

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 75-79

PETITIONS OF ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, WILLIAM JAMIESON, MR. AND MRS. WARREN HARDING, AND MRS. KARDINAL FOR REVIEW OF ORDER NO. 73-9 OF THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION.

WHEREAS:

1. The State Water Resources Control Board previously adopted Order No. WQ 73-23 in the above-entitled matter.
2. The Superior Court of the State of California, in and for the County of Alameda, in Action No. 442606, issued a peremptory writ of mandate requiring the State Board to set aside Order No. WQ 73-23, and either adopt Order No. 73-9 of the San Francisco Bay Regional Board or reopen proceedings to permit all interested parties to submit further evidence and argument.
3. Kaiser Industries Corporation, Sand and Gravel Division, has indicated a desire to withdraw the request for permission to discharge Group 2 wastes to the proposed Kaiser-Radium landfill site and presently proposes to limit use of this proposed site for disposal of Group 3 wastes only.
4. It appears to the satisfaction of the State Board that the revised proposal of Kaiser Industries Corporation, Sand and Gravel Division, should be evaluated by the San Francisco Bay Regional Board, but the form of the peremptory writ of mandate issued by the Alameda County Superior Court does not include the alternative of remand to the San Francisco Bay Regional Board.

THEREFORE BE IT RESOLVED that the Executive Officer of the State Board is authorized to (1) take all appropriate and necessary action to provide for amendment of the judgment in Action No. 442606, Superior Court of the State of California, County of Alameda, to permit such remand to the San Francisco Bay Regional Board for the purposes requested by Kaiser Industries Corporation, and (2) direct the San Francisco Bay Regional Board to adopt appropriate waste discharge requirements once the judgment has been amended.

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CERTIFICATION

The undersigned, Executive Officer of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on
AUG 21 1975

Bill B. Dendy

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Executive Officer