

California Regional Water Quality Control Board
North Coast Region

Order No. R1-2007-0032

Rescission of Waste Discharge Requirements
Order No. 99-38

Union Pacific Railroad
99 Frances Street
Santa Rosa, California

Sonoma County

The California Regional Water Quality Control Board, North Coast Region (Regional Water Board) finds that:

1. On July 21, 1999, the Regional Water Board adopted Waste Discharge Requirements (WDR), Order No. 99-38 NPDES Permit No. CA0024872, requiring Union Pacific Railroad to comply with discharge prohibitions and effluent limitations for the treatment and discharge of contaminated groundwater at its facility in Santa Rosa, California. Order No. 99-38 also requires compliance with Contingency Planning and Notification Requirements Order No. 74-151 and Monitoring and Reporting Program No. 99-38.
2. On June 29, 2006, the Regional Water Board adopted General Waste Discharge Requirements Order No. R1-2006-0048 for the discharges of highly treated groundwater to surface waters following extraction and cleanup of groundwater polluted with petroleum hydrocarbons and volatile organic compounds.
3. On December 27, 2006, Union Pacific Railroad submitted a Notice of Intent to comply with General Waste Discharge Requirements Order No. R1-2006-0048. The submittal is considered complete. Order No. R1-2006-0048 adequately covers Union Pacific Railroad's discharges at a level that is as protective or more stringent than the requirements under the WDR Order No. 99-38. Union Pacific Railroad's discharge is now covered under General Waste Discharge Requirements Order No. R1-2006-0048, and the Discharger must comply with all of the provisions therein. Monitoring of the treatment system will be regulated under Monitoring and Reporting Program No. R1-2006-0048.
4. This action to rescind WDRs is not subject to the California Environmental Quality Act (CEQA) (Public Resources Code, section 21000 et seq.). Pursuant to title 14, California Code of Regulations, sections 15060(c)(2) and 15061(b), the action to rescind WDR for discharges that are now regulated under the General WDR for highly treated groundwater will not result in any physical change in the environment and therefore, will not have any potentially significant adverse effect on the environment because the General WDR is at least as protective of water quality as WDR Order No. 99-38.

5. On June 14, 2007, after due notice to the discharger and all other affected persons, the Regional Water Board conducted a public hearing and evidence was received regarding rescission of the WDR Order No. 99-38.

THEREFORE, IT IS HEREBY ORDERED that Waste Discharge Requirements, Order No. 99-38 and associated Monitoring and Reporting Program are rescinded. The Regional Water Board retains any right to pursue enforcement actions for previous violations of these orders that may have occurred up to the effective date of this order.

CERTIFICATION

I, Catherine Kuhlman, 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, North Coast Region, on June 14, 2007.

Catherine E. Kuhlman
Executive Officer