

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 81-49

NPDES PERMIT NO CA0028177

REISSUANCE OF NPDES PERMIT/ORDER NO. 76-82  
PRESCRIBING WASTE DISCHARGE REQUIREMENTS FOR:

F. E. CRITES, INC., AND FLOYD E. CRITES  
PITTSBURG, CONTRA COSTA COUNTY

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

1. The Board, on July 20, 1976, adopted Order No. 76-82 for F. E. Crites, Inc., and Floyd E. Crites (hereinafter collectively called the discharger). The order serves as a permit to discharge waste under the National Pollutant Discharge Elimination System (NPDES Permit No. CA0028169).
2. The discharger has submitted an NPDES application Form 2-C requesting renewal of his permit to discharge. The discharger's facility and waste discharge emanating therefrom remain the same as described in Order 76-82, and current Federal and State effluent and receiving water limitations and other conditions, as prescribed in the order, remain appropriate to the discharge.
3. The Superior Court of the State of California, County of Contra Costa, on March 19, 1976, entered Judgment Granting Permanent Injunction and Ordering the Payment of Civil Liabilities, No. 141790 and 141786 (Consolidated), in People of the State of California v. F. E. Crites, Inc. The Regional Board is plaintiff in the judgment. This Judgment has not been satisfied as of the date of adoption of this Order.
4. The Board finds that unless and until said final satisfaction of judgment is filed and entered by the Superior Court, the dredging of sand, unloading of sand by hydraulic methods and the discharge of wastewater from sand reclamation treatment ponds constitutes an actual and threatened pollution and nuisance and would further constitute a substantial degradation of water quality.
5. The Board is not required to comply with the provisions of Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code (California Environmental Quality Act) as these are NPDES permits and as such are exempt from such provisions per Section 13389 of the Water Code.
6. The Board has notified the discharger and interested agencies and persons of its intent to reissue these waste discharge requirements and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.

7. The Board, in a public meeting, heard and considered all comments pertaining to the discharges.
8. This order shall serve to reissue the NPDES permit referred to herein pursuant to Section 402 of the Federal Water Pollution Control Act, or amendments thereto, and shall take effect at the end of ten days from the date of hearing provided the Regional Administrator U.S. Environmental Protection Agency has no objections.

IT IS HEREBY ORDERED, pursuant to the provisions contained in Division 7 of the California Water Code, and the Federal Clean Water Act, and regulations and guidelines adopted thereunder that:

- A. The expiration date contained in paragraph E.6 of Order 76-82 shall be amended to read: May 1, 1986.
- B. All terms and conditions contained in order 76-82 and any existing monitoring and reporting requirements shall remain in full force and effect without modification.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a true, full and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 16, 1981.

FRED H. DIERKER  
Executive Officer