, and a technical report. Staff reviews the application to determine if regulation under the Small Domestic General Order is appropriate. The Executive Officer can administratively enroll facilities in general WDRs by

issuing a notice of applicability (NOA) that includes site-specific monitoring and reporting requirements.

6. Once the NOA is issued, a facility will be covered by the Small Domestic General Order. Rescinding any existing individual WDRs for the facility upon issuance of the NOA will therefore avoid duplicative regulation and potential confusion about which requirements apply to the facility.
7. California Environmental Quality Act (CEQA): This Order would operate to rescind individual WDRs when dischargers obtain coverage under the Small Domestic General Order. This rescission does not meet the definition of "project" in CEQA because it would have no direct effect, or reasonably foreseeable indirect effect, on the environment. See Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

**IT IS HEREBY ORDERED** that each individual WDR listed in Attachment 1 is rescinded upon the Executive Officer's issuance of an NOA enrolling the corresponding facility under the Small Domestic General Order, and as it may be amended or reissued.

I, Michael Montgomery, Executive Officer, do hereby certify the foregoing is full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on December 15, 2021.

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Michael Montgomery  
Executive Officer

Attachment 1: List of facilities with individual WDRs eligible for rescission upon issuance of an NOA for the Small Domestic General Order