



California Regional Water Quality Control Board Central Valley Region

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2 July 2010

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NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; SACRAMENTO COUNTY WATER AGENCY, FREEPORT REGIONAL WATER AUTHORITY PIPELINE OPERATIONS AND MAINTENANCE PROJECT; SACRAMENTO COUNTY

Our office received a Notice of Intent (NOI) on 23 February 2010 from the Sacramento County Water Agency (Discharger) for the Freeport Regional Water Authority Pipeline Operations and Maintenance 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 No. R5-2008-0081-075 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference the unique Order No. R5-2008-0081-075 in all future correspondence and documents.

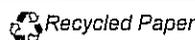
The Low Threat General Order (enclosed) may also be viewed at the following web address: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2008-0081.pdf. You are urged to familiarize yourself with the contents of the entire document. The Low Threat General Order 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).

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 qualified for the SIP exception in Section 5.3 and is not required to conduct Priority Pollutant (CTR constituent) sampling. Dischargers authorized to discharge under this Low Threat General Order who have been granted an exception to the priority pollutant criteria and objectives in

California Environmental Protection Agency



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.

PROJECT DESCRIPTION

The Discharger proposes to discharge raw water from the Sacramento River from 21 drainage locations that are positioned along three segments (Segment Nos. 1, 2, and 4) of the 14-mile long Freeport Regional Water Authority (FRWA) pipeline. Segment 3 is owned, operated and maintained by East Bay Municipal Utility District and is covered under a separate low threat general order. The FRWA pipeline was completed in 2009.

The Discharger proposes to operate and maintain the FRWA pipeline during its 50-year anticipated lifetime. Operations will include periodic draining for corrective maintenance of the valves and pipeline. It is anticipated that most discharges will occur during the first year of operation to repair any problems that may be discovered. After one year of operation, the pipeline will be drained for routine integrity inspections and for emergency repairs. The majority of the water will be drained by gravity flow from the major drain structures. Once the water has drained by gravity flow, the remaining water in the pipeline may be pumped out via the smaller drain structures positioned at the low points in the pipeline.

The maximum discharge flow is expected to be at 5.8 million gallons per day that will be intermittent for a duration of approximately eight hours. Each gravity drain structure includes an energy dissipation structure to limit the water velocity to a level that will not result in significant ground erosion.

Segment 1 will be discharging into Morrison Creek and Strawberry Creek. Segment 2 will be discharging into Union House Creek and Gerber Creek. Segment 4 will be discharging into Gerber Creek. Gerber Creek, Strawberry Creek and Union House Creek are tributaries of Morrison Creek a tributary of the Sacramento River.

MONITORING AND REPORTING

All Dischargers must notify Central Valley Water Board staff 24 hours before the start of each new discharge, as soon as noncompliance is anticipated, and when the discharge ceases. This is a water supply project with numerous discharge points. Therefore, the Discharger was required to submit a Pollution Prevention and Monitoring and Reporting Program (PPMRP) with the NOI. The PPMRP submitted by the Discharger complies with Attachment H and with Sections I, IX, and X of Attachment E of the Low Threat General Order, and is hereby approved.

Effluent and receiving water analytical monitoring shall be conducted as described in the approved PPMRP and the results submitted to the Central Valley Water Board on a quarterly basis unless specified otherwise. 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 this 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. The Discharger

must notify the Central Valley Water Board 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 and unnecessary billing.

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 are subject to an MMP of \$3,000 per each period of 30 days late. 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 civil liability.

All monitoring report submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Spencer Joplin at (916) 464-4660 or sjoplin@waterboards.ca.gov. Questions regarding the permitting aspects of this Low Threat General Order, and requests for termination of coverage under this Order, may be directed to Mike Negrete at (916) 464-4662 or mnegrete@waterboards.ca.gov.



for
Pamela C. Creedon
Executive Officer

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

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