AGENDA
December 15, 2021
9:00 a.m.

Video and Teleconference Meeting Only
No Physical Meeting Location
(Authorized by Government Code section 11133)

Video and Teleconference Meeting During COVID-19 Emergency: As a result of the COVID-19 emergency and as authorized by Government Code section 11133, this meeting will occur solely via remote presence.

For those who wish to comment on an agenda item or are presenting to the Board, additional information about participating telephonically or via the remote meeting solution is available here: https://www.waterboards.ca.gov/sanfranciscobay/board_info/remote_meeting/

For those who only wish to watch the meeting, the customary webcast remains available at: https://cal-span.org/ and should be used UNLESS you intend to comment.

Items are numbered for identification purposes only and may not be considered in order. Items scheduled for the first day of a multi-day meeting may be delayed or continued to the next day of the meeting. Closed session items may be considered on either or both days.

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 [www.waterboards.ca.gov/sanfranciscobay/public_notices] and contact Board staff to determine whether a matter is a pending adjudicatory matter.

3. 2021 Dr. Teng-Chung Wu Pollution Prevention Award – Presentation of Award to California Association of Sanitation Agencies for Leadership in Pollution Prevention [Jessica Watkins, 510-622-2349, Jessica.Watkins@waterboards.ca.gov]
4. **Minutes of November 10, 2021, Board Meeting**

5. **Chair’s, Board Members’, and Executive Officer’s Reports**

6. **Uncontested Items**

   A. **Crockett Cogeneration LLP, Crockett Cogeneration Plant, Crockett, Contra Costa County** – Reissuance of NPDES Permit [William Burrell, 510-622-2317, William.Burrell@waterboards.ca.gov]
   - Final Order R2-2021-0025
   - Staff Summary Report
   - Tentative Order

   B. **Mt. View Sanitary District, Wastewater Treatment Plant and Wastewater Collection System, Martinez, Contra Costa County** – Reissuance of NPDES Permit [John Madigan, 510-622-2405, John.Madigan@waterboards.ca.gov]
   - Final Order R2-2021-0026
   - Staff Summary Report
   - Revised Tentative Order
   - Response to Written Comments

   C. **Rescission of Certain Individual Orders Upon the Regulated Facilities’ Enrollment Under the State Water Resources Control Board Order WQ 2014-0153-DWQ General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems** – Hearing to consider adoption of proposed Rescission Order [Margaret Monahan, 510-622-2377, Margaret.Monahan@waterboards.ca.gov]
   - Final Order R2-2021-0027
   - Staff Summary Report
   - Tentative Order
   - Tentative Order Attachment 1

   **NPDES Permits**

7. **Tesoro Refining and Marketing Company, Tesoro Martinez Facility, Martinez, Contra Costa County** — Reissuance of NPDES Permit [Gaurav Mittal, 510-622-2407, Gaurav.Mittal@waterboards.ca.gov]
   - Final Order R2-2021-0029
   - Staff Summary Report
   - Tentative Order
8. **Amendment of Monitoring and Reporting Provisions for Municipal Wastewater Dischargers** – Amendment of NPDES Permits [Robert Schlipf, 510-622-2478, robert.schlipf@waterboards.ca.gov]

   - Final Order R2-2021-0028
   - Staff Summary Report
   - Revised Tentative Order
   - Response to Written Comments

**Informational Item**

9. **California Department of Transportation, Update on the Department’s Clean California Program and Compliance with Cease and Desist Order No. R2-2019-0007 Implementing Trash Requirements of the Statewide Stormwater Permit, Order No. 2012-0011-DWQ, as amended, NPDES Permit No. CAS000003** – Presentation by Water Board staff and Ken Johansson and Hardeep Takhar, California Department of Transportation [Derek Beauduy, 510-622-2348, derek.beauduy@waterboards.ca.gov]

   - Staff Summary Report

**Enforcement**

10. **Amendment of Cease and Desist Order for California Department of Transportation** – Hearing to Amend Cease and Desist Order No. R2-2019-0007 Provisions Requiring Visual Trash Assessments and Appendix [Derek Beauduy, 510-622-2348, derek.beauduy@waterboards.ca.gov]

   - Final Order R2-2021-0030
   - Staff Summary Report
   - Tentative Order

**Informational Item**

11. **Enforcement Actions and Priorities for Fiscal Year 2021/22** – Summary Report [Brian Thompson, 510-622-2422, Brian.Thompson@waterboards.ca.gov]
12. **Progress Report** – Status update from 2020 Strategic Priorities [Michael Montgomery, 510-622-2399, Michael.Montgomery@waterboards.ca.gov]

   **Staff Summary Report**

13. **Correspondence**

14. **Closed Session – Personnel**

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

15. **Closed Session – Litigation**

   The Board may meet in closed session to discuss litigation. The Board also may meet to discuss whether or not to initiate litigation.
   [Authority: Government Code sections 11126(e)(1) and 11126(e)(2)(A)-(C)]

   Items the Board may discuss include the following:
   - Sweeney et al. v. Cal. Regional Water Quality Control Bd. et al. (Court of Appeal, First Appellate District, Division Three, Case Nos. A153583 (ACL) and A153585 (CAO)
   - City and County of San Francisco v. State Water Resources Control Board and San Francisco Bay Regional Water Quality Control Board (Alameda County Superior Court; Case No. RG19042575)
   - In re: UCI International, LLC, Champion Laboratories, Inc., et al. (U.S. Bankruptcy Court for the District of Delaware; Case No. 16-11354)

16. **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)]

17. **Adjournment to the Next Board Meeting – Wednesday, January 12, 2022**
NOTES ON WATER BOARD AGENDA

Agenda Annotations – Uncontested Items are 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 or who need interpreter services. Individuals who require special accommodations or need interpreter services should contact the Executive Assistant at 510-622-2399 at least 10 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.

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), (c), and (e)]
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 – Information regarding pending section 401 Water Quality Certification applications is available at www.waterboards.ca.gov/sanfrancisco/bay/public_notices/#section401.
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
www.waterboards.ca.gov/sanfranciscobay

Water Board Members

Name
James McGrath, Chair
Jayne Battey, Vice-Chair
William D. Kissinger
Alexis Strauss Hacker
Andrew Gunther
Donald Young

City of Residence
Berkeley
Half Moon Bay
Mill Valley
Piedmont
Oakland
Morgan Hill

Water Board Staff

Executive Officer
Michael Montgomery

Assistant Executive Officers
Lisa Horowitz McCann
Thomas Mumley

Executive Assistant
Guy Gutterman

Counsel to the Board
Yuri Won
Marnie Ajello

Planning and TMDL Division
Xavier Fernandez, Chief
Laurie Taul, Section Leader
Kevin Lunde, Section Leader
Janet O’Hara, Section Leader

Watershed Management Division
Keith Lichten, Chief
Derek Beauduy, Section Leader
Liz Morrison, Section Leader
Margaret Monahan, Section Leader

Management Services Division
Anna Torres, Chief

Ground Water Protection / Waste Containment Division
Terry Seward, Chief
Nathan King, Section Leader
David Elias, Section Leader
Keith Roberson, Section Leader

Wastewater Control and Enforcement Division
Bill Johnson, Chief
Jessica Watkins, Section Leader
Brian Thompson, Section Leader
Robert Schlipf, Section Leader

Toxics Cleanup Division
Alec Naugle, Chief
John D. Wolfenden, Section Leader
Laurent Meillier, Section Leader
Elizabeth Wells, Section Leader
Ron Goloubow, 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 soil and 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 Water 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.

Each Water Board meeting is recorded. You may obtain audiovisual recordings of prior
board meetings at the following link: [https://cal-span.org/static/meetings-RWQCB-
SF.php]. A copy of the written transcript may be obtained by calling California
Reporting, LLC, at (510) 313-0610.