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SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

29 July 2013

Curt Aikens
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Yuba City Water Agency
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NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-0074; NEW BULLARDS BAR DAM GROUT CURTAIN REMEDIATION PROJECT; YUBA COUNTY

Our office received a Notice of Intent (NOI) on 28 June 2013 from the Yuba City Water Agency (Discharger), for the New Bullards Bar Dam Grout Curtain Project (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 **R5-2013-0074-132** and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference unique Order **R5-2013-0074-132** in all future correspondence and documents.

The Low Threat General Order (enclosed) may be viewed at the following web address: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.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 Discharger.

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).

PROJECT DESCRIPTION

The proposed project is located in the New Bullards Bar Dam structure which is located in the Sacramento River watershed. The Discharger plans to restore the integrity of the grout by re-grouting the 4 grout curtains where water has seeped through the dam wall and into the interior of the dam. Inside the dam there are drainage curtains which encompass a row of drainage holes that are spaced at 10 feet intervals downstream from the grout curtain. The drainage curtain is designed to intercept seepage of water and also relieves uplift pressure under the dam. The water seepage from the drainage curtain is collected in the foundation gallery gutters and exits the dam through various gallery adits. Once the seepage exits the dam, it is piped to

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an outfall that flows into a pond at the toe of the dam. The Discharger is going to reroute the water from the Block 13 adit, which will catch the grout equipment washout, to a temporary and portable treatment system at the toe of the dam. The treated effluent will be monitored for turbidity and pH.

MONITORING AND REPORTING

The Discharger must notify Central Valley Water Board staff 24 hours 1) before the start of each new discharge, 2) as soon as noncompliance is anticipated, and 3) when the discharge ceases. 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 the Low Threat General 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 Discharger 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 Discharger 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 Discharger 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 Lucio Orellana of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Orellana can be reached at (916) 464-4660 or Lucio.Orellana@waterboards.ca.gov

Questions regarding the permitting aspects of this Low Threat General Order, and written notification for termination of coverage under the Low Threat General Order, shall be directed to Josh Palmer of the Central Valley Water Board's NPDES Permitting Unit. Mr. Palmer can be reached at (916) 464-4674 or Joshua.Palmer@waterboards.ca.gov.

Curt Aikens
General Manager
New Bullards Bar Dam Grout Curtain Remediation Project

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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 Signed by Kenneth D. Landau for

Pamela C. Creedon
Executive Officer

Enclosure: General Order R5-2013-0074 (Discharger only)

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