CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. R2-2011-0018

RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR THE DOW CHEMICAL COMPANY, PITTSBURG PLANT PITTSBURG, CONTRA COSTA COUNTY

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

1. The Dow Chemical Company (Dow) owns and operates a chemical manufacturing plant located at 901 Loveridge Road in Pittsburg, Contra Costa County. The facility conducts chemical research and manufactures agricultural chemicals, fumigants, fungicides, carbon tetrachloride, hydrochloric acid, and latex.

2. On May 14, 2008, the Regional Water Board reissued National Pollutant Discharge Elimination System (NPDES) Permit No. CA0004910 for Dow through Order No. R2-2008-0030. The order permitted reverse osmosis reject water to be discharged into New York Slough. The Regional Water Board also included mercury discharges from Dow's plant under a separate permit for all wastewater dischargers that implement the San Francisco Bay Mercury TMDL, NPDES Permit No. CA0038849, Order No. R2-2007-0077.

3. Concurrent with Order No. R2-2008-0030, the Regional Water Board issued Cease and Desist Order No. R2-2008-0031 to ensure compliance with new more stringent cyanide effluent limitations in Order No. R2-2008-0030.

4. Dow decommissioned and demolished its reverse osmosis unit and ceased all discharge prior to December 9, 2010; therefore, NPDES Permit No. CA0004910 can be rescinded, along with coverage for mercury under NPDES Permit No. CA0038849. Cease and Desist Order No. R2-2008-0031 can also be rescinded.

5. Pursuant to Water Code § 13389, rescissions of waste discharge requirements and cease and desist orders are exempt from the provisions of the California Environmental Quality Act.

6. The Regional Water Board notified Dow and other interested agencies and persons of its intent to rescind these waste discharge requirements and cease and desist order, and provided an opportunity to submit written comments and participate in a public hearing.

7. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the rescission of the waste discharge requirements and cease and desist order.

IT IS HEREBY ORDERED, pursuant to the Clean Water Act and Division 7 of the California Water Code, and the regulations, plans, and policies adopted thereunder, that effective April 13, 2011, Order No. R2-2008-0030 (NPDES Permit No. CA0004910) and Cease and Desist Order No. R2-2008-0031 are hereby rescinded, except for enforcement purposes. Likewise, Dow's coverage under the provisions of NPDES Permit No. CA0038849, Order No. R2-2007-0077, is hereby terminated, except for enforcement purposes.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Region, on April 13, 2011.

Digitally signed by Bruce Wolfe
Date: 2011.04.21 13:50:37 -07'00'

Bruce H. Wolfe
Executive Officer