

ORDER REQUIRING THE CITIES OF SOUTH SAN FRANCISCO
AND SAN BRUNO TO CEASE AND DESIST FROM DISCHARGING
WASTES CONTRARY TO REQUIREMENTS PRESCRIBED BY THE
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
SAN FRANCISCO BAY REGION

ORDER NO. 72-50

The California Regional Water Quality Control Board, San Francisco Bay
Region finds:

(1) On December 22, 1970 this regional board adopted Resolution No. 70-101
prescribing discharge requirements covering the discharge of the Cities
of South San Francisco and San Bruno into San Francisco Bay.

(2) The discharge requirements provide, in part, as follows:

"... ..

2. The discharge shall not:

a. Unreasonably affect any of the protected beneficial water uses
resulting from:

Floating, suspended, or deposited macroscopic particulate
matter or foam in waters of the State at any place:

... ..

Alteration of turbidity, or apparent color beyond
present natural background levels in waters of the State
at any place.

... ..

The waste as discharged to waters of the State shall meet these quality
limits at all times:

1. In any grab sample:

pH	7.0 minimum 8.5 maximum
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Coliform organisms	240 MPN/100 ml, median of five consecutive samples, maximum 10,000 MPN/100 ml, any single sample when verified by a repeat sample taken within 48 hours, maximum
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... ..

2. In any representative set of samples:

Toxicity: survival of test fishes in 96-hour bioassays of the waste as discharged

Any determination 70% minimum

Average of any three or more consecutive determinations made during any 21 or more days 90% minimum"

- (3) Inspection by board staff and the discharger has indicated that the discharger is not complying with requirements for:
1. Floating particulate matter in the receiving water.
 2. Turbidity or apparent color in the receiving water.
 3. Effluent pH.
 4. Effluent disinfection.
 5. Effluent toxicity.
- (4) By letter dated July 21, 1972 the regional board notified the discharger of the violation of requirements and requested a compliance time schedule for correcting the violations.
- (5) On Monday, August 7, 1972 at 9:30 a.m. in the City Council Chambers, San Bruno City Hall, 567 El Camino Real, San Bruno, California, after due notice to the discharger, and all other affected persons, a hearing panel of the regional board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- (6) Upon the basis of the evidence received, the hearing panel recommended that the board issue a cease and desist order against the discharger requiring that it comply with disinfection requirements forthwith and with the other aforesaid requirements according to a time schedule. The board has independently reviewed the record at a special meeting held on August 10, 1972.
- (7) The discharger is violating the requirements listed in (2) above.
- (8) Any increase in the discharge of industrial waste will increase the violation or likelihood of violation of waste discharge requirements and will further unreasonably impair water quality.

IT IS HEREBY ORDERED THAT

- (1) The Cities of South San Francisco-San Bruno cease and desist discharging wastes contrary to the disinfection requirement listed in (2) above, and comply with that requirement forthwith.
- (2) The Cities of South San Francisco and San Bruno cease and desist discharging wastes contrary to the other requirements listed in (2) above, and comply with those requirements according to the following time schedule:

Start construction by	January 15, 1973
Complete 50% of construction by	July 15, 1973
Complete construction by	April 15, 1974
Demonstrate compliance with requirements by	July 15, 1974
- (3) Additional discharges of industrial wastes to the sewer system by dischargers who did not discharge into the system prior to the issuance of this order are prohibited until after the Cities of South San Francisco and San Bruno have adopted an industrial waste ordinance adequate to exclude persistent toxic materials, to the greatest extent achievable by source control, from entering the sewers in industrial wastes and have staffed and financed a program adequate to implement the ordinance; provided the following are excluded from this provision: (a) projects under construction or which were issued building permits before July 24, 1972 or (b) projects which would alleviate an extreme public hardship or a public health problem.
- (4) Any exclusion under Section 3(b) must be specifically approved by the Executive Officer of this Board.
- (5) The Cities of South San Francisco and San Bruno are required to provide to the Board by August 24, 1972, weekly until October 6, 1972, and monthly thereafter a joint report, under penalty of perjury, on progress toward compliance with the provisions of this order.
- (6) If, in the opinion of the Executive Officer, the Cities of South San Francisco and San Bruno fail to comply with the provisions of this order, the Executive Officer is directed to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

I, Fred H. Dierker, Executive Officer, of the California Regional Water Quality Control Board, San Francisco Bay Region, 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, San Francisco Bay Region, on August 10, 1972.

Executive Officer