

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of United States)
Steel Corporation -- Review of)
Action of Regional Board)

Order No. 71-10

ORDER DENYING PETITION FOR RECONSIDERATION OF ORDER NO. 71-9

On March 4, 1971, this board adopted Order No. 71-9 which affirmed the cease and desist order issued by the California Regional Water Quality Control Board, San Francisco Bay Region, and directed the executive officer of this board to refer the matter to the Attorney General for legal action.

On March 9, 1971, the United States Steel Corporation petitioned the board to reconsider and amend said order. On March 18 the company appeared at a regular meeting of the board in support of the petition.

Petitioner contends that Order No. 71-9 which was adopted on March 4 requires the company to award contracts by March 1 and is therefore "impossible to comply with on its face." Actually, Order No. 71-9 simply affirmed the order of the regional board which was adopted on November 24, 1970, and which, as this board determined in Order No. 71-9, allowed the company a reasonable time for awarding contracts in light of all the circumstances. Although the company was not given adequate notice of the regional board hearing on November 24, the evidence it presented at the hearing before the State Board after receiving adequate notice did nothing to show that the regional board acted improperly.

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Petitioner now states that it will award construction contracts by July 31, 1971. This commitment does not comply with the regional board's order and is no basis for this board to determine that the action of the regional board was improper. Any request for relief from the regional board order based upon subsequent events should be addressed to that board.

The petition for reconsideration of Order No. 71-9 is denied.

Dated: March 18, 1971

E. F. DIBBLE
E. F. Dibble, Vice Chairman

NORMAN B. HUME
Norman B. Hume, Member

RONALD B. ROBIE
Ronald B. Robie, Member

W. W. ADAMS
W. W. Adams, Member

Chairman Kerry W. Mulligan dissented.