

REGIONAL WATER QUALITY CONTROL BOARD - SAN FRANCISCO BAY
BOARD MEETING MINUTES

August 8, 2007

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Item 1 – Roll Call and Introductions

The meeting was called to order on August 8, 2007 at 9:05 a.m. in the State Office Building Auditorium, First Floor, 1515 Clay Street, Oakland.

Board members present: John Muller, Chair; Mary Warren, Vice-Chair; Margaret Bruce; Shalom Eliahu; William Peacock; Clifford Waldeck; Terry Young.

Board members absent: None.

Item 2 – Public Forum

Roger James, representing himself, said trash can be found in the Pacific Ocean along the migratory route of humpback whales. He gave Board members news articles and a DVD that included discussion of ocean trash and whale migration. He encouraged the Board to take enforcement actions to reduce trash levels in the Bay.

Athena Honore, Policy Associate, Save the Bay, said a draft update of the San Francisco Estuary Project's Comprehensive Conservation and Management Plan has been prepared. She said the update addresses the accumulation of trash and marine debris and includes action items: (1) to improve understanding of sources, types, and impacts of marine debris in the Estuary; (2) to expand existing marine debris prevention programs; and (3) to develop initiatives to reduce the amount of debris in waterways.

Ms. Honore said Save the Bay is developing a new item that will be included on its web page in September. She said the item will feature ten Bay Area trash hot spots and will include a discussion of where trash comes from, how it gets into creeks, and what can be done about it. She said the item will include interviews with trash experts.

Geoff Brosseau, Executive Director, California Stormwater Quality Association, said CASQA is a professional organization that is composed of stormwater quality management organizations and individuals, including cities, counties, special districts, industries, and consulting firms. He said CASQA recently developed a document entitled Municipal Stormwater Program Effectiveness Assessment Guidance. He said the document focuses on quantitative assessment of stormwater programs.

Mr. Brosseau said CASQA will help host a workshop in the fall for stormwater managers to discuss how the document can be used in their programs. He said the document was prepared by a team of stormwater experts from around the state and currently is being used by several county wide stormwater programs.

In reply to a question from Clifford Waldeck, Mr. Brosseau said the document will help stormwater professionals prepare information that goes beyond narrative program descriptions. He said it will help professionals provide information that assesses program effectiveness.

Mr. Wolfe said he asked Ben Horenstein, Manager of Environmental Services, East Bay Municipal Utilities District, to discuss recent work conducted by the District and a non-profit environmental organization.

Mr. Horenstein said a number of consumer products contain compounds that are suspected of blocking hormone functions. He said an environmental organization worked with EBMUD to obtain a small number of wastewater samples from local residences and commercial and industrial facilities.

Mr. Horenstein said laboratory analyses of the samples showed a lot of them contained a compound suspected of affecting hormone functions. He said the compounds may not be removed through wastewater treatment processes and may be released from wastewater facilities into the Bay.

Mr. Horenstein spoke in favor of developing a national chemical policy that would take into account water quality impacts of consumer products. He said there may be opportunities to regulate products before they are marketed. He said it is important to educate consumers that what they put down the drain may not be removed through wastewater treatment and could be released into the Bay.

Mr. Horenstein and Mr. Waldeck discussed potential water quality impacts of antimicrobial products.

Mrs. Bruce and Dr. Young thanked Mr. Horenstein for his presentation. Dr. Young said she looked forward to the Water Board working with EBMUD to address the issues discussed.

Item 3 – Minutes of the July 11, 2007 Board Meeting

Mr. Wolfe said there was a supplemental to the minutes.

Motion: It was moved by Mr. Peacock, seconded by Mr. Eliahu, and it was unanimously voted to adopt the Minutes of the July 11, 2007 Board Meeting as supplemented.

Mrs. Warren abstained because she did not attend the meeting.

Item 4 - Chairman's, Board Members', and Executive Officer's Reports

Mr. Muller said on July 17, 2007 the State Board adopted a resolution to amend the Basin Plan for the San Francisco Bay Region to establish a TMDL for mercury. He thanked Bruce Wolfe, Dyan Whyte, Richard Looker, Carrie Austin, and Yuri Won for making outstanding presentations at the State Board hearing on the TMDL.

Mr. Muller said on August 6, 2007 he participated in a State and Regional Board Chairs' meeting in Sacramento. He said pending legislation was discussed. He said there was also discussion about the Water Quality Coordinating Committee meeting that will be held in San Diego on October 29 and 30, 2007.

Clifford Waldeck said for about eight years he has served as the Water Board representative on the San Francisco Bay Conservation and Development Commission and for about six years he has served as the BCDC representative on the Regional Airport Planning Committee. He said the Committee does strategic planning on Bay Area air transportation issues.

Mr. Wolfe said actions to implement the Strategic Plan will be discussed at the next Water Quality Coordinating Committee meeting.

Mr. Wolfe said staff is developing a watershed NPDES permit as an action to implement the Mercury TMDL.

Mr. Wolfe said he issued a Water Code 13267 letter to the Bay Area refineries requiring submittal of information about mercury. He said on July 31, 2007 a State Board hearing was held to consider the refineries' request to stay requirements in the letter pending a hearing on a petition. He said on August 6, 2007 the Board Hearing Officer issued an order denying the refineries request for a stay.

Mr. Wolfe gave an update on work that staff and others are doing regarding ships that are being stored in Suisun Bay. He said staff will meet with U.S. Maritime Administration officials in late August. Mr. Peacock, as member of a Board subcommittee regarding the ships, asked to be informed of the meeting.

Item 5 – Consideration of Uncontested Items Calendar

Mr. Wolfe recommended adoption of the uncontested calendar.

Levi Fuller, Operations Supervisor, Dublin San Ramon Services District, thanked staff for work on the Tentative Order for the District's Dedicated Land Disposal Site.

Motion: It was moved by Mr. Peacock, seconded by Mrs. Warren, and it was unanimously voted to adopt the uncontested calendar as recommended by the Executive Officer.

Item 6 – City of Pacifica, Rockaway Beach Pump Station, Pacifica, San Mateo County – Hearing to Consider Imposition of Administrative Civil Liability for Discharge of Untreated Wastewater into Waters

Mr. Wolfe said the City signed a waiver of the right to a hearing on the proposed ACL and no Board action was necessary. He said the City agreed to pay an Administrative Civil Liability in the amount of \$190,000. He said \$170,000 may be used for a supplemental environmental project.

Item 7 – Sausalito-Marín City Sanitary District, Wastewater Treatment Plant, Sausalito, Marin County – Hearing to Consider Mandatory Minimum Penalty for Discharge in Violation of Effluent Limitations

Mr. Wolfe said the permittee signed a waiver of the right to a hearing on the proposed MMP and no Board action was necessary. Mr. Wolfe said the permittee agreed to pay a Mandatory Minimum Penalty in the amount of \$204,000. He said \$109,500 may be used for a supplemental environmental project.

Item 8a – Sausalito-Marín City Sanitary District, Wastewater Treatment Plant and Its Collection System, Sausalito, Marin County – Reissuance of NPDES Permit

Lila Tang gave an introductory presentation that covered issues common to Items 8a, 8b, 9a, 9b, 10a, 10b, 11a, and 11b.

Ms. Tang said the Regional Board included compliance schedules in past NPDES permits to give permittees time to meet final effluent limits.

Ms. Tang said a recent State Board order limits the use of compliance schedules in permits for pollutants for which water quality objectives were in place before 2000. She said the State Implementation Policy also limits the use of compliance schedules. She said the SIP does not allow permits to include compliance schedules that extend beyond May 2010.

Ms. Tang said compliance schedules in today's proposed NPDES permits comply with the State Board order and the State Implementation Policy. She said the proposed permits are accompanied by Cease and Desist Orders that include compliance schedules that extend beyond deadlines allowable in NPDES permits.

Ms. Tang said compliance schedules in Cease and Desist Orders include three basic tasks: (1) investigation of sampling methods and laboratory practices to ensure accurate analytical results; (2) identification of pollutant sources and implementation of pollution prevention programs; and (3) construction of capital improvements to upgrade facilities.

Ms. Tang said Bay Area Clean Water Agencies and some permittees commented that proposed compliance schedules are overly burdensome and should not require capital improvements. She said, in reply to the comments, that staff has tried to include reasonable tasks and time frames. She said capital improvements are required if effluent limits cannot be met through pollution prevention.

Ms. Tang said the recent State Board order included requirements regarding ammonia effluent limits. She said today's proposed NPDES permits comply with the State Board's discussion of ammonia limits.

Ms. Tang said BACWA commented that staff should have used U.S. EPA's Technical Support Document to calculate whether a permittee's effluent had reasonable potential to violate water quality objectives. She said staff made calculations using the State Implementation Policy. She said the Technical Support Document uses dilution in the calculation of reasonable potential and the State Implementation Policy does not.

Ms. Tang said, in reply to BACWA's comments, staff is required by the Basin Plan to use the State Implementation Policy to calculate effluent limits. She said staff believes it also is appropriate to use the SIP to calculate reasonable potential.

Ms. Tang said BACWA commented that a detailed pollutant prevention program should not be included in proposed permits for small permittees. She said, in reply, that permittees should implement programs that are commensurate with resources.

Ms. Tang said BACWA commented that proposed permits include final effluent limits for some pollutants that permittees cannot meet. She said, in reply, limits are consistent with regulations and are necessary to ensure water quality standards are met.

In reply to a question from Clifford Waldeck, Ms. Tang reiterated that compliance schedules in Cease and Desist Orders require that permittees take actions to meet final effluent limits.

In reply to a question from Margaret Bruce, Ms. Tang said pollution prevention requirements in the proposed permits are similar to requirements in recently adopted permits.

Terry Young said compliance schedules for Item 12b include a task that is not included in schedules for municipal facilities. She said in Item 12b the permittee is allowed to refrain from conducting pollution prevention activities if monitoring data indicate final effluent limits are not violated or are not threatened to be violated.

Ms. Tang said the task could be included in compliance schedules for other permittees.

Mrs. Bruce spoke in favor of including the task.

Vince Christian gave the staff presentation for Item 8a. He said the Sausalito-Marín City Sanitary District plant treats about 1.3 million gallons of wastewater a day during dry weather. He said the secondary treatment capacity of the plant is about 6 million gallons of wastewater a day.

Mr. Christian described a process that occurs at the plant known as blending. He said the amount of water received during wet weather exceeds the amount of water that can be treated by secondary treatment units without disrupting biological processes. He said, as a result, some wastewater is diverted around secondary treatment units. He said the diverted water is blended with wastewater that receives secondary treatment. He said the blended effluent must meet all effluent limits.

Mr. Christian said one of the reasons the wastewater plant receives more influent during wet weather is because of inflow and infiltration. He said inflow refers to water entering collection systems through surface drains and infiltration refers to water entering collection systems through leaks in subsurface pipes and pipe connections.

Mr. Christian said the permittee currently blends wastewater about seven times a year. He said the proposed permit requires that corrective measures be taken to reduce use of blending. He said satellite agencies own most of the sewer collection system and recommended the permittee work with the agencies to reduce infiltration.

Mr. Christian said the permittee submitted written comments stating it intended to comply with requirements to reduce blending. He said the permittee commented, however, that including an enforceable schedule to reduce blending in the proposed permit seemed premature because the U.S. EPA blending policy is in draft form. He said, in reply, staff believes the proposed permit is consistent with federal laws and regulations.

Mr. Christian said the proposed permit includes final limits for toxic pollutants that are more stringent than have been required in the past. He said the Cease and Desist Order includes compliance schedules to allow the permittee to meet the limits.

Mr. Waldeck said many communities with older infrastructure have infiltration problems due to leaky pipes.

Mr. Christian said older collection systems and private laterals can be rehabilitated to reduce infiltration.

In reply to a question from Mary Warren, Mr. Wolfe described ways to test the structural soundness of laterals that connect private property to the collection system.

Bob Simmons, General Manager, Sausalito-Marin City Sanitary District, introduced Norm Wohlschlaeger, District President; Ann Arnott, District Vice-President; and Bill Berkman, District Director. He thanked Lila Tang, Robert Schlipf, and Vince Christian for their work on the proposed permit. He thanked Monica Oakley, Oakley Water Strategies, for working with the District during the permit reissuance process.

Mr. Simmons described progress the District has made to upgrade its plant and conveyance system. He described recent expenditures that have been made on the plant and further expenditures that are anticipated to be made over the next several years.

Mr. Simmons said the District is not able to meet the proposed final dioxin limits. He said wastewater treatment facilities are not a significant dioxin source. He requested the proposed permit include the compliance schedule task that was included in Item 12b.

In reply to a question from Margaret Bruce, Mr. Simmons said the District learned that saltwater intrusion has placed stress on biological treatment processes and has affected the amount of dissolved solids in the treatment plant. He said some private laterals and some of the collection system are flooded due to tidal action on groundwater.

In reply to a question from Margaret Bruce, Mr. Simmons said satellite collection agencies own about 90% of the collection system to the plant. He said District staff plans to make presentations to the governing boards of the satellite agencies to explain the magnitude of the wet weather problem. He said the District hopes to enter into agreements with the agencies to rehabilitate older infrastructure.

Ben Horenstein, Manager of Environmental Services, East Bay Municipal Utilities District, speaking on behalf of the Bay Area Clean Water Agencies, expressed concern that the proposed permit includes final effluent limits for dioxins and that the permittee may be required to make capital improvements to meet limits for a pollutant over which it has little control.

Ms. Tang recommended correction of a typographical error on Table 7, Page 9, of the proposed permit: Footnote 7 should be changed to read Footnote 6. She recommended compliance schedules for chlordane and dioxin include a new task b:

If the data submitted provide evidence that pollutants do not violate or threaten to violate final effluent limits specified in effluent limitations and discharge specifications of this permit then monitor and submit annual report.

She recommended re-lettering what had been task b to task c. She recommended the new task c be amended to read:

If data submitted continue to show the discharge is or threatens to be out of compliance (as defined in Section 2.4.5 of the State Implementation Policy), then submit a plan for identifying all dioxin and chlordanes sources to the discharge.

She recommended sequentially re-lettering all tasks following new task c. She recommended new compliance dates for some tasks.

Ms. Oakley said staff's recommended amendments were acceptable to the District.

Mrs. Bruce moved to adopt the Revised Tentative Order, with staff's recommended amendments and with another potential amendment. She suggested the permittee be required to develop an environmental management system that encompasses pollution prevention and actions that go beyond pollution prevention. She said the system would allow the permittee to act on emerging pollutants, climate change, and developing concerns.

Mr. Waldeck suggested the proposed permit include language to encourage, rather than to require, an environmental management system approach.

Mrs. Bruce asked staff whether it was appropriate to include a requirement in the proposed permit for development of an environmental management system. She asked if the Board should take separate action to adopt a policy providing that permittees in future permit renewals would be required to develop environmental management systems.

Yuri Won said amending the proposed permit would involve developing language at the last minute on a concept that might not be understood by all parties. She suggested the concept be considered more fully in a setting outside the Board meeting.

Mr. Wolfe suggested staff and wastewater permittees discuss the concept at a future meeting. He said it is important to establish a consistent playing field for all permittees when new requirements are imposed.

Ms. Won said, while there are benefits to addressing problems holistically, the Board does not have jurisdiction to address issues like climate change.

Mrs. Bruce suggested permittees might consider impacts from energy use.

Dr. Young asked if there is a guidance document that explains the concept of environmental management systems.

Mrs. Bruce said there are many. She said she would find one and recommend it.

Mrs. Bruce said she wished to delete the potential amendment regarding environmental management systems from her motion to adopt the Revised Tentative Order with staff's recommended amendments.

Ms. Tang said she would like to recommend the Revised Tentative Order be amended further.

Dr. Young seconded Mrs. Bruce's motion to adopt the Revised Tentative Order with staff's recommended amendments.

Ms. Tang said the State Implementation Policy requires that permittees must conduct pollution prevention activities when pollutants are detected in monitoring samples. She said the activities are required even though pollutant amounts may be below minimum levels and noncompliance with limits cannot be proven. She said, for those reasons, she recommended new task c read:

If discharge data continue to show discharge threatens to violate final effluent limitations, submit a plan for identifying all dioxin TEQ and chlordane sources to the discharge and complete tasks d, e, and f.

Ms. Oakley asked whether staff's first set of recommended amendments to the compliance schedules could be used. She questioned whether compliance schedules needed to specifically address pollution prevention activities in the State Implementation Policy.

Ms. Tang said State Implementation Policy provisions direct what staff must include in NPDES permits.

Dr. Young said she would like to summarize the ideas discussed to see if her understanding is the same as others. She said analytical results from effluent samples, obtained with quality controls, may show a pollutant does not violate or threaten to violate final effluent limits. She said, in that case, a permittee would not be required to develop a pollution prevention program as part of a compliance schedule. She said a permittee is required to develop a pollution prevention program if a pollutant is detected in a monitoring sample and the amount of the pollutant is below the minimum level.

Ms. Tang concurred with Dr. Young's summary.

Ms. Oakley said dioxin and chlordane effluent limits are below detection levels and there is uncertainty with laboratory estimates of pollutant amounts detected.

Ms. Tang concurred with Ms. Oakley. She said, however, estimated values are clearly above effluent limits. She said enforcement action would not be taken on estimates.

Ms. Tang said other wastewater treatment facilities have developed pollution prevention activities that the permittee might find helpful.

Dr. Young said analytical results from effluent samples may show that a permittee is required to conduct a pollution prevention program. She said, if that is the case, the task she requested be added to compliance schedules may not be necessary. She said she made her request after reading the permittee's written Comment 8 to the proposed permit.

Ms. Oakley said the District appreciated Dr. Young's efforts.

Mr. Wolfe recommended adoption of the Revised Tentative Order with Ms. Tang's requested amendments: change Footnote 7 on Table 7, page 9 to read Footnote 6; a new task b in the compliance schedule; and a revised and re-lettered task c in the compliance schedule.

Ms. Won requested Ms. Tang re-read amendments she requested in order to make the record clear.

Ms. Tang recommended the compliance schedules on page 22 of the Revised Tentative Order include a new task b:

If discharge data submitted provide evidence that pollutants do not violate or threaten to violate final effluent limits specified in effluent limitations and discharge specifications of this permit, then monitor and submit annual report.

She recommended re-lettering what had been task b to task c. She recommended the new task c be amended to read:

If discharge data continue to show discharge threatens to violate final effluent limitations specified in effluent limitations and discharge specification of this permit, then submit a plan to identify all dioxin TEQ and chlordanes sources to the discharge and complete tasks d, e, and f.

Ms. Tang and Mr. Wolfe recommended re-lettering sequentially tasks on the compliance schedules that follow new task c. Ms. Tang recommended new compliance dates for the new tasks: new task b – February 28, 2008; new task c – June 1, 2008; new task d – October 1, 2008; new task e – December 1, 2008. She said the compliance date for new task f would not change.

Motion: It was moved by Mrs. Bruce, seconded by Dr. Young, and it was voted to adopt the Revised Tentative Order as recommended by the Executive Officer, with Footnote 7 on Table 7, page 9 changed to read Footnote 6 and with the amendments Ms. Tang and Mr. Wolfe specified at the request of Ms. Won.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;

Dr. Young; Mr. Muller

No: None

Motion passed 7 – 0.

Mrs. Bruce asked if a letter from the Board or Executive Officer would be helpful in encouraging satellite agencies to work with the District.

Ms. Oakley said she would like time to discuss the idea with the District.

Item 8b – Sausalito-Marín City Sanitary District, Wastewater Treatment Plant and Its Collection System, Sausalito, Marin County – Hearing to Consider Cease and Desist Order for Discharge in Violation of Waste Discharge Requirements

Ms. Tang, Ms. Oakley, and Mr. Wolfe discussed the possibility of adding a task to compliance schedules in the Cease and Desist Order. After discussion, Mr. Wolfe recommended the Cease and Desist Order not be amended.

Mr. Wolfe recommended adoption of the Revised Cease and Desist Order.

Motion: It was moved by Mr. Peacock, seconded by Mrs. Warren, and it was voted to adopt the Revised Cease and Desist Order as recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;

Dr. Young; Mr. Muller

No: None

Motion passed 7 – 0.

Item 10a – City and County of San Francisco, San Francisco International Airport, Mel Leong Treatment Plant, Sanitary Plant, San Mateo County – Reissuance of NPDES Permit

Derek Whitworth said the permittee operates two wastewater plants: (1) a sanitary plant that processes wastewater from airport terminals and planes and (2) an industrial plant that processes wastewater from maintenance facilities and stormwater from terminals and runways. He said the plants are regulated by separate NPDES permits.

Mr. Whitworth said effluent from each plant currently is monitored separately. He said the proposed permits add a new monitoring location. He said at the new location, effluent that has been combined from both plants will be monitored. He said permits for both plants will be violated if an exceedance occurs at the new monitoring location.

Mr. Whitworth said the Airport submitted written comments requesting that only one permit be violated if an exceedance occurred. He said, in reply, the permittee operates two separate plants that treat different types of wastewater and staff recommends two permits be reissued.

Mark Costanzo, Utilities Manager, San Francisco International Airport, thanked Lila Tang, Bill Johnson, and Derek Whitworth for their work on the proposed permit and Cease and Desist Order. He expressed concern that the Airport may exceed dioxin limits because stormwater is treated in the industrial plant.

Mr. Costanzo said the sanitary and industrial plants are interconnected. He said the Airport would like to be regulated by one NPDES permit at the next reissuance. He said a single permit would give the Airport flexibility in treating influent and in considering other water programs that might be developed.

Mr. Costanzo requested adding a task to the pesticides compliance schedule in the Cease and Desist Order specifying that after 2010 the schedule would not apply if the Airport complies with effluent limits.

Ms. Tang recommended the pesticides compliance schedule in the Cease and Desist Order include new task g:

If the discharge is not out of compliance as defined in Section 2.4.5 of the State Implementation Policy, the remainder of the provisions in the Cease and Desist Order are not operative.

Mr. Costanzo concurred with staff's recommended amendment.

Mr. Wolfe said current task g in the Cease and Desist Order would be re-lettered task h.

Mr. Wolfe recommended adoption of the Revised Tentative Order for Item 10a.

Motion: It was moved by Mrs. Bruce, seconded by Mr. Peacock, and it was voted to adopt the Revised Tentative Order as recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;

Mr. Muller

No: None

Dr. Young recused herself from voting on this item.

Motion passed 6 – 0, with one recusal.

Item 10b – City and County of San Francisco, San Francisco International Airport, Mel Leong Treatment Plant, Sanitary Plant, San Mateo County – Hearing to Consider Cease and Desist Order for Discharge in Violation of Waste Discharge Requirements

Mr. Wolfe recommended adoption of the Revised Cease and Desist Order with the amendment Ms. Tang she read under Item 10a.

Motion: It was moved by Mr. Waldeck, seconded by Mr. Peacock, and it was voted to adopt the Revised Cease and Desist Order as recommended by the Executive Officer, with Ms. Tang's requested amendment.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;
Mr. Muller
No: None

Dr. Young recused herself from voting on this item.

Motion passed 6 – 0, with one recusal.

Item 11a – City and County of San Francisco, San Francisco International Airport, Mel Leong Treatment Plant, Industrial Plant, San Mateo County – Reissuance of NPDES Permit

Mr. Wolfe recommended adoption of the Revised Tentative Order.

Motion: It was moved by Mr. Peacock, seconded by Mrs. Warren, and it was voted to adopt the Revised Tentative Order as recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;
Mr. Muller
No: None

Dr. Young recused herself from voting on this item.

Motion passed 6 – 0, with one recusal.

Item 11b – City and County of San Francisco, San Francisco International Airport, Mel Leong Treatment Plant, Industrial Plant, San Mateo County – Hearing to Consider Cease and Desist Order for Discharge in Violation of Waste Discharge Requirements

Ms. Tang recommended the pesticides compliance schedule in the Cease and Desist order include a new task g:

If the discharge data shows that the discharge is not out of compliance as defined in Section 2.4.5 of the State Implementation Policy, then the remainder of the provisions of the Cease and Desist Order are no longer applicable.

She recommended a compliance date of May 15, 2010 for the new task. She recommended sequentially re-lettering tasks that follow new task g.

Mr. Wolfe recommended adoption of the Revised Cease and Desist Order with Ms. Tang's requested amendments.

Motion: It was moved by Mrs. Warren, seconded by Mrs. Bruce, and it was voted to adopt the Revised Cease and Desist Order as recommended by the Executive Officer, with Ms. Tang's requested amendments.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;

Mr. Muller

No: None

Dr. Young recused herself from voting on this item.

Motion passed 6 – 0, with one recusal.

Item 9a – Sewerage Agency of Southern Marin, Wastewater Treatment Plant and Its Collection System, Mill Valley, Marin County – Reissuance of NPDES Permit

Heather Ottaway described the plant and its treatment processes. She said the plant currently does not blend effluent. She said a Cease and Desist Order accompanies the proposed permit because the permittee may not be able to comply with final mercury and cyanide effluent limits.

Mr. Wolfe said there was a supplemental to the Revised Tentative Order. He recommended adoption of the Revised Tentative Order as supplemented.

Motion: It was moved by Mr. Waldeck, and seconded by Mr. Peacock, and it was voted to adopt the Revised Tentative Order as supplemented and recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;

Dr. Young; Mr. Muller

No: None

Motion passed 7 – 0.

Item 9b – Sewerage Agency of Southern Marin, Wastewater Treatment Plant and Its Collection System, Mill Valley, Marin County – Hearing to Consider Cease and Desist Order for Discharge in Violation of Waste Discharge Requirements

Mr. Wolfe recommended adoption of the Revised Cease and Desist Order.

Motion: It was moved by Dr. Young, and seconded by Mrs. Warren, and it was voted to adopt the Revised Cease and Desist Order as recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;
Dr. Young; Mr. Muller
No: None

Motion passed 7 – 0.

Item 12a – Browning-Ferris Industries, Corinda Los Trancos Landfill,
Half Moon Bay, San Mateo County – Reissuance of NPDES Permit

Mr. Wolfe recommended adoption of the Revised Tentative Order.

Motion: It was moved by Mr. Eliahu, and seconded by Mrs. Warren, and it
was voted to adopt the Revised Tentative Order as recommended
by the Executive Officer.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;
Dr. Young; Mr. Muller
No: None

Motion passed 7 – 0.

Item 12b – Browning-Ferris Industries, Corinda Los Trancos Landfill,
Half Moon Bay, San Mateo County – Hearing to Consider Cease and Desist
Order for Discharge in Violation of Waste Discharge Requirements

Mr. Wolfe recommended adoption of the Revised Cease and Desist Order.

Motion: It was moved by Mr. Peacock, and seconded by Mrs. Warren, and
it was voted to adopt the Revised Cease and Desist Order as
recommended by the Executive Officer.

Roll Call:

Aye: Mrs. Bruce; Mr. Eliahu; Mr. Peacock; Mr. Waldeck; Mrs. Warren;
Dr. Young; Mr. Muller
No: None

Motion passed 7 – 0.

Item 15 – Adjournment

The Board meeting was adjourned at 12:20 p.m.