



California Regional Water Quality Control Board Central Valley Region

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28 April 2009

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NOTICE OF APPLICABILITY (NOA); LIMITED THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0082; EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD), AMADOR COUNTY

Our office received application forms on 19 November 2008 from the EBMUD for the Pardee Reservoir Recreation Area Water Treatment Plant (PWTP) for the management of its potable water system. Based on the application package and subsequent information submitted by the Discharger, we have determined that the project meets the required conditions for approval under the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). This project is hereby assigned Limited Threat General Order No. R5-2008-0082-010 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002.

The Limited 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/r5-2008-0082.pdf. You are urged to familiarize yourself with the contents of the entire document. The Limited Threat General Order prescribes mandatory discharge monitoring requirements. The project activities shall be operated in accordance with the requirements contained in this NOA, the Limited Threat General Order, and with the information submitted by the Discharger.

CALIFORNIA TOXIC RULE / STATE IMPLEMENTATION POLICY MONITORING

The Limited 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). The Discharger requested a categorical exception to the requirement for meeting the CTR pollutant criteria in the Limited Threat General Order, as authorized by Section 5.3 of the SIP. The Discharger certified that its discharges are necessary to implement drinking water control measures conducted to fulfill statutory requirements under the federal Safe Drinking Water Act and the California Health and Safety Code.

California Environmental Protection Agency

The receiving waters are not listed under the Clean Water Act 303(d) List of impaired water bodies. Therefore, no additional effluent limitations or additional monitoring requirements will be added to this Limited Threat General Order.

PROJECT DESCRIPTION

The PWTP treats raw water drawn from the Mokelumne River watershed and provides potable water to the Pardee Reservoir Recreation Area which includes 107 mobile home/recreation vehicle connections and 95 campsites. There is shower, laundry, and public restroom facilities available, as-well-as a concessionaire operated coffee shop, marina, and swimming pool. The PWTP and Recreation Area are adjacent to Pardee Reservoir.

This NOA provides regulatory coverage for the discharge of backwash water from the PWTP. The backwash water is discharged into an unlined pond and then flows overland to Pardee Reservoir. The discharge is greatest during the summer. The PWTP has been in operation since 1958 and the discharge was previously permitted under Low Threat General Order No. 5-00-175.

MONITORING AND REPORTING

The Discharger is required to comply with all the monitoring and reporting requirements contained in the Limited Threat General Order. This includes notifying Central Valley Regional Water Quality Control Board (Regional Water Board) staff 24 hours before the start of each new discharge, notification of noncompliance or anticipated noncompliance, and quarterly reporting of monitoring results.

Effluent and receiving water monitoring shall be conducted and submitted to the Regional Water Board on a quarterly basis. You must submit quarterly reports, even if there is no discharge or receiving water flow during the reporting quarter, until Regional Water Board staff formally terminate your coverage under the Limited Threat General Order. Most reporting requirements are found in Attachment E of the Limited Threat General Order. Please reference your unique order number, R5-2008-0082-010, in your correspondence and submitted documents.

GENERAL INFORMATION AND REQUIREMENTS

The Discharger will be required to implement its Pollution Prevention and Monitoring and Reporting Plan, if applicable. Discharge of material other than what is described in the application is prohibited.

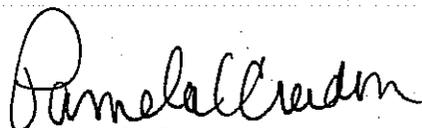
The required annual fee (as specified in the annual billing you will receive from the State Water Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing if the discharge regulated by this Limited Threat General Order is no longer necessary, so we may terminate applicability of this Limited Threat General Order and avoid additional unnecessary billing.

Dischargers authorized to discharge under this Limited Threat General Order who have been granted an exception to the priority pollutant criteria and objectives in the CTR and SIP, as

allowed by Section 5.3 of 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.

Failure to comply with the Limited Threat General Order may result in enforcement actions, which could include civil liability. Some 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 you have no discharge during a quarterly monitoring period, you must still submit a report indicating that no discharge occurred, or you may be subject to MMPs.

All monitoring reports submittals, discharge notifications, and any questions regarding compliance or enforcement, shall be to Oscar Biondi, who may be reached at (916) 464-4663 or at obiondi@waterboards.ca.gov. If you have any questions regarding the permitting aspects of your Limited Threat General Order coverage, please contact Anand Mamidi of our office at (916) 464-4853 or at amamidi@waterboards.ca.gov.



Pamela C. Creedon
Executive Officer

Enclosure: General Order No. R5-2008-0082 (Discharger only)

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