



California Regional Water Quality Control Board
Central Valley Region

Karl E. Longley, ScD, P.E., Chair



Arnold

Schwarzenegger
CHRON

Linda S. Adams
Secretary for
Environmental
Protection

Sacramento Main Office
11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
Phone (916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>

30 June 2008

Mr. Robert Mentelos, Plant Manager
Penny-Newman Grain Company
1805 Harbor Road
Stockton, CA 95203

CERTIFIED MAIL
7007 2560 0001 7472 2060

NOTICE OF APPLICABILITY; GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; DEWATERING AND OTHER LOW THREAT DISCHARGES TO SURFACE WATERS; PENNY-NEWMAN GRAIN COMPANY HYDROSTATIC TEST PROJECT, SAN JOAQUIN COUNTY

Our office received a Notice of Intent (NOI) on 6 June 2008 from the Penny-Newman Grain Company (Discharger) requesting coverage under the General Order for Dewatering and other Low Threat Discharges To Surface Waters (Low Threat General Order No. 5-00-175) for the proposed short-term discharge from the Hydrostatic Testing Project. On 12 June 2008, the Regional Water Quality Control Board renewed the existing Low Threat General Order by adopted General Order No. R5-2008-0081. The newly adopted General Order requires dischargers with existing coverage to submit a completed NOI with upgraded application requirements by 1 August 2008.

The information in your 6 June 2008 NOI submittal meets the application requirements of the previous General Order No. 5-00-175. The proposed short-term discharge from the Project is approved on the basis that the discharge will cease prior to 1 August 2008. For continued discharge beyond the proposed discharge dates, a completed NOI in accordance with Section II.A of the newly adopted General Order No. R5-2008-0081 must be submitted by 1 August 2008.

The project is hereby assigned General Order No. R5-2008-0081-001 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001.

PROJECT DESCRIPTION

The project, located at the Turning Basin in Stockton's Deep Water Channel, involves hydrostatic testing of two new above ground tanks both with a capacity of one million gallons. The project proposes to extract surface waters from the Deep Water Channel for use in the hydrostatic testing of the two above ground tanks and then to directly discharge back into the Turning Basin via pipeline. The approximate flow rate will be one million gallons per day. Stockton's Deep Water Channel is part of the San Joaquin River.

The project is proposed to start on 30 June 2008 and be completed by 4 July 2008.

GENERAL INFORMATION AND REQUIREMENTS

General Order No. R5-2008-0081 (enclosed) prescribes mandatory discharge monitoring requirements. The project activities shall be operated in accordance with the requirements contained in the General Order and with the information submitted in the Notice of Intent.

The Discharger will be required to follow their Pollution Prevention and Monitoring and Reporting Plan. Effluent and receiving water monitoring of this dewatering/low threat discharge shall be conducted and submitted to the Regional Water Board, quarterly, until completion of the project. The Regional Water Board shall be notified immediately if any violation, nuisance or detriment to the receiving water is observed during implementation of the project.

Failure to comply with the conditions of the Effluent Limitations and Receiving Water Monitoring found in the General Order No. R5-2008-0081 could result in an enforcement action as authorized by provisions of the California Water Code. Discharge of material other than what is described in the Notice of Intent is prohibited.

The required annual fee (as specified in the annual billing you will receive from the State Water Resource Control Board) shall be submitted until this notice of Applicability is officially terminated. Please notify this office in writing when the project has been completed and the discharge is no longer necessary, so we may terminate applicability of this general order.

Effective in January 2004, any NPDES effluent monitoring report received more than 30 days after its due date is subject to a \$3,000 mandatory minimum penalty [Water Code Section 13385]. An additional \$3,000 penalty is required for each additional 30 days a report is late. If you have no discharge, you must still submit a report indicating that no discharge occurred, or you will be subject to the \$3,000 penalties.

If you have any question or comments regarding this notification, please contact Mike Negrete at (916) 464-4662 or mnegrete@waterboards.ca.gov.



PAMELA C. CREEDON
Executive Officer

Enclosure: General Order No. R5-2008-0081

CC LIST (w/out enclosures)

U.S. Environmental Protection Agency, Region IX, San Francisco
U.S. Army Corps of Engineers, Sacramento
Department of Fish and Game, Region 2, Rancho Cordova
Ms. Lori Okun, Office of Chief Counsel, SWRCB, Sacramento
Mr. Phil Isorena, Division of Water Quality, SWRCB, Sacramento