



California Regional Water Quality Control Board
Central Valley Region
Katherine Hart, Chair



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Edmund G. Brown Jr.
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24 August 2011

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**NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE
DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; CITY OF BRENTWOOD,
POTABLE WATER SYSTEM MAINTENANCE PROJECT; CONTRA COSTA COUNTY**

Our office received a Notice of Intent (NOI) on 13 July 2009 from the City of Brentwood (Discharger) for its Potable Water System Maintenance Project, and a complete Pollution Prevention and Monitoring and Reporting Plan (PPMRP) on 21 June 2011. Based on the information in the NOI, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff 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. R5-2008-0081-045 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference the unique Order No. R5-2008-0081-045 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). Section 5.3 of the SIP allows "exceptions from meeting the Priority Pollutant criteria/objectives if determined to be necessary to implement control measures..." The Discharger is requesting an exception from the CTR requirements under the SIP

California Environmental Protection Agency

Categorical Exceptions, Item Number 2, regarding drinking water to fulfill statutory requirements under the Federal Safe Drinking Water Act, or the California Health and Safety Code. The Discharger cited Sections 116350-116405 of the California Health and Safety Code that require water utilities to perform various duties in order to protect the integrity of the water system and public health. Therefore, the Discharger qualifies for the SIP exception in Section 5.3 and is not required to conduct the Priority Pollutant (CTR constituent) sampling.

Dischargers authorized to discharge under this Low Threat General Order that have been granted an exception to the priority pollutant criteria and objectives in the SIP, must provide certification by a qualified biologist that the beneficial uses of the receiving water have been restored upon completion of the project.

PROJECT DESCRIPTION

The Brentwood Potable Water System consists of 172 miles of pipeline, 1900 fire hydrants, nine water supply wells, four above ground water tanks, two underground water tanks and delivers water to more than 18,000 connections. Surface water sources include Brentwood's Water Treatment Plant and Randall-Bold Water Treatment Plant located in Oakley.

The Discharger proposes to discharge groundwater and treated potable water from various components of their potable water system associated with regular scheduled maintenance activities into surface waters. The Discharger will conduct dechlorination of potable water and also provide additional treatment for both potable water and groundwater as necessary to meet the Effluent and Receiving Water Limitations contained in General Order No. R5-2008-0081.

Flows rates from the potable water system will vary depending on the component that is discharging. The maximum flow rate from well pump testing is estimated to be 0.06 million gallons per day intermittently for up to three days. Fire hydrant flushing discharges are estimated to be 90,000 gallons per day intermittently for up to three hours. Groundwater or treated potable water will be discharged into the near-by storm drain system and will flow into either Briones Creek, Dry Creek, Deer Creek, Marsh Creek, or the Contra Costa County Flood Control Canal, which are all tributaries of the Sacramento/San Joaquin River Delta.

MONITORING AND REPORTING

All Dischargers must notify Central Valley Water Board staff: 1) 24 hours before the start of each new discharge or per the Discharger's PPMRP, 2) as soon as noncompliance is anticipated, and 3) when the discharge ceases. This is a water supply project with numerous discharge points. Therefore, the Discharger was required to submit a Pollution Prevention and Monitoring and Reporting Plan (PPMRP) with the NOI. The PPMRP dated 21 June 2011 complies with Attachment H and with Sections I, IX, and X of Attachment E of the Low Threat General Order, and is hereby approved.

Effluent and receiving water analytical monitoring shall be conducted as described in the approved PPMRP and the results submitted to the Central Valley Water Board on a

quarterly basis unless specified otherwise. The Discharger 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. To terminate coverage under the Low Threat General Order, the Dischargers must submit written notification to the Central Valley Water Board that the discharge regulated by this Low Threat General Order has ceased and is no longer necessary. If a timely written request is not received, then the Dischargers will be required to pay additional annual fees as determined by the State Water Resources Control Board.

ENFORCEMENT

Failure to comply with the Low Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. Late reports may be subject to an MMP of \$3,000 for each period of 30 days late. When discharges do not occur during a quarterly monitoring period, the Dischargers must still submit a quarterly report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

All monitoring report submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Victor Vasquez of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Vasquez can be reached at (916) 464-4623 or vvasquez @waterboards.ca.gov.

Questions regarding the permitting aspects of this Low Threat General Order, and written notification for termination of coverage under this Order, shall be directed to Mike Negrete of the Central Valley Water Board's NPDES Permitting Unit. Mr. Negrete can be reached at (916) 464-4662 or mnegrete@waterboards.ca.gov.

Original Signed By Kenneth D. Landau for

Pamela C. Creedon
Executive Officer

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

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