

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

**NOTICE OF APPLICATION AND PUBLIC HEARING  
FOR  
DISCHARGE PERMIT AND  
ISSUANCE OF CEASE AND DESIST ORDER**

**for  
San Jose/Santa Clara Water Pollution Control Plant  
Sunnyvale Water Pollution Control Plant**

The Cities of San Jose and Santa Clara and the City of Sunnyvale have filed applications for reissuance of their individual permits under the National Pollutant Discharge Elimination System. The San Francisco Bay Regional Water Quality Control Board's (Regional Water Board's) staff has prepared tentative permits for both dischargers, containing limitations and provisions, in accordance with the Federal Clean Water Act and the California Porter-Cologne Water Quality Control Act. Regional Water Board staff has also prepared a tentative cease and desist order to require actions to address compliance problems with certain toxic pollutant limits in the tentative permit for City of Sunnyvale.

The Cities of San Jose and Santa Clara own the San Jose/Santa Clara Water Pollution Control Plant through a Joint Powers Agreement (JPA), and the City of San Jose operates the plant as the administering agency of the JPA. The plant is located at 700 Los Esteros Road, San Jose, Santa Clara County. The plant provides tertiary treatment of domestic, commercial, and industrial wastewater collected from its service areas. The current total service area population is approximately 1.4 million. The plant has an average dry weather flow design capacity of 167 million gallons per day (MGD), and a 271 MGD peak hourly flow capacity for full tertiary treatment. Treated wastewater from the plant flows into Artesian Slough, tributary to Coyote Creek and South San Francisco Bay.

The City of Sunnyvale owns and operates the Sunnyvale Water Pollution Control Plant and its associated collection system. This plant provides advanced-secondary treatment of wastewater from domestic, commercial and industrial sources from its service areas. The current total service population is approximately 136,000. The plant has an average dry weather flow design capacity of 29.5 MGD and a 40 MGD peak wet weather flow capacity. Treated wastewater from the plant flows into Moffett Channel, tributary to Guadalupe Slough and South San Francisco Bay.

The Regional Water Board intends to consider adopting the tentative permits and cease and desist order during a meeting to commence at the time and location as follows:

Time and Date: 9:00 a.m., March 11, 2009  
Location: Auditorium, Elihu Harris State Building  
1515 Clay Street, Oakland

**The deadline for comment is 5:00 p.m. on January 21, 2009.** Comments must be sent to the attention of **Tong Yin**. Persons wishing to file written comments on or objections to the tentative

permits, tentative cease and desist order, or other aspects of this matter must do so no later than this deadline so that such comments may be considered. No written comments will be accepted or responded to in writing if received after that deadline.

Interested persons are invited to attend and express their views at the public hearing on this matter. The Regional Water Board will hear oral testimony, but will not accept written comments after the deadline noted above.

Pursuant to section 2050(c) of Title 23 of the California Code of Regulations, any party that challenges the Regional Water 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 Regional Water Board at the public hearing or in timely submitted written correspondence delivered to the Regional Water Board.

The application, tentative permits, fact sheets, tentative cease and desist order, comments received, and related documents may be inspected and copied at the Regional Water Board office. The tentative permits, fact sheets, tentative cease and desist order, and any additional information and developments on this matter are also available at [www.waterboards.ca.gov/sanfranciscobay](http://www.waterboards.ca.gov/sanfranciscobay). A response to comments will be posted on that website one week prior to the hearing. Contact Tong Yin at (510) 622-2418 or by e-mail at [TYin@waterboards.ca.gov](mailto:TYin@waterboards.ca.gov) if you have any questions on this matter.