

California North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220

Notice of Public Hearing

Order No. R1-2012-0040

For

Termination of Waste Discharge Requirements Order No. R1-2009-0040
(NPDES Permit No. CA0024473)

for

Crescent City Harbor District
Crescent City Harbor Seafood Processing Wastewater Treatment System
WDID No. 1A84005ODN

Del Norte County

The California Regional Water Quality Control Board, North Coast Region, proposes to terminate Waste Discharge Requirements Order No. R1-2009-0040 for the Crescent City Harbor District, Crescent City Harbor Seafood Processing Wastewater Treatment System.

Waste Discharge Requirements (WDRs) Order No. R1-2009-0040 was issued to the Crescent City Harbor District (hereinafter "District") for the Crescent City Harbor Seafood Processing Wastewater Treatment System (also referred to as the "Facility") on June 23, 2009, prescribing requirements for the discharge of seafood processing waste from the operation of the Facility to the Pacific Ocean. These WDRs also served as a National Pollutant Discharge Elimination System (NPDES) permit with a five-year permit term that was set to expire on September 11, 2014.

On March 19, 2011, the District completed a project that connected the waste discharges from seafood processing activities existing in Crescent City Harbor to the sanitary sewer system owned and operated by the City of Crescent City, a Publicly Owned Treatment Works (POTW). Connection to the city sewer system effectively eliminated the direct discharge of waste from the operation of the Facility to the Pacific Ocean, rendering the District's NPDES permit unnecessary. The collection, treatment and disposal of waste at the City of Crescent City Wastewater Treatment Facility are regulated under Waste Discharge Requirements Order No. R1-2011-0019 (NPDES Permit No. CA0022756).

The Regional Water Board issued a Notice of Intent to terminate Waste Discharge Requirements Order No. R1-2009-0040 in accordance with Part 40, section 122.64(a)(4) of the Code of Federal Regulations, which lists the termination of discharge by connection to a POTW as an appropriate cause for terminating a permit.

The Regional Water Board intends to consider adopting the draft Order during a meeting to commence at the time and location as follows:

Time and Date: 8:30 a.m., April 26, 2012
Location: Regional Water Board Office
David C. Joseph Room

5550 Skylane Boulevard, Suite A
Santa Rosa, CA

The deadline for comment is 5:00 p.m. on March 23, 2012. Comments must be sent to the **Attention of Charles Reed**. Persons wishing to file written comments on or objections to, the draft order must do so no later than this deadline in order for staff to have time to consider and respond to such comments. The Water Board will hear oral testimony, but will not accept written comments after the deadline noted above. The Chair may refuse to admit evidence, comments, or testimony that does not summarize timely submitted comments if this deadline is not met, and shall refuse to do so where there is a showing of prejudice to any party or the Board. Any person submitting late comments or other evidence must explain why such materials were not submitted by the deadline. The Chair of the North Coast Regional Water Board will rule on late submittals at or before the hearing. Late submittals that consist of evidence (as opposed to policy statements or comments) are generally prejudicial unless all parties and the Regional Water Board staff have time to consider the evidence before the hearing. Interested persons are invited to attend and express their views at the public hearing on this matter. Oral comments should summarize timely-submitted comments or late-submitted comments that have been accepted by the Chair. The Chair of the North Coast Regional Water Board will impose time limits on oral comments.

The procedures governing Regional Water Board meetings may be found at sections 647 et seq. and 648 et seq. of Title 23 of the California Code of Regulations, and are available upon request.

All issues raised in petitions brought to the State Water Resources Control Board pursuant to California Water Code section 13320 must be raised in the proceedings before the Regional Water Board. Pursuant to section 2050(c) of Title 23 of the California Code of Regulations, if the action or inaction that is the subject of the petition was taken by the regional board after notice and opportunity to comment, the petition will be limited to those substantive issues or objections that were raised before the Regional Water Board at the public hearing or in timely submitted written correspondence delivered to the Regional Water Board.

Document Review

The draft Order, related documents, and comments received by the Regional Water Board will be on file and may be inspected or copied at the Regional Water Board's office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220. The draft Order and any additional information and developments on this matter are also available at www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders. A response to comments will be posted on that website one week prior to the hearing. Contact Charles Reed at (707) 576-2752, or by e-mail at creed@waterboards.ca.gov if you have any questions on this matter.

Catherine Kuhlman
Executive Officer

February 24, 2012