



# California Regional Water Quality Control Board Central Valley Region

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19 March 2009

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Mr. Steven Osborn, Senior Project Manager  
Kinder Morgan Energy Partners, L.P.  
Santa Fe Pacific Pipeline, L.P.  
1100 Town & Country Road  
Orange, CA 92868

Mr. Jeremy Hughes, P.G.  
LFR, Incorporated  
1410 Rocky Ridge Drive  
Suite 330  
Roseville, CA 95661

## NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0085; SANTA FE PACIFIC PIPELINE, EXIT 174 PIPELINE RELEASE PROJECT, NEVADA COUNTY

On 13 March 2009, our office received a completed application from LFR Incorporated, on behalf of Kinder Morgan Energy Partners and Santa Fe Pacific Pipeline L.P., for the above referenced Pipeline Release Project. Based on the submitted information, we have determined that the project meets the required conditions for approval under the General Order for Discharge to Surface Waters of Groundwater from Cleanup of Petroleum Fuel Pollution (Petroleum General Order). The dischargers named for this General Order coverage are (1) LFR, Incorporated, (2) the Kinder Morgan Energy Partners, and (3) Santa Fe Pacific Pipeline, L.P. Regulatory coverage for the project is hereby assigned Petroleum General Order No. R5-2008-0085-007 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG915001.

The Petroleum General Order (enclosed) may be viewed at the following web address: [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2008-0085.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2008-0085.pdf). You are urged to familiarize yourself with the contents of the entire document. The Petroleum General Order prescribes mandatory discharge monitoring requirements. The project activities shall be operated in accordance with the requirements contained in this NOA, the General Order, and with the information submitted in the application forms.

### CALIFORNIA TOXIC RULE / STATE IMPLEMENTATION POLICY MONITORING

This Petroleum 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 General Order.

California Environmental Protection Agency

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 listed under the Clean Water Act 303(d) List of impaired water bodies. Therefore, no additional effluent limitations or additional monitoring requirements will be required for this project.

### **PROJECT DESCRIPTION**

The project consists of an existing groundwater treatment system located off Interstate-80, one mile west of the Soda Springs Exit. The system treats groundwater contaminated with petroleum hydrocarbons resulting from a leak in the Santa Fe Pacific Pipeline. The petroleum leak originated in a by-pass pipeline installed in August 2006.

The treatment system consists of a 150-foot length subsurface groundwater collection system, an 18,000-gallon baker tank, and four 1,000-pound granular activated carbon vessels. The treated groundwater (including infiltrated snow melt) is discharged into a stormwater drainage swale along the southern shoulder of eastbound Interstate-80. The discharge then enters into a tributary to the South Fork of the Yuba River.

Approval for regulatory coverage under the Petroleum General Order is for the re-commencement of the discharge that was regulated under the previous Petroleum Clean Up General Order No. 5-00-119-53. The discharge is scheduled to re-commence immediately upon issuance of this NOA and will continue until the site is remediated to levels acceptable to the Nevada County Environmental Health Department, with concurrence from our Regional Water Board office.

### **MONITORING AND REPORTING**

The Discharger is required to comply with all the monitoring and reporting requirements contained in the Petroleum 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 to this office.

Effluent and receiving water monitoring shall be conducted and submitted to the Regional Water Board on a quarterly basis. You must submit quarterly reports until Regional Water Board staff formally terminate your coverage under the Petroleum General Order, even if there is no discharge or receiving water flow during the reporting quarter. Most reporting requirements are found in Attachment E of the Petroleum General Order. Please reference your unique order number, R5-2008-0081-007, in your correspondence and submitted documents.

### **GENERAL INFORMATION AND REQUIREMENTS**

The Discharger will be required to implement its Pollution Prevention and Monitoring and Reporting (PPMR) Plan, if applicable. The Regional Water Board shall be notified immediately if any violation, nuisance, or detriment to the receiving water is observed during implementation of the project. 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 Petroleum General Order is no longer necessary, so we may terminate applicability of this Petroleum General Order and avoid additional unnecessary billing.

Failure to comply with the Petroleum 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.

If you have any question 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. R5-2008-0085 (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  
County of Nevada, Environmental Health Department