

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 83-1

STATING THE POLICY OF THE SAN FRANCISCO BAY REGIONAL
WATER QUALITY CONTROL BOARD RELATIVE TO WAIVING OF
REPORTS OF WASTE DISCHARGE FROM INDIVIDUAL WASTEWATER
TREATMENT AND DISPOSAL SYSTEMS REGULATED BY THE SOLANO
COUNTY DEPARTMENT OF PUBLIC HEALTH

- I. WHEREAS on September 17, 1964, the Regional Board adopted Resolution No. 598, "Stating the Policy of the San Francisco Bay Regional Water Pollution Control Board Relative to Waiving of Reports of Waste Discharge from Family Dwellings in Areas where the Disposal of Sewage is Regulated by the Solano County Health Department", and;
- II. WHEREAS on June 17, 1975, the Board adopted Resolution No. 75-12 amending Resolution No. 598, and;
- III. WHEREAS on July 18, 1978, the Board adopted Resolution No. 78-14, "Policy on Discrete Sewerage Facilities"; within Policy 3B of Resolution No. 78-14, the Board stated its intent to periodically review its waivers of the reporting of waste discharge pursuant to Section 13269 of the California Water Code; on April 17, 1979, the Board also adopted Resolution No. 79-5, "Minimum Guidelines for the Control of Individual Wastewater Treatment and Disposal Systems", to provide guidelines which will be used along with the Discrete Sewerage Policy to judge the adequacy of local ordinances for the control of individual wastewater treatment and disposal systems (IWTDS), and;
- IV. WHEREAS Section 13269 of the California Water Code provides that a Regional Board may waive the filing of reports of waste discharge for certain specific types of discharge where such waiver is not against the public interest, and;
- V. WHEREAS a staff review has been made of the County "Sewers and Sewage Disposal" Ordinance and "Regulations for Design and Construction of Septic Tanks and Leachfields", utilizing the Board's Discrete Sewerage Policy and Minimum Guidelines as criteria; the review found the County's program and ordinances in compliance with the guidelines, and;
- VI. WHEREAS,
 - A. Solano County has an ordinance requiring that plans for individual wastewater treatment and disposal systems be approved by the County Department of Public Health before construction of such installation is permitted;

B. The City of Benicia has adopted an ordinance which provides that individual wastewater treatment and disposal systems require approval by the County Department of Public Health and such approval is based on the same ordinance and standards as apply in unincorporated areas. In the remaining three Solano County cities that lie within the boundaries of the San Francisco Bay Basin (Vallejo, Fairfield and Suisun) the County Department of Public Health has only advisory capacity relative to discharges from individual dwellings.

C. Those portions of Sanitary Districts lying in unincorporated areas are automatically subject to the same ordinance; and

VII. WHEREAS, this Regional Board, as part of its Policy on Discrete Sewerage Facilities prepared a negative declaration in accordance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and the State Guidelines, and determined that there would be no substantial adverse change in the environment as a result of the project.

VIII. WHEREAS, on March 16, 1983 this Board held a public hearing and heard and considered all comments pertaining to this matter, and;

IX. WHEREAS, this Regional Board has determined that there are no State mandated local costs under Section 2231 of the Revenue and Taxation Code as a result of the foregoing regulation because such regulation is not an executive regulation by virtue of Section 2209 of the Revenue and Taxation Code, now;

X. THEREFORE BE IT RESOLVED that this Regional Board, pursuant to Section 13269 of the California Water Code, hereby, continues the waiver of the reporting of discharges of sewage from individual dwellings in any area where the disposal of sewage is regulated by the Solano County Department of Public Health by means of permits and that this waiver is subject to the following conditions and restrictions:

A. The sewage is to be disposed of entirely in subsurface leaching systems approved by the Department of Public Health and complying with this Board's Resolution No. 81;

B. "Individual dwelling" for the purpose of this resolution, includes rest room and kitchen facilities serving:

- | | |
|---------------------|------------------|
| 1. Restaurants | 6. Trailer Camps |
| 2. Service stations | 7. Motels |
| 3. Stores | 8. Apartments |
| 4. Offices | 9. Schools |
| 5. Beaches & Parks | 10. Churches; |

- C. The sewage does not contain any industrial waste; the discharge of sewage or industrial waste from any industrial site will require filing of a report of waste discharge with the Regional Board.
 - D. That no disposal facilities shall be permitted where the County, City or District has adopted an ordinance compelling sewer connection and the public sewer is available in accordance with the terms of the ordinance or where extension of public sewers to the proposed disposal facilities within the sphere of influence area of the local public jurisdiction is feasible as determined by the County Department of Public Health in accordance with a procedure jointly developed by the County, City or Special District presently providing sewerage service and Local Agency Formation Commission.
 - E. That the County Department of Public Health advise the Regional Board at the earliest possible date of all proposals to use septic tanks and drainfield system in new subdivisions for the disposal of sewage;
 - F. That the County Department of Public Health advise the Regional Board in a timely manner of any intended approvals of variances to the County Code and Regulations, or of any action before the County, City or District legislative or planning bodies to appeal the denial of an individual wastewater treatment and disposal system permit or any proposal to amend the provisions of the County Ordinances and regulations pertaining to such systems. The Board reserves the right to request a report of waste discharge for systems for which the County proposes to grant variances to its ordinance and regulations.
 - G. That this waiver does not apply whenever the County Department of Public Health believes that a report of waste discharge should be filed with the Regional Board;
 - H. That this waiver shall be conditional and may be terminated at any time by the Board.
- XI. BE IT FURTHER RESOLVED, that this Board instruct its Executive Officer to request the three cities not affected by this waiver to advise the Board of all applications received for permission to install individual wastewater treatment and disposal systems within their jurisdiction.
- XII. BE IT FURTHER RESOLVED, that this Board's Resolution Nos. 598 and 75-12 are hereby rescinded.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on March 16, 1983.

FRED H. DIERKER
Executive Officer