

## **ORDER NO. R1-2017-0039**

### **CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SPECIFIC CATEGORIES OF LOW THREAT DISCHARGE IN THE NORTH COAST REGION**

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board) finds that:

1. Order No. R1-2017-0039 serves as a conditional waiver of waste discharge requirements (hereafter the Conditional Waiver or Order) for low threat waste discharges in the North Coast Region that meet the requirement and conditions established in this Order.

#### **LEGAL AUTHORITY TO ISSUE WAIVERS**

2. California Water Code (Water Code) section 13260(a) requires that any person discharging waste, or proposing to discharge waste within any region that could affect the quality of the waters of the state, other than into a community sewer system, shall file with the appropriate regional water board a report of the discharge ("report of waste discharge" or "ROWD") containing the information that may be required by the regional water board.
3. The Regional Water Board has a statutory obligation, pursuant to Water Code section 13269(a), to prescribe waste discharge requirements except where the Regional Water Board finds that a waiver of waste discharge requirements for a specific discharge or category of discharge is consistent with the Water Quality Control Plan for the North Coast Region (Basin Plan) and is in the public interest.
4. Water Code section 13269(b) provides that any such waiver of waste discharge requirements shall be conditional; may be terminated at any time by the Regional Water Board; and must be renewed every five years.
5. The Regional Water Board, in accordance with Water Code section 13269, waived waste discharge requirements for certain categories of discharge as set forth in Regional Water Board Resolution No. R1-2012-0099, Policy for Waiving Waste Discharge Requirements for Specific Types of Waste Discharge ("Categorical Waiver") on December 6, 2012. This Conditional Waiver replaces Resolution No. R1-2012-0099.

#### **WASTE DISCHARGES SUBJECT TO THIS ORDER**

6. The Regional Water Board periodically reviews and, if appropriate, amends its Conditional Waiver. Based on its review of Resolution No. R1-2012-0099, the

Regional Water Board finds that waivers of the following specific categories of discharges remain in the public interest when the discharge meets the conditions specified in Attachment A to this Order:

- a. Discharge from test pumping of fresh water wells
  - b. Discharge from flushing of domestic water lines and tanks
  - c. Discharge from hydrostatic test lines
  - d. Discharge of air-conditioner, non-contact cooling and elevated temperature water
  - e. Discharge associated with minor dredging and fill operations
  - f. Discharge of confined animal wastes
  - g. Discharge of clean storm water runoff
  - h. Discharge associated with non-commercial, one-time sand and gravel operations and processing
  - i. Discharge of swimming pool discharges
  - j. Discharge of food processing wastes spread on land
  - k. Discharge of agricultural commodity wastes on land
  - l. Discharge of industrial wastes utilized for soil amendments
  - m. Discharges associated with flow-through seawater systems and aquacultural operations
  - n. Discharge of recycled wastewater for soil compaction or dust control, and other construction purposes
  - o. Discharge associated with land and reservoir drainage projects
  - p. Discharge of low-volume, non-contaminated wastewaters generated by the installation and purging of monitoring wells during groundwater contaminations investigations
  - q. Discharge associated with the incineration of soils contaminated with petroleum hydrocarbons
  - r. Discharge of pumped/drained water from storage tank excavations
  - s. Discharge of soil stabilizing agents
  - t. Discharge associated with maintenance activities on transportation structures
7. The Regional Water Board has determined that the following waiver categories shall be added to the list of categories authorized by this Order:

a. **Discharge from Existing Onsite Wastewater Treatment Systems with Shallow Effluent Dispersal Systems**

On June 19, 2012, the State Water Resources Control Board (State Water Board) adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy). The OWTS Policy took effect on May 13, 2013. The Regional Water Board, in accordance with the OWTS Policy, amended the Basin Plan on June 18, 2015, to incorporate requirements of the OWTS Policy into the Basin Plan. Section 3.2 of the OWTS Policy sets forth that upon approval by the appropriate regional water board, a local agency may implement a Local Agency Management Plan (LAMP)

that establishes standards that differ from those specified for OWTS that meet low risk siting and design requirements.

The OWTS Policy authorizes subsurface disposal of domestic strength wastewater and establishes minimum requirements for the permitting, monitoring, and operation of OWTS for protecting beneficial uses of waters of the State and preventing or correcting conditions of pollution and nuisance. The OWTS Policy conditionally waives the requirement for owners of OWTS to apply for and receive WDRs to operate their OWTS when they meet.

Section 9.4.8 of the OWTS Policy states a local regulatory agency may not approve new or replacement OWTS that have less than two feet separation between the bottom of the effluent dispersal system and groundwater under a LAMP.

There are many existing OWTS in the north coast region that were installed prior to current local building codes with effluent dispersal fields (i.e., leachlines) in areas where seasonal high groundwater comes within two feet of the bottom of the effluent dispersal systems. Local regulatory agencies have requested flexibility to consider and approve non-standard OWTS that do not meet this prohibition when the OWTS includes pretreatment of septic tank effluent and/or low-dose effluent dispersal methods that can mitigate for a reduction of filtering soil between the effluent dispersal systems lines and groundwater.

Section 2.6.1 of the OWTS Policy directs owners of OWTS whose OWTS cannot meet the conditions of an approved LAMP to notify the Regional Water Board by submitting a report of waste discharge for Regional Water Board staff's review and consideration for possible establishment of waste discharge requirements or a waiver of waste discharge requirements for the OWTS discharge.

This waiver category is needed to provide a streamlined path for the Regional Water Board to issue a conditional waiver of waste discharge requirements for existing OWTS in high groundwater areas. Issuance of the conditional waiver would allow the local agency to review, authorize, and permit OWTS with less than two feet of separation between the bottom of the effluent dispersal system and groundwater, where the OWTS is upgraded to include supplemental treatment components to substantially improve OWTS effluent quality or for OWTS where the effluent dispersal system has been designed to mitigate for lacking a minimum of 2 feet separation between the bottom of the effluent dispersal system and the seasonal, high groundwater.

**b. Discharge from Existing onsite wastewater treatment systems from small wine, beverage, and food processing facilities with combined domestic wastewater and process wastewater treatment and disposal systems**

On January 28, 2016, the Regional Water Board adopted Order No. R1-2016-0003 Conditional Waiver of Waste Discharge Requirements for Discharges of

Wine, Beverage, and Food Processor Waste to Land in the North Coast Region  
(WBF Processors Conditional Waiver).

WBF Processors Conditional Waiver provides a waiver of waste discharge requirements for discharges of process wastewater to land from facilities that include wineries, breweries, cider houses, non-alcoholic beverage producers, distilleries, fruit and vegetable processors, dairy product manufacturers, and other facilities with similar waste processing and discharge characteristics. The WBF Processors Conditional Waiver was developed to cover only small wine, beverage, and food processors that have separated their process wastewater treatment and disposal systems from their domestic septic systems. The characteristics of combined process/domestic wastewater are sufficiently different from process wastewater so that these combined systems were not included as waste discharges eligible for coverage under the WBF Processors Conditional Waiver.

This waiver category is needed to provide a streamlined path for the Regional Water Board to issue a conditional waiver for existing, small wineries that are not eligible for coverage under the WBF Processors Conditional Waiver because process wastewater is combined with domestic wastewater before final disposal of the combined effluent to an OWTS.

8. The Regional Water Board has determined that the following waiver categories included in Resolution No. R1-2012-0099 are no longer required and are hereby deleted from the list of categories authorized by this Order:

- a. **Winery Operations**

This waiver category is no longer necessary because all small wineries that could be covered under this categorical waiver are now required to obtain coverage under the WBF Processors Conditional Waiver, which was adopted by the Regional Water Board on January 28, 2016.

- b. **Individual Sewage Disposal Systems and Small Community, Commercial, Institutional, and Industrial Operations which Utilize On-site Wastewater Treatment and Disposal for Domestic Wastes**

This waiver category is no longer necessary because individual sewage disposal systems (also known as onsite wastewater treatment systems, or OWTS) with projected wastewater flows under 10,000 gallons per day (Tier 2) or 3,500 gallons per day (Tier 1) are regulated entirely by the local regulatory agency in accordance with the Policy, which was adopted by the State Water Resources Control Board on June 19, 2012. In addition, small domestic wastewater treatment systems, with monthly average flow rates of 100,000 gallons per day or less, that discharge to land, are eligible for coverage under State Water Resources Control Board Order WQ 2014-0153-DWQ General Waste Discharge

Requirements for Small Domestic Wastewater Treatment Systems, which was adopted by the State Water Resources Control Board on September 23, 2014.

### **THREAT TO WATER QUALITY**

9. Discharges from the proceeding categories can and/or do contain wastes, as defined in Water Code section 13050, that could affect the beneficial uses and quality of the waters of the State. If not properly managed, these discharges can percolate to groundwater or runoff to surface waters, adversely affecting both surface water and groundwater. Such wastes that enter or threaten to enter into waters of the State include, but may not be limited to:
  - a. Earthen wastes (e.g., soil, silt, sand, clay, and rocks);
  - b. Inorganic wastes (e.g., metals, salts, nutrients, etc.);
  - c. Organic wastes (e.g., organic pesticides, hydrocarbons, etc.); and
  - d. Biological wastes (e.g., bacteria and pathogens).

Discharges which comply with the waiver conditions in this Order are not expected to pose a threat to the quality of waters of the State.

### **BASIN PLAN**

10. All Orders adopted by the Regional Water Board are required to implement the Basin Plan. Therefore, this Order requires the Discharger to comply with all applicable Basin Plan provisions, including any prohibitions and water quality objectives governing the discharge.
11. Pursuant to the Basin Plan, the following are identified as existing or potential beneficial uses of waters of the North Coast Region as designated and presented in Table 2-1: municipal and domestic supply (MUN), agricultural water supply (AGR), industrial service supply (IND), industrial process supply (PRO), groundwater recharge (GWR), freshwater replenishment (FRSH), navigation (NAV), hydropower generation (POW), water contact recreation (REC-1), non-contact water recreation (REC-2), commercial and sport fishing (COMM), warm freshwater habitat (WARM), cold freshwater habitat (COLD), inland saline water habitat (SAL), estuarine (EST), marine habitat (MAR), wildlife habitat (WILD), preservation of areas of special biological significance (ASBS), rare, threatened, or endangered species (RARE), migration of aquatic organisms (MIGR), spawning, reproduction, and/or early development (SPWN), shellfish harvesting (SHELL), aquaculture (AQUA), water quality enhancement (WQE), flood peak attenuation/flood water storage (FLD), wetland habitat (WET), Native American culture (CUL), and subsistence fishing (FISH). Beneficial uses are identified for each hydrologic area in the Region and apply to each specifically identified water body in the hydrologic area.

12. Pursuant to the Basin Plan, the existing and potential beneficial uses of groundwater within the North Coast Region include: Municipal and Domestic Supply (MUN), Agricultural Supply (AGR), Industrial Supply (IND), Industrial Process Supply (PROC), Freshwater Replenishment (FRSH), Aquaculture (AQUA), and Native American Culture (CUL).

### **ENFORCEMENT ACTIONS**

13. Any person in violation of any waiver condition, prohibition issued or reissued, or amended by the Regional Water Board, may be subject to informal and formal enforcement actions, including, but not limited to, administrative civil liability under Water Code sections 13323 and 13350(d) and (e).

### **ANTIDegradation ANALYSIS**

14. State Water Board Resolution 68-16, the Statement of Policy with Respect to Maintaining High Quality Waters of California (hereafter the Antidegradation Policy) requires the disposal of waste into waters of the state be regulated to achieve the highest water quality consistent with the maximum benefit to the people of the state. The quality of some waters is higher than established by adopted policies and that higher quality water shall be maintained to the maximum extent possible consistent with the Antidegradation Policy. The Antidegradation Policy requires the following:
  - a. Higher quality water will be maintained until it has been demonstrated to the state that any change will be consistent with the maximum benefit to the people of the state, will not unreasonably affect present and anticipated beneficial use of the water, and will not result in water quality less than prescribed in the policies.
  - b. Any activity that produces a waste and discharges to existing high quality waters will be required to meet WDRs that will result in the best practicable treatment or control of the discharge necessary to assure pollution or nuisance will not occur, and the highest water quality consistent with the maximum benefit to the people of the state will be maintained.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

15. Under the California Environmental Quality Act (Public Resources Code section 21000 et seq.) (CEQA), the renewal of the categorical waiver is a “project” and the Regional Water Board is the lead agency responsible for approving that project.
16. The issuance of this renewed categorical waiver to enrollees with ongoing operations at existing facilities is exempt from the provisions of CEQA (Pub. Resources Code § 21000 et seq.) in accordance with California Code of Regulations, title 14, section 15301, which exempts the “operation, repair, maintenance, [and] permitting.... of

existing public or private structures, facilities, mechanical equipment, or topographical features” from environmental review.

17. Issuance of the categorical waiver is also exempt from CEQA in accordance with California Code of Regulations, title 14, section 15307, which exempts environmental review actions by regulatory agencies for the protection of natural resources, California Code of Regulations, title 14, section 15308, which exempts actions by regulatory agencies for the protection of the environment, and California Code of Regulations, title 14, section 15304, which covers actions that involve minor alterations to land.
18. The Regional Water Board can see with certainty that the addition of the waiver category of *Existing Onsite Wastewater Treatment Systems with Shallow Effluent Dispersal Systems* will not have any effect on the environment and this activity is covered by one or more of the above listed CEQA exemptions because granting the waiver will enable the local regulatory agency to approve replacement of an existing OWTS where the replacement OWTS will provide a demonstrable improvement to water quality compared to the existing OWTS through the addition of supplement treatment components and/or improved effluent dispersal methods and the conditions of waiver category initiate active local regulatory oversight of the discharge of pollutants from the existing OWTS.

This waiver category will apply only to OWTS for which a replacement OWTS is needed to comply with the OWTS Policy and for OWTS replaced in accordance with an approved LAMP. To be eligible for coverage under this conditional waiver, the OWTS must have been originally constructed and operated prior to the effective date of the OWTS Policy (May 19, 2013) or for which a construction permit was issued prior to the effective date of the OWTS Policy.

19. The Regional Water Board can see with certainty that the addition of the waiver category of *Existing Onsite Wastewater Treatment Systems from Small Wine, Beverage, and Food Processing Facilities with Combined Domestic Wastewater and Process Wastewater Treatment and Disposal Systems* will not have any effect on the environment and this activity is exempt from CEQA under one or more of the above listed exemptions because the waiver affects only existing OWTS that treat and dispose of a process wastewater volume of less than or equal to 1,500 gallons per day, and whose design has been reviewed and approved by the local regulatory agency in accordance with CEQA Guidelines, and the conditions of waiver category restrict any discharge of pollutants.

This category waiver will apply only to WBF Processors discharging to OWTS that were originally constructed and operated prior to the adoption date of the WBF Processors Conditional Waiver or for which a construction permit was issued prior to

the adoption date of the WBF Processors Conditional Waiver. The Regional Water Board is not authorizing new development or a new discharge; it is imposing regulatory requirements on existing, unregulated dischargers in order to ensure protection of water quality. Any future successive projects of a similar category at a facility covered under this new Order may disqualify dischargers from continued coverage under this Order.

### **TITLE 27 EXEMPTION**

- 20.** The wastewater treatment, storage, and disposal activities described in this Order are exempt from the requirements of Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste, as set forth in California Code of Regulations, title 27, section 20005, et seq. (hereafter title 27). The activities are exempt from title 27 requirements pursuant to section 20090 so long as the activity meets, and continues to meet, all preconditions listed below:
- a. Subparagraph (b) Wastewater—Discharges of wastewater to land, including but not limited to evaporation ponds, percolation ponds, spreading basins or subsurface leach fields if the following conditions are met:
    - i. the applicable Regional Water Board has issued WDRs, reclamation requirements, or waived such issuance;
    - ii. the discharge is in compliance with the applicable water quality control plan; and
    - iii. the wastewater does not need to be managed according to California Code of Regulations, title 22, chapter 11, division 4.5, as a hazardous waste.
  - b. Subparagraph (f) Soil Amendments—Use of nonhazardous decomposable waste as a soil amendment pursuant to applicable best management practices, provided that Regional Water Boards may issue waste discharge or reclamation requirements for such use.

### **MONITORING AND REPORTING**

- 21.** Water Code section 13269(a)(2) requires waivers be conditioned upon the performance of individual, group, or watershed-based monitoring unless the regional board determines the discharges do not pose a significant threat to water quality. Dischargers regulated under this Order may be required to implement a monitoring and reporting program to verify compliance with the conditions of the waiver. The Regional Water Board Executive Officer may establish monitoring requirements based on the volume, duration, frequency, and constituents of the discharge, the extent and category of existing monitoring activities including, but not limited to, existing watershed-based monitoring.



### **APPLICATION PROCESS**

22. Any person seeking coverage for any specific category of waste discharge specified in this Order shall file a full and complete Notice of Intent (NOI), Attachment B, with the Regional Water Board. When submitted to the Regional Water Board, such NOI must be certified and accompanied by the requisite fee pursuant to the Water Code section 13260. Upon review of the NOI, Regional Water Board staff will determine if coverage under the Conditional Waiver is appropriate.
23. Although a Discharger may be eligible for coverage under this Conditional Waiver, the Regional Water Board Executive Officer may determine that the discharge would be better regulated by individual WDRs, general WDRs, or an enforcement order.

### **ANNUAL FEES**

24. The Dischargers may be required to pay an annual fee (i.e., waste discharge permit fee) established by the State Water Board in accordance with Water Code sections 13260(d)(1) and 13269(a)(4). Pursuant to Water Code section 13269(a)(4), the annual fee must be assessed in accordance with any fee schedule established by the State Water Board pursuant to Calif. Code Regs. title 23, section 2200.7.

### **PUBLIC NOTIFICATION**

25. The Regional Water Board has notified interested parties of its intent to renew and modify the Categorical Waiver. The Regional Water Board, in a public hearing on October 19, 2017, heard and considered all comments pertaining to this renewed Order.

### **PUBLIC MEETING**

26. The Regional Water Board has notified the public, all known potential Dischargers and all other known interested parties of the intent to adopt this Order.

**IT IS HEREBY ORDERED**, that Regional Water Board Resolution No. R1-2012-0099 is rescinded upon the effective date of this Order, except for enforcement purposes, and that pursuant to Water Code section 13269, and Water Code section 13267, subject to the conditions set forth in this Order, the Regional Water Board waives the issuance of waste discharge requirements for the specific categories of waste discharge listed in Findings six and seven of this Order and shown in Attachment A to this Order, except for those waste discharges for which waste discharge requirements have been adopted.

Any Discharger proposing to discharge waste to land under Order No. R1-2017-0039, in order to meet the conditions contained in division 7 of the Water Code (commencing with

section 13000) and regulations adopted thereunder, must comply with the following requirements:

## **I. PROHIBITIONS**

- A.** The discharge any waste not specifically regulated by the waivers described herein is prohibited.
- B.** The creation of pollution, contamination, or nuisance, as defined by Water Code section 13050 is prohibited.
- C.** The discharge of waste to land that is not owned by or under agreement to use by the Discharger is prohibited.
- D.** Discharges of waste that violate any narrative or numerical water quality objective that are not authorized by waste discharge requirements or other order or action by the Regional or State Water Board are prohibited.

## **II. GENERAL CONDITIONS**

A person whose waste discharge requirements have been waived pursuant to this Order, in accordance with the following general conditions, shall:

- A.** comply with all applicable provisions of the Basin Plan for the North Coast Region;
- B.** file a complete NOI with the Regional Water Board to demonstrate that compliance with the waiver conditions specified herein can be achieved;
- C.** discharge only in accordance with a complete NOI;
- D.** comply with a monitoring and reporting program, if required by the Regional Water Board Executive Officer; and
- E.** allow Regional Water Board staff reasonable access onto the affected property for the purpose of performing an inspection to determine compliance with waiver conditions.

## **III. SPECIFIC CONDITIONS FOR WAIVER OF WASTE DISCHARGE REQUIREMENTS**

Specific conditions for waivers of specific waste discharges or categories of waste discharge are shown in Attachment A to this Order, incorporated herein by reference, are hereby adopted. Specific findings for new waiver categories not previously adopted pursuant to Resolution No. R1-2012-0099 are as follows:

### **A. General Waiver Conditions for Discharges from Existing OWTS with Shallow Effluent Dispersal Systems**

- 1. Owners of existing OWTS that cannot meet the local agency requirements for 2-foot minimum separation between the effluent dispersal system and groundwater and seek a waiver of waste discharge requirements for the discharge shall notify the Regional Water Board by submitting a NOI to obtain

coverage under this Conditional Waiver.

2. The replacement OWTS discharge shall be approved by a local agency and regulated under an operating permit issued in accordance with that local agency's approved LAMP.
3. The replacement OWTS shall include supplemental treatment components and/or improved effluent dispersal methods, approved by a local agency that implements an approved LAMP, to provide a demonstrable improvement in effluent quality.
4. The replacement OWTS functions as designed with no surfacing effluent.
5. The replacement OWTS does not utilize an effluent dispersal system that is in soil saturated with groundwater.
6. The replacement OWTS must comply with all other requirements of the approved LAMP implemented by the local agency with jurisdiction over the OWTS.

**B. General Waiver Conditions for Discharges from Existing Onsite Wastewater Treatment Systems from Small Wine, Beverage, and Food Processing Facilities with Combined Domestic Wastewater and Process Wastewater Treatment and Disposal systems**

1. All WBF Processors discharging comingled domestic and process wastewater to existing OWTS, and not regulated under individual WDRs, general WDRs, or a waiver of WDRs shall submit a NOI and Technical Information Form (Attachment C) to the Regional Water Board by **February 1, 2018**, to obtain coverage under this Conditional Waiver.
2. The process wastewater production shall be 1,500 gallons per day or less, as measured during the peak production period.
3. The replacement OWTS functions as designed with no surfacing effluent.
4. The effluent dispersal system shall have at least five feet separation to the anticipated highest level of groundwater or the OWTS shall utilize supplemental treatment and/or an effluent dispersal system to mitigate for separation less than the required minimum.
5. The replacement OWTS shall not utilize an effluent dispersal system that is in soil saturated with groundwater.
6. The OWTS has all necessary approvals of local permitting agencies.

**IV. GENERAL PROVISIONS**

**A. Automatic Enrollment**

Order No. R1-2017-0039 supersedes Resolution No. R1-2012-0099 except for enforcement purposes regarding violations of Resolution No. R1-2012-0099. All

Dischargers previously regulated under Resolution No. R1-2012-0099 are automatically enrolled under Order No. R1-2017-0039.

**B. Waiver Duration**

Pursuant to Water Code section 13269, the waiver of waste discharge requirements for the categories of waste specified herein shall not exceed five years in duration. Accordingly, this Order will expire five years from the date of adoption.

**C. Revision of Requirements**

In compliance with Water Code section 13269, this Order and the categorical waivers described herein, shall be reviewed and amended as necessary no later than five years from the date of adoption of this Resolution.

**D. Administrative Civil Penalties**

As provided by Water Code sections 13350(a) and 13268 any person may be liable for administrative civil penalties if that person violates a waiver condition or certification, and intentionally or negligently discharges waste, or causes waste to be deposited where it is discharged, into the waters of the state and creates a condition of pollution or nuisance; or fails to furnish a technical or monitoring report as required by this Order.

**E. Change in Discharge**

The Discharger shall promptly report to the Regional Water Board any material change in the character, location, or volume of the discharge.

**F. Change in Ownership**

In the event of any change in ownership of land or waste discharge facilities presently owned by the Discharger, the Discharger shall notify the Water Board of such changes in writing, and shall also notify the succeeding owner of the existence of this Order and current compliance status in writing. The succeeding owner, in order to obtain authorization for discharges regulated by this Order, must apply in writing to the Executive Officer, requesting transfer of the Order. This request must include complete identification of the new owner, the reasons for the change, and effective date of the change. Discharges conducted without submittal of this request will be considered discharges without waste discharge requirements, which are violations of the California Water Code.

**G. Vested Rights**

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Discharger from liability under federal, state, or local laws, nor create a vested right for the Discharger to continue the waste discharge.

## **H. Records Retention**

The Discharger shall maintain records of all monitoring information, including calibration and maintenance records and all strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer.

## **I. Termination of Waiver Coverage**

A waiver of waste discharge requirements for a category of discharge may be superseded by the adoption by the State Water Resources Control Board or Regional Water Board of waste discharge requirements or general waste discharge requirements for that category of discharge.

Any person aggrieved by this action of the North Coast Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petitions by 5:00 p.m., 30 days after the date of this Order, except if the thirtieth day following the date of this Order falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the State Water Board's website at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/)

I, Matthias St. John, Executive Officer do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on October 19, 2017.

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Matthias St. John  
Executive Officer