

ORDER REQUIRING MERCK AND COMPANY, INC. TO CEASE AND  
DESIST DISCHARGING WASTES FROM ITS PLANT CONTRARY TO  
REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL  
WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION

ORDER NO. 71-22

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

1. On June 24, 1969 this Regional Board adopted Resolution No. 69-31 prescribing discharge requirements for the discharge by Merck and Company, Inc.
2. The discharge requirements provide, in part, as follows:

"The discharge of these wastes shall not cause:

Unpleasantness, odors, nor damage to any of the protected beneficial  
water uses resulting from:

Floating, suspended, or deposited macroscopic particulate matter,  
foam, oil, or grease in waters of the State at any place; floating  
oil shall be considered present if in enough quantity to cause  
iridescence;

Temperature, turbidity, or apparent color beyond present natural  
background levels in waters of the State at any place."

3. Inspections by the Board's staff indicate that the discharger is not complying with requirements for discoloration and turbidity in the receiving waters.
4. By letter dated March 18, 1971 the Regional Board staff notified the discharger of the violations of requirements and requested his time schedule for corrective actions.
5. On April 22, 1971 at 9:30 a.m. in the Board Room of the Contra Costa County Water District Center in Concord, California, after due notice to the discharger and all other affected persons, the Regional Board conducted a public hearing at which the discharger appeared, and evidence was received concerning the discharge.
6. The discharger has violated the requirements listed in 2 above.

IT IS HEREBY ORDERED THAT

1. Merck and Company, Inc. cease and desist discharging wastes contrary to the requirements of Resolution No. 69-31 in accordance with the following schedule:

Institute procedure for purpose of limiting pollution loads to present levels, by	May 1, 1971
Complete contractual agreement with the City of South San Francisco for tie-in to the City's proposed deepwater outfall by	June 1, 1971
Begin preliminary engineering of in-plant collection system by	July 1, 1971
Complete the detailed engineering for Merck's portion of the construction by	3 months after the date of receipt of preliminary plans of outfall location and proposed Merck tie-in from City of So. San Francisco
Prepare a formal estimate for required capital expenditures and obtain management approval by	6 months after above date
Award all construction contracts by	8 months after above date
Complete construction of in-plant collection system by	14 months after above date
Complete construction of tie-in system to the deepwater outfall as soon as the City's construction status permits.	
Demonstrate compliance with all waste discharge requirements by one month after completing connection to the deepwater outfall.	

2. If, in the opinion of the Executive Officer, Merck and Company, Inc. fails to comply with the provisions of this order, the Executive Officer is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Fred H. Dierker, Executive Officer of the California Regional Water Quality Control Board, San Francisco Bay Region, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the Regional Board at a meeting held on April 22, 1971.

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Executive Officer