

MS

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition)
of the Chino Basin Municipal)
Water District for Review of)
Orders Nos. 79-45 and 79-47 of)
the California Regional Water)
Quality Control Board, Santa)
Ana Region. Our File No. A-233.)
)

Order No. WQ 79-27

BY THE BOARD:

On March 30, 1979, the California Regional Water Quality Control Board, Santa Ana Region (Regional Board) adopted Orders Nos. 79-45 and 79-47. These orders are NPDES permits for the Chino Basin Municipal Water District's Regional Plants No. 1 and 2. The Regional Board's orders were in response, partly, to State Board Orders Nos. 79-14 and 79-15 adopted on March 15, 1979, regarding the appropriateness of chloride and sodium limits in the District's waste discharge requirements. The requirements were remanded to the Regional Board with direction for determination of appropriate chloride and sodium limits.

On April 30, 1979, the District filed a petition for review of Orders Nos. 79-45 and 79-47 contending that concentration limits contained in those orders are contrary to State Board Orders Nos. 79-14 and 79-15. On May 22, 1979, the District filed an amended petition. The District's petition contains a request for a stay of the concentration limits contained in the Regional Board Orders.

Petitioner has filed the affidavit, dated May 22, 1979, of Thomas Homan, the District's Assistant General Manager and Chief of Operations. The affidavit contains a chronology of actions and orders regarding these waste discharges. The affidavit, however, does not as required by State Board regulations allege facts and proof to show substantial harm to petitioner or the public interest if the stay is not granted nor lack of substantial harm to other interested persons and the public interest if a stay is granted. (Section 2053, Subchapter 6, Chapter 3, Title 23, California Administrative Code). The petitioner's main concern appears to be possible enforcement action by the Regional Board prior to a State Board decision on the merits of this matter and finds that petitioner's concern is unnecessary. We are not aware of any Regional Board enforcement action at this time.

We do not find grounds for a stay in this matter.

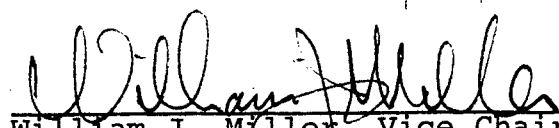
ORDER

IT IS HEREBY ORDERED that petitioner's request for a stay of Regional Board Orders Nos. 79-45 and 79-47 is denied.

Dated: JUL 19 1979

ABSENT

W. Don Maughan, Chairman



William J. Miller, Vice Chairman



L. L. Mitchell, Member



Carla M. Bard, Member