

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2011-0902

RESCISSION OF TIME SCHEDULE ORDER R5-2009-0096
CITY OF MANTECA WASTEWATER QUALITY CONTROL FACILITY
SAN JOAQUIN COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereinafter Central Valley Water Board) finds that:

1. On 8 October 2009, the Central Valley Water Board adopted Waste Discharge Requirements (WDR) Order R5-2009-0095 (NPDES Permit No. CA0081558), prescribing waste discharge requirements for the City of Manteca at the Wastewater Quality Control Facility, San Joaquin County.
2. WDR Order R5-2009-0095, contains Final Effluent Limitations IV.A.1.a. and 2.a. which both read, in part, as follows:

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Electrical Conductivity (1 April to 31 August)	µmhos/ cm	700	--	--	--	--

3. On 8 October 2009 the Central Valley Water Board adopted Time Schedule Order R5-2009-0096, prescribing a compliance time schedule for compliance with salinity effluent limitations described in Finding No. 2, above.
4. On 16 November 2010, the Superior Court of California, County of Sacramento in the case of City of Manteca v. State Water Resources Control Board (Case No. 34-2010-80000492) entered a Judgment Granting Preliminary Writ of Mandamus, staying the salinity effluent limitations listed in Finding No. 2, above, from the effective date of Order R5-2009-0095.
5. With the staying of the salinity effluent limitations, there is no need for a time schedule for compliance with the salinity effluent limitations.
6. On 10 December 2009, the Central Valley Water Board adopted Resolution R5-2009-0114 authorizing the Executive Officer to issue or modify time schedule orders that meet the requirements of Water Code section 13385, subdivision (j)(3).
7. The Executive Officer has provided a 30-day public comment period and addressed all pertinent comments.
8. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000, et seq.), in accordance with CWC section 15321 (a)(2), Title 14, of the California Code of Regulations.

IT IS HEREBY ORDERED that Time Schedule Order R5-2009-0096 is rescinded.

Any person aggrieved by this action of the Executive Officer may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

This Order is effective upon the date of signature.

Original Signed By
PAMELA C. CREEDON, Executive Officer

24 January 2011
Date