



California Regional Water Quality Control Board Central Valley Region

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17 November 2009

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Mr. Greg Pryor
Norcal Waste Systems
Hay Road Landfill, Inc.
6426 Hay Road
Vacaville, CA 95687

Mr. Bryan Clarkson
Alta Environmental Services, Inc.
235 North First Street
Dixon, CA 95620

NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; NORCAL WASTE SYSTEMS HAY ROAD LANDFILL, INC., HAY ROAD LANDFILL PROJECT, SOLANO COUNTY

Our office received a Notice of Intent (NOI) on 9 February 2009 from Norcal Waste Systems Hay Road Landfill, Inc., owners and their consultant, Alta environmental Services, Inc., (Dischargers) for the Hay Road Landfill Project. Based on the information in the NOI, staff of the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the project meets the required conditions for approval under the General Order for Dewatering and Other Low Threat Discharges to Surface Waters (Low Threat General Order). This project is hereby assigned Low Threat General Order No. R5-2008-0081-043 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference the unique Order No. R5-2008-0081-043 in all future correspondence and documents.

The Low Threat General Order (enclosed) may also be viewed at the following web address: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2008-0081.pdf. You are urged to familiarize yourself with the contents of the entire document. The Low Threat General Order prescribes mandatory discharge monitoring requirements. The project activities shall be operated in accordance with the requirements contained in this NOA, the Low Threat General Order, and with the information submitted by the Dischargers.

CALIFORNIA TOXIC RULE / STATE IMPLEMENTATION POLICY MONITORING

The Low Threat General Order incorporates the requirements of the California Toxic Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005, also known as the State Implementation Policy (SIP).

California Environmental Protection Agency



Screening levels for CTR constituents are found in Attachment B of the Low Threat General Order. Review of your water quality data in comparison to the CTR screening values, showed no reasonable potential to impact the Alamo Creek.

PROJECT DESCRIPTION

Norcal Waste Systems Hay Road Landfill, Inc., proposes to discharge groundwater from dewatering activities from land that is located directly west of the existing landfill, known as the "borrow pit" area. The dewatering is necessary to harvest earthen material as landfill cover and for base liner construction. The need for earthen material normally occurs about every two years and will continue for the life of the borrow pit area.

The dewatering activities and discharge rate vary by season and are intermittent. Once dewatering activities begins, the rates will be up to one million gallons daily, but will not exceed four consecutive months in duration. The proposed project will begin 20 November 2009 and will continue for the life of the borrow pit area. The groundwater discharge will enter the A-1 channel, which is located south of the landfill, then into Alamo Creek, a tributary of Ulatis Creek.

MONITORING AND REPORTING

All Dischargers must notify Central Valley Water Board staff 24 hours before the start of each new discharge, as soon as noncompliance is anticipated, and when the discharge ceases. The Dischargers are required to comply with all the monitoring and reporting requirements contained in Attachment E of the Low Threat General Order.

Effluent and receiving water analytical monitoring shall be conducted and the results submitted to the Central Valley Water Board on a quarterly basis unless specified otherwise. The Dischargers must submit quarterly reports, as described in Attachment E, Section X, even if there is no discharge or receiving water flow during the reporting quarter, until the Discharger formally requests that coverage under this Order be terminated.

GENERAL INFORMATION AND REQUIREMENTS


The required annual fee (as specified in the annual billing you will receive from the State Water Resources Control Board) shall be submitted until the discharge is terminated. The Dischargers must notify the Central Valley Water Board in writing if the discharge regulated by this Low Threat General Order is no longer necessary, so we may terminate applicability of this Low Threat General Order and avoid additional and unnecessary billing.

ENFORCEMENT

Failure to comply with the Low Threat General Order may result in enforcement actions, which could include civil liability. Late reporting and effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation [California Water Code Section 13385(h) and (i)]. If there is no discharge during a quarterly monitoring period, a report indicating that no discharge occurred must be submitted to avoid the monetary penalties.

All monitoring report submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Spencer Joplin at (916) 464-4660 or sjoplin@waterboards.ca.gov.

Questions regarding the permitting aspects of this Low Threat General Order, and requests for termination of coverage under this Order, may be directed to Elizabeth Thayer at (916) 464-4671 or ethayer@waterboards.ca.gov.


for Pamela C. Creedon
Executive Officer

Enclosure: General Order No. R5-2008-0081 (Dischargers only)

cc: Mr. Dave Smith, U.S. Environmental Protection Agency, Region IX, San Francisco
Mr. Phil Isorena, Division of Water Quality, State Water Board, Sacramento