

California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400, Oakland, CA 94612
(510) 622-2300

**NOTICE OF APPLICATION, OPPORTUNITY TO COMMENT, AND PUBLIC HEARING
FOR PERMITS TO
EAST BAY WASTEWATER COLLECTION SYSTEMS AND
EAST BAY MUNICIPAL UTILITY DISTRICT'S WET WEATHER FACILITIES AND
FOR RESCISSION OF CEASE AND DESIST ORDER TO
CITY OF OAKLAND AND
EAST BAY MUNICIPAL UTILITY DISTRICT
Alameda and Contra Costa Counties**

The San Francisco Bay Regional Water Quality Control Board's staff has prepared tentative permits for the Cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont; and Stege Sanitary District (hereinafter collectively referred to as Satellites), and for East Bay Municipal Utility District's (EBMUD) three Wet Weather Facilities (WWFs), in accordance with the Clean Water Act and Porter-Cologne Water Quality Control Act, that would continue to prohibit discharge. The tentative permits would also continue to prohibit the Satellites from causing or contributing to discharges from EBMUD's WWFs.

The addresses for the above Satellites and for EBMUD's three WWFs are as follows:

- City of Alameda, 950 West Mall Square, Room 110, Alameda
- City of Albany, 1000 San Pablo Avenue, Albany
- City of Berkeley, 2180 Milvia Street, Berkeley
- City of Emeryville, 1333 Park Avenue, Emeryville
- City of Oakland, 250 Frank H Ogawa Plaza, Oakland
- City of Piedmont, 120 Vista Avenue, Piedmont
- Stege Sanitary District, 7500 Schmidt Lane, El Cerrito
- EBMUD Point Isabel WWF, 2755 Isabel Street, Richmond
- EBMUD San Antonio Creek WWF, 225 5th Avenue, Oakland
- EBMUD Oakport WWF, 5597 Oakport Street, Oakland

The Satellites separately own and maintain sewage collection systems within their service areas that drain to EBMUD interceptors and then to EBMUD's wastewater treatment facility for treatment. Treated wastewater is discharged to central San Francisco Bay near the Bay Bridge under a separate permit. During wet weather, inflow and infiltration from the Satellites' systems also drains to EBMUD's WWFs where EBMUD stores the wastewater or partially treats it prior to discharge to San Francisco Bay. These discharges would be prohibited by the tentative permit that is the subject of this notice.

To address these prohibited discharges, the Regional Water Board along with U.S. EPA and San Francisco Baykeeper lodged a Consent Decree with the United States District Court against EBMUD and the Satellites on August 4, 2014. The Consent Decree would require that the Satellites improve the condition of their collection systems to reduce inflow and infiltration. The Consent Decree would also require EBMUD to continue implementing a regional private sewer lateral ordinance to reduce inflow and infiltration from private sources.

This notice is also for the rescission of the Board's 1993 and 2009 Cease and Desist Orders for the City of Oakland and EBMUD. The Board's adoption of the tentative permits would rescind these Orders because the Consent Decree requirements go above and beyond those in the Cease and Desist Orders.

The deadline for receipt of comment on the tentative permits is 5:00 p.m. on October 1, 2014.

Comments must be sent to the attention of Robert Schlipf. Persons wishing to file written comments on or objections to the tentative permit or other aspects of this matter must do so no later than this deadline so that such comments may be considered.

The Board will consider adopting tentative permits that will also rescind the Cease and Desist Orders during a meeting to commence at 9:00 a.m. on **November 12, 2014**, in the Auditorium of the Elihu Harris Building at 1515 Clay Street in Oakland. Interested persons are invited to attend and express their views at the public hearing. Please note that the date of the hearing will not occur until after the court enters the Consent Decree. Board staff will notify interested parties if this hearing is rescheduled to a later date.

Pursuant to California Code of Regulations Title 23 section 2050(c), any party that challenges the Board's action on this matter through a petition to the State Water Resources Control Board under Water Code section 13320 will be limited to raising only those substantive issues or objections that were raised before the Board at the public hearing or in timely submitted written correspondence.

All documents related to the tentative permits may be inspected and copied at the Board office. The tentative permits and any developments on this matter are also available at www.waterboards.ca.gov/sanfranciscobay. Board staff's responses to comments will be posted on that website one week prior to the hearing. Contact Robert Schlipf at (510) 622-2478, or by e-mail at Robert.Schlipf@waterboards.ca.gov, if you have questions.