



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

OFFICE OF THE  
REGIONAL ADMINISTRATOR

**NOTICE OF FINAL PERMIT DECISION**  
**NPDES Permit No. CA0037681**

**For the City and County of San Francisco Oceanside Water Pollution Control Plant, Wastewater Collection System, and Westside Recycled Water Project**

In accordance with the requirements of the Code of Federal Regulations (C.F.R.), Title 40 § 124.19(m), the United States Environmental Protection Agency, Region 9 (EPA) is issuing a Notice of Final Permit Decision for NPDES Permit No. CA0037681 to the City and County of San Francisco for the Oceanside Water Pollution Control Plant, Wastewater Collection System, and Westside Recycled Water Project (San Francisco), reissued on December 10, 2019. The final NPDES Permit and copy of this notice are available on EPA’s web page at: <https://www.epa.gov/npdes-permits/city-and-county-san-francisco-oceanside-water-pollution-control-plant-wastewater>.

San Francisco filed a petition for review (Petition) of the final Permit with EPA’s Environmental Appeals Board (EAB) on January 13, 2020. In the Petition, San Francisco contested certain conditions of the Final Permit. The uncontested and severable portions of the Final Permit were placed into effect pursuant to a Notice of Uncontested and Severable Conditions, dated February 7, 2020. The contested conditions were stayed pending a decision by the EAB on the Petition and final agency action.

On December 1, 2020, the EAB issued an order denying the Petition in its entirety. *In re City and County of San Francisco*, NPDES Appeal No. 20-01, 18 EAB 322. Under 40 C.F.R. § 124.19(m)(2)(i), the Regional Administrator must issue a final permit decision when the Board issues notice to the parties that a petition for review has been denied. I am, accordingly, hereby issuing my final permit decision. The contested conditions shall become fully effective and enforceable in accordance with the terms of the Final Permit on February 1, 2021.<sup>1</sup>

This decision constitutes final agency action under 40 C.F.R. § 124.19(m)(1). Under 40 C.F.R. § 23.2 this Notice becomes effective for purposes of judicial review under 33 U.S.C. § 1369(b) and 5 U.S.C. § 704 two weeks after the Notice is signed.

Dated: \_\_\_\_\_

**JOHN  
BUSTERUD** Digitally signed by  
JOHN BUSTERUD  
Date: 2020.12.22  
10:28:43 -08'00'

\_\_\_\_\_  
John W. Busterud  
Regional Administrator

<sup>1</sup> The permit expiration date remains unchanged and is October 31, 2024.