

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-18

AMENDING CEASE AND DESIST ORDER CONTAINED IN RESOLUTION
NO. 69-52 FOR THE CITY AND COUNTY OF SAN FRANCISCO -
NORTH POINT SEWAGE TREATMENT PLANT

WHEREAS THIS REGIONAL BOARD HAS CONSIDERED

ADMINISTRATIVE INFORMATION

1. On September 25, 1969 this Regional Board adopted Resolution No. 69-43 prescribing requirements for the waste discharge by the City and County of San Francisco from its North Point Sewage Treatment Plant.
2. On October 23, 1969 this Board adopted Resolution No. 69-52, an order to cease and desist for violations of said requirements and requiring the City to submit, on or before December 31, 1969, a firm and detailed time schedule for all major steps necessary to comply with requirements.
3. The City did, on December 24, 1969, submit such a schedule.
4. Effective January 1, 1970, Division 7 of the Water Code was amended by the Porter-Cologne Water Quality Control Act resulting in the renumbering of Code Sections and the addition of a provision in Section 13301 where cease and desist orders may restrict or prohibit new dischargers to community sewerage systems; said Code was also amended to provide for civil monetary remedies for violation of cease and desist orders.

By reason of these changes, the said order should be amended and reissued to make Code references consistent with the Porter-Cologne Water Quality Control Act and to add the prohibition of new dischargers to this sewer system.

5. On March 26, 1970, Resolution No. 70-17 was adopted by this Board to amend Resolution No. 69-43 to make the code references consistent with the Porter-Cologne Water Quality Control Act which became operative on January 1, 1970 without making any substantive changes in the specific requirements contained therein.
6. It is this Regional Board's intent with this Resolution to amend and reissue Resolution No. 69-52 to make the code references consistent with the California Water Code and to add the prohibition against new dischargers to this sewer system.

7. The discharger was served by certified mail with a notice that this Board would consider issuance of a cease and desist order under provisions of Section 13301 of the California Water Code at a meeting duly held on March 26, 1970.
8. This Board did, at its meeting on March 26, 1970, review the staff report to the Board relative to this case, did consider reissuance of a cease and desist order and heard all interested parties present and desiring to be heard.

REGIONAL BOARD FINDINGS

1. This Board accepts the aforementioned staff report as evidence and finds that the City and County of San Francisco is discharging wastes from its North Point sewage treatment plant which do not comply with requirements prescribed by this Board in its Resolution No. 70-17.
2. New connections to this sewerage system will further unreasonably impair the water quality of San Francisco Bay.
3. The aforementioned schedule submitted by the City and County of San Francisco on December 24, 1969 is unacceptable.

IT IS HEREBY ORDERED BY THE REGIONAL BOARD

1. The City and County of San Francisco is hereby ordered to cease and desist discharging waste from its North Point Treatment Plant in violation of requirements prescribed in Resolution No. 70-17 pursuant to the following time schedule:

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| Complete financing of needed facilities on or before | November 3, 1970 |
| Complete plans and specifications of all needed facilities on or before | July 1, 1971 |
| Award contracts for all needed facilities on or before | August 15, 1971 |
| Complete construction of all needed facilities on or before | October 1, 1972 |
| Demonstrate compliance with all requirements on or before | January 1, 1973. |

2. Pursuant to Section 13301 of the California Water Code and subsequent to March 26, 1970, the City and County of San Francisco is hereby ordered to prohibit additional connections to its North Point sewerage system; this prohibition shall not apply to facilities under construction or those for which building permits had been issued prior to said date nor to necessary connections for the urban redevelopment projects in Western Addition A-1 and A-2 and including any others for Federally subsidized low income, public housing to the extent such connections do not create a net increase in waste load on the North Point sewerage system.

3. Upon failure by the City and County of San Francisco to comply with this order, the Executive Officer is authorized and directed to request the Attorney General to petition the Superior Court for proper legal relief restraining the City from continuing the discharge of wastes in violation of this order and to seek civil monetary remedies pursuant to Section 13350 California Water Code.
4. The general concepts of Phase I of the plan recommended by the Final Bay-Delta Program Report will be used by this Regional Board as guidelines in reviewing any application for construction grants for sewerage facilities proposed and if the City and County intends to make such application it will be necessary for them to demonstrate the compatibility of the proposed facilities with the general concepts of the Bay-Delta Program.

WILLIAM C. WEBER
Chairman

March 26, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-18 adopted by the California Regional Water Quality Control Board, San Francisco Bay Region at its regular meeting on March 26, 1970.

FRED H. DIERKER
Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD - SAN FRANCISCO BAY REGION