



# California Regional Water Quality Control Board Central Valley Region

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16 February 2010

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Mr. Derek C. Lee, Senior Environmental Health & Safety Specialist  
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## **NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; PRE-STARTUP & MAINTENANCE DEWATERING FOR EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD), SEGMENT 3 & FREEPORT SOUTH CANAL CONNECTION PIPELINES PROJECT, SACRAMENTO COUNTY**

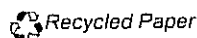
Our office received a Notice of Intent (NOI) on 27 August 2009 from the East Bay Municipal Utility District, (Discharger) for the Pre-Startup & Maintenance Dewatering for EBMUD, Segment 3 & Freeport South Canal Connection Pipelines Project. Based on the information in the NOI, Central Valley Regional 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. R5-2008-0081-050 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference the unique Order No. R5-2008-0081-050 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](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**



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 qualified for the SIP exception in Section 5.3 and is not required to conduct Priority Pollutant (CTR constituent) sampling. The Discharger authorized to discharge under this Low Threat General Order who has 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 discharge.

## **PROJECT DESCRIPTION**

East Bay Municipal Utility District is proposing two types of discharges. The first discharge will be from the hydrologic integrity testing that will check for cracks in the mortar-lined Folsom South Canal Connection (FSCC) Pipeline. The FSCC Pipeline is 72 inches in diameter and 19 miles long. The source of this water for this discharge will be surface waters from the Mokelumne Aqueduct.

The other discharges will be from maintenance and operational-phase discharges. Water will be conveyed through the Segment 3 and FSCC Pipelines into EBMUD Mokelumne Aqueducts to simulate normal operations. Water in the low pipeline elevation areas will need to be drained to minimize biological growths. The source water for Segment 3 will be surface waters from the Sacramento River. The source water for the FSCC Pipelines will be from both the Sacramento River and American River.

It is estimated that 18 million gallons will be discharged at 12 locations<sup>1</sup>, within a two-week period, from both pipelines during a typical operational maintenance phase. It is expected that this maintenance procedure will occur three times every 10 years.

The Discharger will monitor and treat the discharge water for elevated pH since the FSCC Pipeline is lined with mortar. The Discharger will also chlorinate and dechlorinate as necessary to eradicate the growth of the Quagga Mussel.

The project proposes to begin on 17 February 2010.

## **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.

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 Discharger must submit quarterly reports, as described in Attachment E, Section X, even if

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<sup>1</sup> Hydrostatic-test water from Segment 3 will be discharged to Laguna Creek, a tributary of the Cosumnes River. The eleven other discharge locations for the FSCC Pipeline will be at Skunk Creek, Dry Creek, three locations at Coyote Creek, two locations at the Mokelumne River, and four locations to tributaries of Bear Creek, all tributaries of the San Joaquin River.

there is no discharge or receiving water flow during the reporting quarter, until the Discharger formally requests that coverage under this Order be terminated.

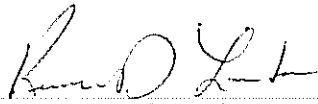
### GENERAL INFORMATION AND REQUIREMENTS

The required annual fee (as specified in the annual billing you will receive from the State Water Resources Control Board) shall be due and payable until the discharge is terminated. The Discharger 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](mailto: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 Michael Negrete at (916) 464-4662 or [mnegrete@waterboards.ca.gov](mailto:mnegrete@waterboards.ca.gov).



*for* Pamela C. Creedon  
Executive Officer

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

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