

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 72-60

ORDER AMENDING CEASE AND DESIST ORDER NO. 71-17
ISSUED TO THE CITY OF PITTSBURG -
MONTEZUMA PLANT

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

- A. On March 25, 1971, this Board adopted Order No. 71-17, requiring the City of Pittsburg to Cease and Desist discharging waste from its Montezuma Plant contrary to requirements of Resolution No. 69-22.
- B. Inspections by Board staff and discharger's monitoring data indicate that the discharger is continuing to violate the requirements on effluent pH, toxicity and bacterial quality and receiving water floating matter and apparent color.
- C. On August 22, 1972, at a meeting starting at 9:30 a.m. in the Alameda County Public Works Building Auditorium, 399 Elmhurst Street, Hayward, 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.
- D. The discharger is continuing to violate the requirements specified in Order No. 71-17.
- E. Any increase in the discharge of domestic waste will increase the violation of requirements on effluent bacterial quality and receiving water floating particulate matter and apparent color and will further unreasonably impair water quality.
- F. Any increase in the discharge of industrial waste having a 96-hour TLM less than 32% will increase the violation of requirements on effluent toxicity and will further unreasonably impair water quality.

IT IS HEREBY ORDERED THAT:

- A. Order No. 71-17, a cease and desist order issued to the City of Pittsburg, is amended to add the following on page 2 under the section entitled

"IT IS HEREBY ORDERED THAT":

- 4. Additional industrial waste discharges having a toxicity greater than a 96-hour TLM of 32% and all domestic waste discharges to the Montezuma sewer system by dischargers who did not discharge into the system prior

to August 4, 1972, are prohibited; provided the following are excluded from this provision: (a) projects under construction or which were issued building permits before August 4, 1972, (b) projects which would eliminate discharges from existing dwellings which have waste disposal systems causing more severe water quality problems than those caused by this sewer system, or (c) projects which would alleviate an extreme public hardship or a public health problem.

5. Any exclusion under Section 4 (b) or (c) must be specifically approved by the Executive Officer of this Board.
6. Additional domestic waste discharge connections to the sewer system will be permitted as a result of interim corrective measures only when this Board is satisfied that (1) the addition in volume, type, or concentration of waste entering the sewage system would no longer cause an increase in violation of any waste discharge requirement except toxicity over that existing when the restriction or prohibition was imposed or increase the likelihood of violation of any requirement or (2) the Board has determined that consistent compliance has been achieved, and is likely to continue.
7. Additional industrial waste discharge connections having a 96-hr. TLM less than 32% to the sewer system will be permitted as a result of interim corrective measures only when this Board is satisfied that (1) the addition in volume, type, or concentration of waste entering the sewage system would no longer cause an increase in violation of any waste discharge requirement over that existing when the restriction or prohibition was imposed or increase the likelihood of violation of any requirement or (2) the Board has determined that consistent compliance has been achieved, and is likely to continue.

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 California Regional Water Quality Control Board at a meeting held on August 22, 1972.

Executive Officer