



California Regional Water Quality Control Board Central Valley Region

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22 July 2011

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NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; OLIVEHURST PUBLIC UTILITY DISTRICT, POTABLE WATER SYSTEM MAINTENANCE PROJECT; YUBA COUNTY

Our office received a Notice of Intent (NOI) on 10 June 2011 from Affinity Engineering, consultants for Olivehurst Public Utility District (Discharger) for the Olivehurst Public Utility District, Potable Water System Maintenance 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. R5-2008-0081-102 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference the unique Order No. R5-2008-0081-102 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 Categorical Exceptions, Item Number 2 regarding drinking water to fulfill statutory requirements under the California Health and Safety Code Sections 116350-116405, and 131200 as implemented in the

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California Code of Regulations, Title 22, Division 4, Chapter 16, "California Waterworks Standards," 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 Priority Pollutant (CTR constituent) sampling.

Dischargers authorized to discharge under this Low Threat General Order who 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 discharge.

PROJECT DESCRIPTION

The Discharger supplies drinking water to residential and commercial users in the Olivehurst and Plumas Lake area of Yuba County. The Discharger has eleven groundwater wells, three treated water storage reservoirs, eleven hydropneumatic tanks, eighty-three miles of distribution system piping, approximately 542 fire hydrants, and eighty blow-off valves.

The Discharger will be discharging groundwater and treated potable water from all 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. Maximum flow would be from well pump testing estimated to be at 7.2 million gallons intermittently for a few days to fire hydrant flushing estimated to be at 0.72 million gallons intermittently for a few hours. Discharge will enter into the near-by storm drain system and will ultimately enter into the Feather River.

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. This is a water supply project with numerous discharge points. Therefore, the Discharger was required to submit a Pollution Prevention and Monitoring and Reporting Program (PPMRP) with the NOI. The PPMRP dated 19 July 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

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