

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**TENTATIVE ORDER NO. R2-2011-XXXX**

**RESCISSION OF CEASE AND DESIST ORDER FOR:**

**CITIES OF ALAMEDA, ALBANY, BERKELEY, EMERYVILLE, AND  
PIEDMONT; AND STEGE SANITARY DISTRICT**

**WHEREAS** the California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter “Regional Water Board”), finds that:

1. The Cities of Alameda, Albany, Berkeley, Emeryville, and Piedmont; and Stege Sanitary District (Dischargers) along with the City of Oakland separately own and maintain sewage collection systems within their service areas. These sewage collection systems connect to East Bay Municipal Utility District (EBMUD) interceptors, which then transport the wastewater to EBMUD’s wastewater treatment facilities.
2. On October 20, 1993, the Regional Water Board adopted Cease & Desist Order (CDO) No. 93-134 prohibiting discharge of untreated sewage from the Dischargers’ and the City of Oakland’s respective sewage collection systems. Towards this end, CDO No. 93-134 required that the Dischargers and the City of Oakland complete projects identified in the East Bay Infiltration/Inflow Correction Program.
3. As of December 2010, the Dischargers have completed all of the required projects under CDO No. 93-134. Additionally, the Dischargers have begun additional work to address untreated sewage discharges as required by Administrative Orders issued by the U.S. EPA. Therefore, CDO No. 93-134 for those dischargers is no longer necessary. This Order does not rescind CDO No. 93-134 for the City of Oakland because Oakland has additional projects to complete.
4. Pursuant to Water Code § 13389, rescissions of cease and desist orders are exempt from the provisions of the California Environmental Quality Act.
5. The Regional Water Board notified the Dischargers and other interested agencies and persons of its intent to rescind CDO No. 93-134 as it applies to the Dischargers, and provided an opportunity to submit written comments and participate in a public hearing.
6. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the rescission of the cease and desist order.

**IT IS HEREBY ORDERED**, pursuant to the Clean Water Act and Division 7 of the California Water Code, and the regulations, plans, and policies adopted thereunder, that the Cities of Alameda, Albany, Berkeley, Emeryville, and Piedmont, and Stege Sanitary District have satisfactorily completed requirements under CDO No. 93-134, and the applicability of CDO No. 93-134 on the Cities of Alameda, Albany, Berkeley, Emeryville, and Piedmont, and Stege Sanitary District is hereby rescinded.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Region, on **date**.

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Bruce H. Wolfe  
Executive Officer