



California Regional Water Quality Control Board

San Francisco Bay Region



Linda S. Adams
Acting Secretary for
Environmental Protection

Internet Address: <http://www.waterboards.ca.gov/sanfranciscobay>
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 • FAX (510) 622-2460

Edmund G. Brown Jr.
Governor

AGENDA

Wednesday, July 13, 2011
9:00 a.m.

Elihu M. Harris Building
First Floor Auditorium
1515 Clay Street
Oakland, CA 94612

Approximate Time¹
9:00 a.m.

1. **Roll Call and Introductions**
2. **Public Forum**

Any person may address the Water Board regarding a matter within the Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to three minutes, unless otherwise directed by the Chair. Comments regarding pending adjudicatory matters will not be allowed. The public is encouraged to visit the Board website [http://www.waterboards.ca.gov/sanfranciscobay/public_notices] and contact Board staff to determine whether a matter is a pending adjudicatory matter.

3. **[Minutes of the September 8, 2010 Board Meeting](#)**
4. **[Chairman's, Board Members', and Executive Officer's Reports](#)**
5. **Consideration of Uncontested Non-Enforcement Items (See Notes)**
- *A. **City of American Canyon, American Canyon Wastewater Treatment Facility and Its Associated Wastewater Collection System, American Canyon, Napa County – Reissuance of NPDES Permit [Derek Whitworth 622-2349, dwhitworth@waterboards.ca.gov]**

Final Order [R2-2011-0046](#)
[Staff Summary Report](#)
[Tentative Order](#)

¹ The "approximate time" indicated is an estimate of when the agenda item is expected to be considered by the Board. The Board will follow these times as closely as possible. However, the estimates are provided for convenience and are not legally binding on the Board.

- *B. **GenOn Potrero, LLC, Potrero Power Plant, City and County of San Francisco** – Rescission of NPDES Permit
[Lauren Steinbaum 622-2415, lsteinbaum@waterboards.ca.gov]

Final Order [R2-2011-0047](#)
[Staff Summary Report](#)

- *C. **USS-POSCO INDUSTRIES, Pittsburg Plant, Pittsburg, Contra Costa County** – Reissuance of NPDES Permit
[Vince Christian 622-2336, vchristian@waterboards.ca.gov]

Final Order [R2-2011-0048](#)
[Staff Summary Report](#)
[Revised Tentative Order](#)
[Baykeeper Comments](#)
[UPI Comments](#)
[Response to Comments](#)

- *D. **Chevron Products Company, a division of Chevron U.S.A. Inc., Chevron Chemical Company LLC, and General Chemical Corporation, Richmond Refinery, Richmond, Contra Costa County** - Reissuance of NPDES Permit
[Robert Schlipf 622-2478, rschlipf@waterboards.ca.gov]

Final Order [R2-2011-0049](#)
[Staff Summary Report](#)
[Revised Tentative Order](#)
[Response to Comments](#)

- *E. **East Bay Regional Park District, Regional Maintenance Activities, Alameda and Contra Costa Counties** – Adoption of Waste Discharge Requirements and Water Quality Certification
[Brian Wines 622-5680, bwines@waterboards.ca.gov]

Final Order [R2-2011-0050](#)
[Final Order Attachments](#)
[Staff Summary Report](#)
[Revised Tentative Order](#)
[Comments on Tentative Order](#)
[Response to Comments](#)

- *F. **Cleanup Programs** – Status Report including Case Closure
[Chuck Headlee 622-2433, cheadlee@waterboards.ca.gov]

[Staff Summary Report](#)

6. **Consideration of Uncontested Enforcement Item**

- *A. **City of San Bruno, Wastewater Treatment Plant and Its Sanitary Sewer Collection System, San Bruno, San Mateo County**
– Adoption of Cease and Desist Order
[Claudia Villacorta 622-2485, cvillacorta@waterboards.ca.gov]

Final Order [R2-2011-0051](#)
[Staff Summary Report](#)

SITE CLEANUP REQUIREMENTS

- 7. **Union Oil Company of California, Atlantic Richfield Company, Richard Koch 411 High Street Annuity Trust, Nancy Koch 411 High Street Annuity Trust, and Oakland High Street Partners, L.P., for the properties located at 401 and 411 High Street, Oakland, Alameda County** – Revision of Final Site Cleanup Requirements
[Cleet Carlton 622-2374, ccarlton@waterboards.ca.gov]

Final Order [R2-2011-0052](#)
[Staff Summary Report](#)
[Tentative Order](#)

8. **Correspondence**

9. **Closed Session – Personnel**

11:30 – 12:30 p.m.

The Board may meet in closed session to discuss personnel matters.
[Authority: Government Code Section 11126(a)]

10. **Closed Session – Litigation**

- A. The Board may meet in closed session to discuss significant exposure to litigation. The Board also may meet to discuss whether to initiate litigation.
[Authority: Government Code Sections 11126(e)(1) and 11126(2)(B)-(C)]
- B. The Board may meet in closed session to discuss pending litigation,
People of the State of California ex rel. Department of Fish and Game,

California Regional Water Quality Control Board, San Francisco Region, and State Lands Commission v. Regal Stone Ltd.; Hanjin Shipping Co. Ltd.; Synergy Management Services; Synergy Marine Ltd.; John J. Cota; and Does 1 Through 100 (United States District Court, Northern District of California, Case No. 09-CV-1469).

[Authority: Government Code Section 11126(e)(2)(A)]

11. **Closed Session – Deliberation**

The Board may meet in closed session to consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence.

[Authority: Government Code Section 11126(c)(3)]

12. **Adjournment to the next Board meeting** – September 14, 2011

NOTES ON WATER BOARD AGENDA

Agenda Annotations – *Uncontested item, expected to be routine and non-controversial. Recommended action will be taken at the beginning of the meeting without discussion. Any interested party, Board member or the Executive Officer may request that an item be removed from the Consideration of Uncontested Items, and it will be taken up in the order indicated by the agenda.

Availability of Agenda Items – Tentative orders and their accompanying materials are available one week before the meeting at www.waterboards.ca.gov/sanfranciscobay. Copies of agenda items may be obtained at the Board's office after 9 a.m. on the Thursday preceding the Board meeting from the staff member indicated on the agenda.

Conduct of Board Meetings – Items may not be considered in numerical order. Board meetings are accessible to people with disabilities. Individuals who require special accommodations should contact the Executive Assistant at 622-2399 at least 5 working days before the meeting. TTY users may contact the California Relay Service at 800-735-2929 or voice line at 800-735-2922.

Anyone intending to make a presentation using slides, overheads, computer graphics, or other media must coordinate with the staff member for the agenda item in advance of the meeting. Presentation materials must be consistent with and not extend beyond the scope of oral testimony. Power point slides will not be made part of the record unless the Board views them during its meeting. All those addressing the Board should identify themselves for the record. Additional information on making presentations to the Board is available at www.swrcb.ca.gov/sanfranciscobay/public_notices/public_notice.shtml

At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based on evidence introduced in a hearing. [Government Code section 11126(a), (d) and (q)]

Administrative Civil Liabilities and Mandatory Minimum Penalties – A discharger may waive the right to a hearing on an agenda item for an ACL or MMP. If there is a waiver, no hearing will be held unless new, substantial information is made available that was not considered during the public comment period.

Petition of Board Actions – Certain Water Board actions or failures to act may be petitioned to the State Water Resources Control Board under Water Code section 13320. Any such petition shall be limited to those substantive issues or objections that were raised before the Water Board, if there was notice and an opportunity to comment. A petition must be received by the State Water Board within 30 days of the Water Board action or failure to act. See Title 23, California Code of Regulations, sections 2050-2068 for regulations governing petitions.

Contributions to Board Members – All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit before the Board must submit a statement to the Board disclosing any contribution of \$250 or more to be used in a State, federal, or local election, made by the action supporter or opponent or his or her agent, to any Board member within the past 12 months.

All permit applicants and all persons who actively support or oppose adoption of waste discharge requirements or an NPDES permit pending before the Board are prohibited from making a contribution of \$250 or more to any Board member for 3 months following a Board decision on a permit application.

Water Quality Certification – To obtain information regarding pending Section 401 Water Quality Certification applications, call 622-2300. (Rev. 1-11)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - San Francisco Bay Region

1515 Clay Street, Suite 1400, Oakland, CA 94612 • (510) 622-2300 • Fax (510) 622-2460

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Water Board Members

Name	City of Residence	Appointment Category
John Muller, Chair	Half Moon Bay	Irrigated Agriculture
Terry F. Young, Vice Chair	Oakland	Recreation, Fish & Wildlife
Shalom Eliahu	Lafayette	Water Supply
James McGrath	Berkeley	Water Quality
Steven M. Moore	Sausalito	Industrial Water Use
William E. Peacock	Redwood City	Undesignated (Public)
Rameshwar Singh	San José	Water Quality
Vacancy		Municipal Government
Vacancy		County Government

Water Board Staff

<i>Executive Officer</i> Bruce H. Wolfe	<i>Assistant Executive Officers</i> Thomas Mumley Dyan Whyte	<i>Counsel to the Board</i> Dorothy Dickey Yuri Won
<i>Executive Assistant</i> Mary E. Tryon	<i>Management Services Division</i> Anna Torres, Chief	<i>Communications Coordinator</i> Sandia Potter
<i>Planning and TMDL Division</i> Vacancy, Chief Naomi Feger, Section Leader James Ponton, Section Leader	<i>Watershed Management Division</i> Shin-Roei Lee, Chief Dale C. Bowyer, Section Leader William Hurley, Section Leader Christine Boschen, Section Leader	<i>Groundwater Protection/ Waste Containment Division</i> Terry Seward, Chief Vacancy, Section Leader Alec Naugle, Section Leader Keith Lichten, Section Leader
<i>Permits Division</i> Lila Tang, Chief Bill Johnson, Section Leader Vacancy, Section Leader	<i>Toxics Cleanup Division</i> Stephen Hill, Chief John D. Wolfenden, Section Leader Vacancy, Section Leader Chuck Headlee, Section Leader Mary Rose Cassa, Section Leader	

The primary responsibility of the Water Board is to protect and enhance the quality of regional surface water and groundwater for beneficial uses. This duty is carried out by formulating, adopting, and implementing water quality plans for specific water bodies, by prescribing and enforcing requirements on waste dischargers, and by requiring cleanup of water contamination and pollution. Specific responsibilities and procedures of the Board are outlined in the Porter-Cologne Water Quality Control Act.

Meetings of the Water Board normally are held on the second Wednesday of each month in the Elihu M. Harris State Office Building, First Floor Auditorium, 1515 Clay Street, Oakland. They are scheduled to begin at 9:00 a.m.

The purpose of the meetings is to provide the Board with an opportunity to receive testimony and information from concerned and affected parties and to make decisions after considering the evidence presented. A public forum is held at the beginning of each general meeting where persons may speak on matters within the Board's jurisdiction that are not specific agenda items. The Board welcomes information on pertinent problems, but comments at the meeting should be brief and directed to specifics of the case to enable the Board to take appropriate action. Written comments must be received prior to the Board meeting by the date indicated by staff. Verbal testimony made at the Board meeting should only summarize the written material.

Tape recordings are made of each Board meeting and these tapes are retained in the Board's office for two years. Anyone desiring copies of these tapes may, at their own expense, arrange to have duplicate tapes made by contacting the Executive Assistant at (510) 622-2399. A copy of the written transcript may be obtained by calling California Reporting, LLC at (415) 457-4417.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
San Francisco Bay Region

Summary of Board Actions Taken at the Regular Meeting

June 8, 2011

NPDES Permit

Adopted Order No. R2-2011-0035

Issuance of New NPDES Permit for
**California Department of Fish and Game and
U.S. Army Corps of Engineers, Napa River Salt
Marsh Restoration Project, Ponds 7, 7A, and 8,
South of Buchli Station Road, Napa County**

Waste Discharge Requirements

Adopted Order No. R2-2011-0036

Update of Waste Discharge Requirements and
Rescission of Order No. 00-043 for
**Chevron Products Company,
Chevron Richmond Refinery,
Richmond, Contra Costa County**

Adopted Order No. R2-2011-0037

Update of Waste Discharge Requirements and
Rescission of Order No. 01-050 for
**Guadalupe Rubbish Disposal Company, Inc.,
Guadalupe Recycling and Disposal Facility,
San Jose, Santa Clara County**

Site Cleanup Requirements

Adopted Order No. R2-2011-0038

Amendment of Site Cleanup Requirements,
as amended, for **Shell Oil Company,
Signature Properties, Inc., and
Signature at the Estuary, LLC**, for the properties
located at 2901 to 2999 Glascock Street and
including Bowsman Court, Channel Way, and
Regatta Drive, Oakland, Alameda County

Other Business

Heard Presentation on Report

Heard Presentation on Status Report on Waiver of
Waste Discharge Requirements for
Grazing Operations in the Tomales Bay Watershed

Heard Presentation

Heard Presentation on **Pollution Prevention from the
Ground Up: Bay Friendly Landscaping and
Gardening**