

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

RESOLUTION NO. R3-2004-0053

**GOLETA SANITARY DISTRICT'S
REQUEST FOR A
TIME EXTENSION FOR SUBMITTAL OF MODIFIED APPLICATION FOR
SECONDARY TREATMENT STANDARDS
NPDES PERMIT NO. CA0048160**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (hereafter "Regional Board"), finds that:

1. On April 19, 2002 this Regional Board convened a joint hearing with the U.S. Environmental Protection Agency (U.S. EPA). The purpose of the Regional Board's hearing was to consider concurrence for a 301(h) variance to be granted by U.S. EPA in a federally issued National Pollutant Discharge Elimination System (NPDES) permit. After presentation of testimony, arguments and public comment at the hearing, the Regional Board closed the testimony and comment portion of the hearing and began deliberations. The Regional Board voted on a motion to adopt waste discharge requirements concurring with the 301(h) variance. The majority of the Regional Board voted against the motion and so the Regional Board failed to take action. The Regional Board then voted to direct staff to prepare findings to support denying concurrence in the 301(h) waiver, and to submit them to the Regional Board for consideration at its May 2002 meeting. The Regional Board continued the hearing for the purpose of considering staff's draft findings.
2. Additional written and oral public comment was provided before and during the Regional Board's meeting on May 31, 2002. No additional evidence was admitted into the record. After consideration of relevant evidence and argument presented at the hearing, relevant evidence and public comment in the Regional Board's files, public comment at the hearing and on May 31, 2002, and applicable laws, regulations and policies and based on the findings above, the Regional Board resolved as follows:
 - a. Clean Water Act section 401 Certification of the federal NPDES permit was denied.
 - b. Concurrence with the federal NPDES permit 301(h) variance was denied because the tentative federal draft permit was not certified in accordance with state law specified by 23 C.C.R. sections 3855 et seq.
 - c. Concurrence with the federal NPDES permit 301(h) variance was denied.
3. On July 12, 2002, Regional Board staff presented findings and a draft Resolution for the consideration of the Regional Board. After convening a hearing the Regional Board adopted Resolution No. 2002-0077 (Attachment 1).
4. On August 8, 2002, the Goleta Sanitary District filed a timely petition with the State Water Resources Control Board, requesting review of Resolution R3-2002-0077.

5. Based upon the petition made at State Water Resources Control Board, and the requirement for submittal of a modified NPDES permit application by December 12, 2002, on December 13, 2002, the Regional Board adopted Revised Resolution No. 2002-0077, requiring: "The Discharger shall submit a modified NPDES permit application to the Regional Board within 45 days after the State Board issues a decision agreeing with Resolution R3-2002-0077."
6. On January 22, 2004, at a hearing before State Water Resources Control Board, State Board denied Goleta Sanitary District's petition of Revised Resolution No. R3-2002-0077.
7. The forty-five day period for submittal of a modified NPDES application ends March 7, 2004.
8. On February 18, 2004, the Goleta Sanitary District requested a 60-day extension to comply with the requirement contained in Revised Resolution R3-2002-0077.
9. A 60-day extension is warranted based upon knowledge and experience that the planning necessary to complete an upgrade of the Goleta Sanitary District's wastewater treatment facility is a time-consuming and complex undertaking. This additional time will allow the Goleta Sanitary District the necessary time to initiate that process, and submit a modified NPDES application that meets the intent of Revised Resolution No. R3-2002-0077.

NOW THEREFORE THE REGIONAL BOARD RESOLVES:

1. The Goleta's Sanitary District request for a 60-day extension is granted.
2. The Goleta Sanitary District is directed to submit a modified NPDES application **no later than May 7, 2004** to the Regional Board. The application will include sufficient information necessary for drafting a NPDES permit such that the Goleta Sanitary District's wastewater facility's discharge will comply with the Porter-Cologne Act and Clean Water Act, and meet secondary treatment standards for effluent discharged to the Pacific Ocean. The application shall also include a compliance schedule, with milestones, for completing the environmental review, permitting and financing necessary for completion of a facility upgrade that meets secondary treatment standards.

Executive Officer

Date

Attachment 1: Resolution No. R3-2003-0077

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