



# California Regional Water Quality Control Board

## Central Valley Region

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28 April 2009

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Mr. Tom Toeus  
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Mr. David Kenney  
East Bay Municipal Utility District  
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### **NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; FOLSOM SOUTH CANAL CONNECTION (FSCC) PROJECT, SACRAMENTO COUNTY**

Our office received a Notice of Intent (NOI) on 23 March 2009 from Balfour Beatty Infrastructure Inc. for the FSCC Pumping Plants Project. Based on the information in the NOI and subsequent documentation, 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). For this Low Threat General Order Permit, Balfour Beatty Infrastructure Inc. and the East Bay Municipal Utility District (EBMUD) are jointly designated as Dischargers. This project is hereby assigned Low Threat General Order No. R5-2008-0081-031 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).

Screening levels for CTR constituents are found in Attachment B of the Low Threat General Order. Review of your water quality data in reference to the CTR screening values showed no reasonable potential to impact the receiving waters. In addition, the receiving waters are not

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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 Low Threat General Order.

### **PROJECT DESCRIPTION**

The project involves the discharge of groundwater from hydrostatic pipeline testing for the Clay Station Pumping Plant pipeline of the EBMUD's FSCC Project. The pipeline consists of approximately 4,000 linear feet of 72-inch pipe. The pipeline begins at the Clay Station Pumping Plant, which is about 3,500 feet west of Clay Station Road, and ends about 3,400 feet north of the intersection of Clay Station Road and Bennett Road.

The project is located near the town of Herald in Sacramento County. The discharge will flow into an unnamed tributary of Griffith Creek, which is tributary to the Mokelumne River. The discharge is planned to commence following approval of this NOA and continue for approximately three weeks.

### **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, R5-2008-0081-031, in your correspondence and submitted documents.

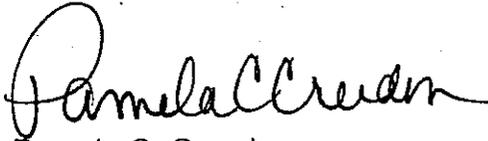
### **GENERAL INFORMATION AND REQUIREMENTS**

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 Low Threat General Order is no longer necessary, so we may terminate applicability of this Low Threat General Order and avoid additional unnecessary billing.

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 Ann Hopkinson, who may be reached at (916) 464-4825 or at [ahopkinson@waterboards.ca.gov](mailto:ahopkinson@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).



Pamela C. Creedon  
Executive Officer

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

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