



# California Regional Water Quality Control Board Central Valley Region

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15 April 2009

Mr. Dale Gonzales, P.E.  
California Water Service Company  
1720 North First Street  
San Jose, CA 95112

CERTIFIED MAIL  
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## **NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; CALIFORNIA WATER SERVICE COMPANY, SOLANO COUNTY**

Our office received a Notice of Intent (NOI) from the California Water Service Company (Discharger) for its water system discharges. Based on the information in the NOI and subsequent documents, we have 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. R5-2008-0081-030 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001.

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](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 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). The Discharger requested a categorical exception to the requirement for meeting the CTR pollutant criteria in the Low Threat General Order, as authorized by Section 5.3 of the SIP. Although pollutants were detected, the Discharger certified that its discharges are necessary to implement drinking water control measures conducted to fulfill statutory requirements under the California Health and Safety Code, and therefore, is not required to adhere to the testing requirements of the CTR.

The receiving waters are not listed under the Clean Water Act 303(d) List of impaired water bodies, therefore, no additional effluent limitations for pollutants of concern will be added to the coverage under the Low Threat General Order.

*California Environmental Protection Agency*

## **PROJECT DESCRIPTION**

The Discharger is required to make discharges as a result of operating a drinking water system. Discharges are from blowing-off Rural North Vacaville wells 1-01 and 2-01, and flushing the distribution system, tanks, and fire hydrants. Discharge of superchlorinated water is not covered under this Low Threat General Order.

## **MONITORING AND REPORTING**

The Discharger is required to comply with all the monitoring and reporting requirements contained in the Low Threat General Order. This includes notifying Central Valley Regional Water Quality Control Board (Central Valley 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 Central Valley 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 Central Valley Water Board staff formally terminate your coverage under the Low Threat General Order. Most reporting requirements are found in Attachment E of the Low Threat General Order. Please reference your unique order number, R5-2008-0081-030, 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 when the discharge regulated by this Low Threat General Order is no longer necessary, so we may terminate applicability of this Low Threat General Order and avoid additional unnecessary billing.

Dischargers authorized to discharge under this 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 Low 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](mailto:obiondi@waterboards.ca.gov). If you have any questions regarding the permitting

aspects of your Low Threat General Order coverage, please contact Mike Negrete of our office at (916) 464-4662 or at [mnegrete@waterboards.ca.gov](mailto:mnegrete@waterboards.ca.gov).



*for*  
Pamela C. Creedon  
Executive Officer

Enclosure: General Order No. R5-2008-0081 (Discharger only)

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

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