

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

REVISED TENTATIVE ORDER NO. R2-2011-XXXX

**RESCISSION OF CEASE AND DESIST ORDER REQUIREMENTS FOR
CITIES OF ALAMEDA, ALBANY, BERKELEY, EMERYVILLE, AND
PIEDMONT, AND STEGE SANITARY DISTRICT**

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

1. The cities of Alameda, Albany, Berkeley, Emeryville, and Piedmont, and Stege Sanitary District (collectively, Dischargers), along with the City of Oakland, separately own and maintain sewage collection systems within their service areas. These sewage collection systems connect to East Bay Municipal Utility District (EBMUD) interceptors, which transport the wastewater to EBMUD’s wastewater treatment facilities.
2. On October 20, 1993, the Regional Water Board adopted Cease & Desist Order (CDO) No. 93-134. The CDO prohibited discharge of untreated sewage from the Dischargers’ and the City of Oakland’s respective sewage collection systems in violation of their permits. To eliminate overflows, the Dischargers and the City of Oakland have been participating in the East Bay Infiltration/Inflow Correction Program.
3. As of December 2010, the Dischargers have completed all of the required projects under CDO No. 93-134; therefore, it is appropriate to rescind CDO No. 93-134 requirements as to the Dischargers. This order does not rescind the CDO requirements for the City of Oakland because Oakland has additional projects to complete under CDO No. 93-134.
4. Since this Order rescinds those requirements of CDO No. 93-134 that have already been completed, it will have no potential for causing a significant effect on the environment; therefore, it is exempt from the provisions of the California Environmental Quality Act under tit. 14, Cal. Code Regs., section 15061(b)(3).
5. The Regional Water Board notified the Dischargers and other interested agencies and persons of its intent to rescind the requirements of CDO No. 93-134 as to the Dischargers, and provided an opportunity to submit written comments and participate in a public hearing.

6. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to this 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 September 14, 2011, the requirements of CDO No. 93-134 are hereby rescinded, except for enforcement purposes, for the cities of Alameda, Albany, Berkeley, Emeryville, and Piedmont; and for Stege Sanitary District.

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 **date**.

Bruce H. Wolfe
Executive Officer