

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER NO. R2-2004-0028

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR THE FACILITIES
CITED HEREIN.**

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

EAST BAY MUNICIPAL UTILITY DISTRICT

1. Six East Bay Municipal Utility District (hereinafter the Dischargers) facilities have previously been issued National Pollutant Discharge Elimination System (NPDES) Permits in the Orders listed below:

<u>DISCHARGER</u>	<u>NPDES PERMIT NO.</u>	<u>ORDER NO.</u>
EBMUD Upper San Leandro Water Treatment Plant	CA0038237	97-019
EBMUD Lafayette Water Treatment Plant	CA0038245	97-020
EBMUD San Pablo Water Treatment Plant	CA0038253	97-021
EBMUD Walnut Creek Water Treatment Plant	CA0038270	97-022
EBMUD Sobrante Water Treatment Plant	CA0038261	97-023
EBMUD Orinda Water Treatment Plant	CA0038342	96-164

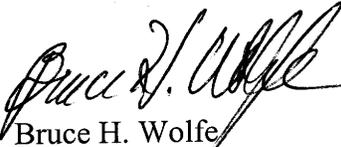
2. Order Nos. 97-019, 97-020, 97-021, 97-022, and 97-023 were adopted by the Board for non-routine (i.e. emergency) discharge of backwash and excess raw water from five of the six water treatment plants listed in Finding 1.
3. Order No. 96-164 was adopted by the Board for routine (i.e. continuous) discharge of backwash water and excess raw water from the Orinda Water Treatment Plant.
4. In December 2003, the Board adopted a general permit for the discharge of water from water treatment plants. The General NPDES Permit was issued through Order No. R2-2003-0062, entitled Discharges from Surface Water Treatment Facilities for Potable Supply. The Dischargers listed in Finding 1 filed notices of intent requesting, for each of the facilities, coverage under the General Permit. Board staff issued notices of permit coverage to the Dischargers.
5. Thus, Order Nos. 97-019, 97-020, 97-021, 97-022, 97-023, and 96-164 are no longer necessary as these discharges are now covered by the General Permit.

STORY ROAD LANDFILL

6. Story Road Landfill, located in San Jose and owned by the City of San Jose, has been operating a groundwater extraction and treatment system since 1993. Order No. 93-124 (NPDES Permit CA0029939) regulates the discharge of treated extracted groundwater to Coyote Creek.
7. By a letter dated February 11, 2004, the City of San Jose notified the Board that discharges from the Story Road Landfill have been re-routed to the sanitary sewer as of January 9, 2004. All discharges to Coyote Creek have ceased. Thus, the NPDES permit is no longer needed and should be rescinded.
8. The rescission of waste discharge requirements is exempt from the provisions of Chapter 3 (commencing with Section 21000 of Division 13) of the Public Resources Code California Environmental Quality Act (CEQA) pursuant to Section 13389 of the California Water Code.
7. The Board has notified the Dischargers and interested agencies and persons of its intent to rescind waste discharge requirements in Order Nos. 97-019, 97-020, 97-021, 97-022, 97-023, 96-164, and 93-124; and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
8. The Board, in a public meeting, heard and considered all comments pertaining to the rescission of waste discharge requirements for the above dischargers.

IT IS HEREBY ORDERED that Order Nos. 97-019, 97-020, 97-021, 97-022, 97-023, 96-164, and 93-124 are rescinded.

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 Bay Region on May 19, 2004.


Bruce H. Wolfe
Executive Officer