
Central Valley Regional Water Quality Control Board

9 August 2012

David S. Melilli
Director of Public Works
City of Rio Vista
One Main Street
Rio Vista, CA 94571

CERTIFIED MAIL
7010 3090 0001 4843 1735

NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2008-0081; CITY OF RIO VISTA, POTABLE WATER SYSTEM MAINTENANCE PROJECT; SOLANO COUNTY

Our office received a Notice of Intent (NOI) on 2 February 2012 from the City of Rio Vista (Discharger) for its Potable Water System Maintenance Project, and also a complete Pollution Prevention and Monitoring and Reporting Plan (PPMRP) dated 18 July 2012. 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 R5-2008-0081-112 and National Pollutant Discharge Elimination System (NPDES) No. CAG995001. Please reference the unique Order R5-2008-0081-112 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).

After compliance with the California Environmental Quality Act (CEQA), 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 Federal Safe Drinking Water Act or the California Health and Safety Code. The Discharger has requested a categorical exception under the California Health and Safety Code, Section 116270-116293, that "is intended to ensure that the water delivered by public water systems of this State shall at all times be pure, wholesome, and potable." 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 Discharger supplies drinking water to residential, commercial and industrial users within the Rio Vista City limits. The Discharger's potable water system consists of nine groundwater wells, two water storage tanks, three hydro-pneumatic tanks, five hundred and forty-four fire hydrants, twenty-five blow-off valves, and eighteen miles of distribution system piping. The Discharger will be discharging groundwater and treated potable water from 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 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 2.16 million gallons intermittently for a few days to fire hydrant flushing estimated to be at 0.5 million gallons intermittently for a few hours. Discharge will enter into the near-by storm drain system and will ultimately enter into the Sacramento River.

MONITORING AND REPORTING

All Dischargers must notify Central Valley Water Board staff 24 hours 1) 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 18 July 2012 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. 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 Mohammad Farhad of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Farhad can be reached at (916) 464-1181 or mfarhad@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.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Original Sign by Kenneth D. Landau

Pamela C. Creedon
Executive Officer

Enclosure: General Order 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