

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E Street, Fresno, California 93706

NOTICE OF PUBLIC HEARING
concerning

**ADOPTION OF WASTE DISCHARGE REQUIREMENTS
AND
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
(NPDES NO. CA0079219)
AND
RESCISSION OF TIME SCHEDULE ORDER R5-2010-0904
FOR
CITY OF MERCED
WASTEWATER TREATMENT FACILITY
MERCED COUNTY**

The City of Merced applied for renewal of a National Pollutant Discharge Elimination System (NPDES) permit to continue to discharge up to 12.0 million gallons per day of disinfected tertiary-treated domestic wastewater to Hartley Slough from its Wastewater Treatment Facility (Facility) at 10260 Gove Road. Hartley Slough is tributary to the San Joaquin River, a water of the United States. The existing Facility currently discharges to Hartley Slough, cropland, and the Merced Wildlife Management Area pursuant to Waste Discharge Requirements (WDRs) Order R5-2008-0027 (NPDES Permit No. CA0079219).

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) will consider adoption of the WDRs/NPDES permit to allow the City of Merced to continue discharges to Hartley Slough, cropland, and the Merced Wildlife Management Area. For discharges to Hartley Slough, the proposed WDRs/NPDES permit include final effluent limitations for biochemical oxygen demand (BOD), total suspended solids (TSS), BOD and TSS percent removal, electrical conductivity, pH, copper, total ammonia nitrogen as N, nitrate plus nitrite as N, chlorpyrifos and diazinon, total coliform, and acute whole effluent toxicity. The Central Valley Water Board will also consider rescission of Time Schedule Order R5-2010-0904 (TSO) that required the City of Merced to comply with effluent limitations from Order R5-2008-0027.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting which is scheduled for:

DATE: 7/8 August 2014
TIME: 8:30 a.m.
PLACE: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The designated party for this hearing is as follows:

- City of Merced

Designated parties, but not interested persons will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses.

Interested persons may not cross examine witnesses, and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **27 June 2014**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

The tentative WDRs/NPDES permit and rescission of TSO R5-2010-0904 were issued on **23 May 2014**. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than by **5 p.m.** on **27 June 2014**. Testimony, evidence, and/or written comments submitted after **5 p.m.** on **27 June 2014** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Board Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Central Valley Water Board hearing and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Board members, counsel staff or others, at the discretion of the Central Valley Water Board.

Anyone having questions on the tentative WDRs/NPDES permit or rescission of TSO R5-2010-0904 should contact Scott Hatton at (559) 444-2502 or at shatton@waterboards.ca.gov. Interested parties may download the tentative WDRs/NPDES permit and related documents from the Central Valley Water Board's Internet website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 1685 "E" Street, Fresno, California 93706 weekdays between 8:00 a.m. and 5:00 p.m.

The final Central Valley Water Board meeting agenda will be available at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/#2014 at least ten days before the meeting. The agenda will provide the dates the hearing will be held, indicate the

anticipated order of agenda items, and may include staff revisions to the tentative WDRs/NPDES permit and rescission of TSO R5-2010-0904.

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/laws_regulations/. Information on meeting and hearing procedures is also available on the Central Valley Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original Signed By:
LONNIE M. WASS, Supervising Engineer

23 May 2014