



Central Valley Regional Water Quality Control Board

19 June 2012

Glen Knapp
Public Utilities Department, Water Division
City of Fresno
1910 E. University Avenue
Fresno, CA 93703

CERTIFIED MAIL
7011 2000 0001 1769 2005

NOTICE OF APPLICABILITY

ORDER NO. R5-2008-0081-116 (NPDES NO. CAG995001); WASTE DISCHARGE REQUIREMENTS FOR DEWATERING AND OTHER LOW THREAT DISCHARGES TO SURFACE WATERS; CITY OF FRESNO, T-3 SURFACE WATER TREATMENT PLANT, WDID 5B10NP00017, FRESNO COUNTY

On 1 May 2012, AECOM submitted a Notice of Intent on behalf of the City of Fresno (Discharger) to comply with Order No. R5-2008-0081 (NPDES Permit No. CAG995001), Waste Discharge Requirements for Dewatering and Other Low Threat Discharges to Surface Waters (General Order) for discharges associated with testing of a new surface water treatment plant. Based on the information in the Notice of Intent and subsequent documentation submitted on 18 May 2012 and 12 June 2012, we have determined that the discharge of untreated and partially treated surface water from the T-3 Surface Water Treatment Plant to Gould Canal herein meets the conditions for enrollment under the General Order. The Discharger is hereby assigned Order No. R5-2008-0081-116, NPDES Permit No. CAG995001, and WDID 5B10NP00017. The Discharger may proceed to discharge in accordance with the General Order and this Notice of Applicability.

The General Order is enclosed and 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. A copy of the General Order and this Notice of Applicability are required to be maintained at the facility and be available at all times to operating personnel. Key operating personnel are required to be familiar with its content.

PROJECT DESCRIPTION

The surface water treatment plant will be located at 6736 East Dakota Avenue in Fresno. As part of start-up testing, the facility will run surface water from Enterprise Canal through the treatment system and will discharge either untreated or partially treated water to Gould Canal. Discharges allowed under this General Order will occur in three phases. The first phase will consist of hydrostatic testing of individual components to verify the correct installation and detect leaks. The second phase will consist of operating all treatment components and chemical feed systems with raw canal water. No chemicals will be added during the first or second phases. The third phase will consist of operating all treatment components with raw canal water and chemical feed systems, with the exception of the disinfection system, with the appropriate chemicals. The Discharger proposes to filter the treated surface water prior to

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA G. CREEDON P.E., BCCEE, EXECUTIVE OFFICER

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discharge to Gould Canal during the third phase. The three phases will likely be completed within three weeks of commencement, but the Discharger indicated it may take up to four months. The flow was estimated as 4.0 million gallons per day. The Discharger also indicated it may need to chlorinate but intends to dechlorinate prior to discharge to Gould Canal.

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The General Order incorporates the requirements of the California Toxics Rule (CTR) and the State Water Resources Control Board's (State Water Board) *Policy for Implementation of Toxics 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 qualifies for the SIP exception in Section 5.3 and is not required to conduct priority pollutant monitoring. Dischargers authorized to discharge under the 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.

MONITORING AND REPORTING

The Discharger shall comply with the Monitoring and Reporting Program (MRP) in Attachment E of the General Order. In addition, the Discharger shall conduct the monitoring it proposed that is required as part of the SIP exception. Please be advised that in accordance with the MRP, the Discharger shall notify our office 24 hours before initiating the discharge to Gould Canal.

The MRP requires submittal of quarterly self-monitoring reports (SMRs), which are to include the results of all monitoring specified in the MRP and in this Notice of Applicability. Quarterly SMRs shall be submitted to the Central Valley Water Board, Fresno Office (Attention: NPDES Program) and are due on 1 May, 1 August, 1 November, and 1 February. Quarterly SMRs are required even if there is no discharge or receiving water flow during the reporting quarter.

The following information shall be included in all SMRs, as well as report transmittal letters, submitted to the Central Valley Water Board.

The agency name, facility name, waste discharge requirements order number, WDID number, and contact information (telephone address and e-mail address, if available)

GENERAL INFORMATION AND REQUIREMENTS

Failure to abide by the requirements of the General Order and this Notice of Applicability could result in enforcement actions as authorized by provisions of the California Water Code.

Violations of the effluent limitations contained in the General Order may be subject to a \$3,000 Mandatory Minimum Penalty (MMP) per violation for serious or chronic violations if certain conditions are met [California Water Code section 13385(h) and (i)]. In addition, a SMR received more than 30 days after its due date may be subject to a \$3,000 MMP. An additional \$3,000 MMP is mandated for each additional 30 days a SMR is late.

The Discharger is subject to the terms and conditions of the General Order and this Notice of Applicability. The Discharger is also responsible for paying the annual fee (as specified in the annual billing the Discharger will receive from the State Water Board) until coverage under the

General Order is officially terminated. To officially terminate coverage, the Discharger shall request, in writing, termination of coverage under the General Order. The Notice of Termination form is attached.

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 Title 23, California Code of Regulations, Sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Notice of Applicability, except that if the thirtieth day following the date of this Notice of Applicability 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.

If you have any questions concerning this Notice of Applicability or the General Order, please contact Aidé Ortiz at (559) 445-6083 or at aortiz@waterboards.ca.gov.

Original signed by Lonnie M. Wass for

Pamela C. Creedon
Executive Officer

Enclosures: Order No. R5-2008-0081 (Discharger only)
Notice of Termination Form (Discharger only)

cc: David Smith, USEPA Region IX, WTR-5, San Francisco
Phil Isorena, State Water Resources Control Board, DWQ, Sacramento
Department of Water Resources, San Joaquin District, Fresno
Department of Fish and Game, Region IV, Fresno
Fresno County Department of Public Health, Division of Environmental Health, Fresno
Fresno County Department of Public Works and Planning, Fresno
Bill Stretch, Fresno Irrigation District, 2907 S. Maple Avenue, Fresno, CA 93725
Les Peterson, Lennar, 8080 N. Palm Avenue, Suite 101, Fresno, CA 93711
Mike Van Groningen, W.M. Lyles Company, 335 N. Thorne Avenue, Fresno, CA 93706
Kevin Berryhill, AECOM, 1360 E. Spruce Avenue, Suite 101, Fresno, CA 93720
Stephen Spencer, AECOM, Fresno (via e-mail)