# California Regional Water Quality Control Board
## Santa Ana Region

Linda S. Adams
*Secretary for Environmental Protection*

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Arnold Schwarzenegger
*Governor*


April 25, 2007

Inland Empire Utilities Agency - John Gundlach
City of Rialto Public Works Department - Robert Harary
Pine Knot Landing, LLC - Steve Pontell

**TRANSMITTAL OF ADOPTED ORDER NO. R8-2007-0037**

At the regular Board Meeting held on April 20, 2007, the Regional Board adopted Order No. R8-2007-0037. A certified copy is enclosed for your records.

Sincerely,

Felipa Carrillo
Executive Assistant

Enclosure: Adopted Order No. R8-2007-0037

cc w/enc: SWRCB, Division of Water Quality – Phil Isorena
US EPA, Permits Issuance Section (WTR-5) – Doug Eberhardt
Tetra Tech - Lee Solomon (via email)

California Regional Water Quality Control Board
Santa Ana Region

Order No. R8-2007-0037

Rescission of Waste Discharge Requirements
for
Specific Facilities

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), finds that:

1. The Orders listed in Attachment "A" were issued by the Board at various times for the facilities described therein. Attachment "A" is hereby made a part of this Order. Waste discharge requirements for the facilities listed in Attachment "A" are no longer necessary because the facility discharge has ceased, the facility has never been constructed, or because the facility has been issued a clean closure.

2. This action is based on the fact that specific discharges are now covered under other waste discharge requirements, or that discharges from the facilities have either ceased or were never initiated. As such, this action is exempt from the requirements of the California Environmental Quality Act in accordance with Section 15061(b)(3), Chapter 3, Title 14 of the California Code of Regulations.

3. The Board has notified the dischargers and interested agencies and persons of its intent to rescind the Orders for the facilities listed in Attachment "A", and has provided them with an opportunity to submit written comments and recommendations.

4. The Board, in a public meeting, heard and considered all comments pertaining to the rescission of waste discharge requirements.

**IT IS HEREBY ORDERED** that the Orders listed in Attachment "A" be rescinded.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on April 20, 2007.

G. J. Thibeault

Gerard J. Thibeault
Executive Officer

California Regional Water Quality Control Board
Santa Ana Region

April 20, 2007

STAFF REPORT

ITEM: *10

SUBJECT: Rescission of Waste Discharge Requirements, Order No. R8-2007-0037

DISCUSSION:

Waste discharge requirements for the facilities/entities listed in Attachment "A" of Order No. R8-2007-0037 are no longer necessary because the discharge has ceased, the facility has never been constructed, or because the facility has been issued a clean closure (no further action is necessary at the site and waste discharge requirements are no longer needed).

RECOMMENDATION:

Adopt Order No. R8-2007-0037, as presented.

In addition to the dischargers listed in Attachment "A", comments were solicited from the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) – Doug Eberhardt
State Water Resources Control Board, Office of the Chief Counsel – Erik Spiess
California Department of Health Services, San Bernardino – Sean McCarthy
California Department of Health Services, San Diego – Steve Williams
State Department of Water Resources, Glendale
State Department of Fish and Game, Ontario
Orange County Water District – Nira Yamachika
Orange County Resources and Development Management Department – Chris Crompton
Riverside County Department of Environmental Health Services
Riverside County Transportation/Flood Control Department – Jason Uhley
San Bernardino County Environmental Health Services – Daniel Avera
San Bernardino County Department of Public Works, Flood Control – Naresh Varma

## ORDER NO. R8-2007-0037

## Attachment "A"

| SAN BERNARDINO COUNTY | | | |
|---|---|---|---|
| | **ORDER NO.** | **Facility and Location** | **Reason for Rescission** |
| 1 | R8-2005-0012 | Inland Empire Utilities Agency Co-Composting Facility, Chino | Facility has ceased discharging and final clean closure has been issued |
| 2 | 79-051 & M&RP 98-99-05 | City of Rialto Landfill, Rialto | Clean closure has been issued |
| 3 | 99-003 | Pine Knot Landing, LLC, Big Bear Lake | Dredging project has been completed |

**NPDES Permit Rescission Protocols**
**October 4, 2006**

## Purpose of Protocols

- To lessen the work needed to rescind permits;
- Provides proper documentation of permit action; and
- Allows proper data entry into CIWQS.

## Purpose of Rescinding Permits

- Allows removal of expired permits from the permit backlog; and
- Making expired permits "historic" prevents their dischargers from getting billed for fees for permits they no longer use or need.

## Appropriate Actions Required

- **Send a Letter**
  - For expired permits where the discharger has ceased discharge, and has not filed an application:
    - Send a letter (registered mail, return receipt requested) signed by the EO notifying the discharger that it is no longer authorized to discharge under its permit, because: 1) The permit has expired; and 2) The discharger has not filed an application for re-issuance. Include NPDES and WDID numbers in the letter.
    - Send a hard copy or PDF of final and signed letter to Doug Eberhardt of USEPA, Lee Solomon of Tetra Tech, and Phil Isorena of the State Water Board. Also route a copy of the final and signed letter to your CIWQS coordinator.

- **Rescind Permit**
  - For permits that have or have not expired, and where the discharger has filed an application but no longer wish to pursue a permit:
    - Combine all permits to be rescinded into one rescission action;
    - Publish tentative order rescinding the permit (Notice, draft order, transmittal letter);
    - Prepare agenda package;
    - Send Final Order to the discharger;
    - Send a hard copy or PDF of final and signed order to Doug Eberhardt of USEPA, Lee Solomon of Tetra Tech, and Phil Isorena of the State Water Board. Also route a copy of Final Order to your CIWQS coordinator.

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