

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

**NOTICE OF PUBLIC HEARING**

concerning

TENTATIVE ORDER  
**WASTE DISCHARGE REQUIREMENTS ORDER R5 2022-XXXX  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
PERMIT CA0085316  
FOR  
CITY OF TURLOCK REGIONAL WATER QUALITY CONTROL FACILITY  
AND  
CITY OF MODESTO WATER QUALITY CONTROL FACILITY  
STANISLAUS COUNTY**

**Discharger and Tentative Order Information**

The City of Turlock is the owner and operator of the City of Turlock, Regional Water Quality Control Facility (RWQCF), a publicly-owned treatment works (POTW) located at 901 S. Walnut Road, Turlock, California. The RWQCF provides sewerage services for the City of Turlock and the community service districts of Denair and Keys, and receives up to 2 million gallons per day (MGD) of primary treated effluent from the City of Ceres. The RWQCF serves a population of approximately 91,000 and is designed to provide tertiary treatment for up to 20 MGD.

The City of Modesto is the owner and operator of the City of Modesto, Water Quality Control Facility (WQCF), a POTW located at 1221 Sutter Avenue, Modesto, California. The WQCF provides sewerage services for the City of Modesto, the community of Empire, and a portion of the City of Ceres, serving a population of approximately 272,000. The City of Modesto is designed to provide tertiary treatment for up to 14.9 MGD.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Order R5-2016-0010 (NPDES Permit) on 19 February 2016, authorizing a surface water discharge from the Facilities to the Delta-Mendota Canal, a water of the United States, via the North Valley Regional Recycled Water Program (NVRWP) Joint Outfall. The NVRWP Joint Outfall conveys tertiary treated wastewater from the Facilities to the Delta-Mendota Canal, where it is beneficially reused by agricultural users within the Del Puerto Water District via diversions from the Delta-Mendota Canal at locations downstream of the outfall (up to 59,000 acre-feet per year at build out). The NVRWP also provides recycled water to supplement the irrigation of south of Delta refuges downstream of the Delta-Mendota Canal.

An Order is proposed to renew the NPDES permit. For the City of Turlock RWQCF, the tentative Order removes effluent limitations for bis (2-ethylhexyl) phthalate, aluminum, mercury, and electrical conductivity, the maximum daily effluent limitations for

biochemical oxygen demand (BOD) and total suspended solids (TSS), and the mass-based limits for BOD, TSS, and ammonia from the previous Order. A new chronic toxicity effluent limitation is included in the tentative Order for the City of Turlock RWQCF. For the City of Modesto WQCF, the tentative Order removes effluent limitations for electrical conductivity and mercury, the maximum daily effluent limits for BOD and TSS, and the mass-based effluent limitations for BOD, TSS, and ammonia from the previous Order.

### **Public Hearing Date and Location**

A public hearing concerning the tentative Order will be held during the Central Valley Water Board meeting scheduled for:

DATE: 9/10 June 2022

TIME: 8:30 a.m.

PLACE: Online Meeting

AND

Regional Water Quality Control Board, Central  
Valley Region

11020 Sun Center Dr., Suite #200 Rancho  
Cordova, CA 95670

The [final meeting agenda](#)

([https://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/)) will be available at least **10 days** before the meeting. The agenda will provide the anticipated date the hearing will be held for this item and anticipated order of all agenda items; however, the Board may consider agenda items out of their listed order. The agenda materials may also include staff revisions to the tentative Order.

### **Nature and Purpose of Hearing**

At the hearing, the Central Valley Water Board will hear testimony and oral comments regarding the tentative Order. This proceeding will be a formal adjudicatory proceeding. The [procedures governing Central Valley Water Board adjudicatory hearings](#) ([http://www.waterboards.ca.gov/laws\\_regulations/](http://www.waterboards.ca.gov/laws_regulations/)) may be found at California Code of Regulations, title 23, section 648 et seq. and are available upon request.

### **Prehearing Submission of Written Comments and Evidence**

The **Discharger** is a party to this proceeding. As a party, the Discharger must submit written evidence or comments, if any, for the Board to consider no later than 5:00 p.m. on **5 May 2022** to the Central Valley Water Board email at [RB5S-NPDES-comments@waterboards.ca.gov](mailto:RB5S-NPDES-comments@waterboards.ca.gov).

**Interested persons** include any non-party that is interested in the outcome of the hearing. Interested persons wishing to comment, in writing, on the tentative Order shall submit comments no later than 5:00 p.m. on **5 May 2022** to the Central Valley Water

Board email at [RB5S-NPDES-comments@waterboards.ca.gov](mailto:RB5S-NPDES-comments@waterboards.ca.gov).

Pursuant to California Code of Regulations, title 23, section 648.4, the Board Chair may refuse to admit written evidence or comments that are not submitted in accordance with this Notice and shall refuse to do so when there is a showing of prejudice to the Discharger or the Board. Excluded material will not be considered by the Board.

### **Requesting Party Status**

Persons who wish to participate in the hearing as a party must submit a request in writing no later than 5:00 p.m. on **5 May 2022** to the Central Valley Water Board email at [RB5S-NPDES-comments@waterboards.ca.gov](mailto:RB5S-NPDES-comments@waterboards.ca.gov). The request must include facts demonstrating how the person will be substantially affected by the proceeding.

The Board Chair will not designate a person as a party if the Board Chair determines the designation will impair the interests of justice and the orderly and prompt conduct of the proceeding. The Board Chair, when granting a request for party status, may impose restrictions on the requestor's hearing participation, including limiting or excluding the use of cross-examination and other procedures to promote the orderly and prompt conduct of the proceeding.

### **Visual Presentations**

Hearing participants may use PowerPoint or other visual presentations at the hearing, but the presentation content shall not exceed the scope of previously submitted written material. Presentations, if any, must be provided to the below Central Valley Water Board Contact by 12:00 p.m. on 7 June 2022.

### **Hearing Procedure and Time Limits**

The hearing on the tentative Order will be conducted in the general order listed under California Code of Regulations, title 23, section 648.5, except that the Board Chair may modify the order for good cause.

The **Discharger** and any other designated Party will be advised in advance of the hearing of the total amount of time allocated for their presentation and closing statement. The Discharger and Parties are invited to contact staff in advance of the hearing to discuss how much time they believe is necessary.

**Interested persons** may speak at the hearing and are expected to orally summarize their written submittals, if any. Each interested person will have 3 minutes to present oral comments. Additional time may be provided, upon request, at the discretion of the Board Chair.

### **Hearing Accommodations**

The hearing facilities will be accessible to persons with disabilities. Individuals requiring

special accommodations are requested to send an e-mail to [agenda5@waterboards.ca.gov](mailto:agenda5@waterboards.ca.gov) or call 916-464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

### **Availability of Documents**

The tentative Order and related documents may be found on the Central Valley Water Board's [Tentative Orders Page](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/) ([http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/)). Copies of these documents may also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California, 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m. Scheduling an appointment to review the file by contacting the below Central Valley Water Board Contact in advance is not required but calling ahead will help ensure timely access to these documents.

### **Central Valley Water Board Contact**

Anyone having questions regarding this hearing item should contact Armando Martinez at (916) 464-4617 or [Armando.Martinez@waterboards.ca.gov](mailto:Armando.Martinez@waterboards.ca.gov).

Please bring the above information to the attention of anyone you know who would be interested in this matter.

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Adam Laputz, Assistant Executive Officer