
Central Valley Regional Water Quality Control Board

4 December 2019

Angela Brown
Asphalt Terminals, LLC
539 South Main St
Findlay, OH 45840

CERTIFIED MAIL
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NOTICE OF APPLICABILITY

WATER QUALITY ORDER 2003-0003-DWQ-0205; STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES TO LAND WITH A LOW THREAT TO WATER QUALITY; ASPHALT TERMINALS, LLC; BAKERSFIELD TERMINAL - TANK 1101 HYDROSTATIC TEST; KERN COUNTY

On 4 November 2019, Marathon Petroleum submitted a Notice of Intent (NOI) on behalf of Asphalt Terminals, LLC to obtain coverage under the Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality Order 2003-0003-DWQ (hereafter General Order) for discharge of hydrostatic test water from Tank 1101 near Bakersfield in Kern County. On 8 November 2019, the Central Valley Water Board received an application fee from Asphalt Terminals, LLC.

The submittals contain the information required to evaluate the applicability of the General Order; therefore, the NOI is completed. Based on the information provided in the NOI, the discharge meets the conditions of the General Order. The discharge is hereby covered under **General Order No. 2003-0003-DWQ-0205**. Please include this number on all correspondence related to this discharge.

PROJECT LOCATION

The hydrostatic test water will be discharged to an evaporation pond near the south east portion of the Bakersfield Asphalt Terminals owned by Asphalt Terminals, LLC at 1201 China Grade Loop just north of Bakersfield in Kern County, in section 8, Township 29 South, Range 28 East, Mount Diablo Base and Meridian (MDB&M). This portion of Kern County is within the Tulare Lake Basin.

The operative *Water Quality Control Plan for the Tulare Lake Basin* (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve water quality objectives for all waters of the Basin.

PROJECT DESCRIPTION

Asphalt Terminals, LLC (hereafter Discharger) submitted a NOI to discharge approximately 45,000 gallons of hydrostatic test water generated from conducting an integrity test of an onsite tank (identified as Tank 1101) to an evaporation basin (Latitude: 35°25'20.76", Longitude: -118°59'42.28"). The evaporation basin is approximately 125 feet long by 35 feet wide and an estimated depth of 6 feet with an estimated storage capacity between 180,000 to 200,000 gallons.

According to the Discharger, Tank 1101 was emptied and cleaned to bare steel prior to making structural repairs. Tank 1101 previously contained asphalt (a petroleum product), which acts as a binder when heated and combined with stone aggregate to make asphalt pavement. In order to carry out the hydrostatic testing, the tank will be filled with approximately 45,000 gallons of fresh water. Water for the hydrostatic test will be groundwater from a nearby irrigation well. After the test, the hydrostatic test water will be discharged to the on-site evaporation basin. The discharge will be intermittent to prevent overfilling of the pond (expected to take one to two days). Piping equipped with control valves will be implemented as a control measure to prevent discharge from over spilling to surface waters and erosion or runoff onto adjacent properties.

FACILITY-SPECIFIC REQUIREMENTS

The General Order and this Notice of Applicability (NOA) regulate the discharge of treated hydrostatic test water to an evaporation pond on the Discharger's property at 1201 China Grade Loop in Kern County. The Discharger shall comply with General Order requirements and the facility-specific requirements listed below.

1. Hydrostatic test waters shall be disposed of as described in the NOI and in accordance with the requirements contained in the General Order.
2. Discharge of hydrostatic test water at a location or in a manner different from that described in the NOI is prohibited.
3. The discharge shall be monitored daily by an on-site technician. If evidence of contaminants is observed in the discharge (i.e., oily sheen, odors, or excessive solids), the discharge shall be halted, and the hydrostatic test water sampled for constituents of concern.
4. The Discharger shall submit the required annual fee (as specified in the annual billing statement issued by the State Water Resources Control Board) until this NOA is officially terminated.
5. Failure to abide by the conditions of the General Order, including its monitoring and reporting requirements, and this letter authorizing applicability could result in enforcement actions, as authorized by provisions of the California Water Code.
6. A minimum freeboard of two feet shall be maintained within the evaporation pond. The Discharger shall regularly monitor the evaporation pond's freeboard during and after the discharge of hydrostatic test water to ensure compliance with this requirement.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleyfresno@waterboards.ca.gov.

To ensure that your submittal is routed to the appropriate staff, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Program: Non-15, **Place ID:** 862847 **Facility Name:** Asphalt Terminals, LLC, **Order:** General Order 2003-0003-DWQ-0205

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
Fresno Office
1685 E Street
Fresno, CA 93706

All documents, including responses to inspections and written notifications submitted to comply with the General Order and this NOA shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Russell Walls. Mr. Walls can be reached at (559) 488-4392 or Russel.Walls@waterboards.ca.gov. Questions regarding the permitting aspects, and notification for termination of coverage under the General Order, shall be directed, via paperless office system, to the WDR permitting Unit, attention to Katie Carpenter. Ms. Carpenter can be reach at (559) 445-5551 or by email at katie.carpenter@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code 133220 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date on this NOA, except that if the thirteenth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. [Copies of the law and regulations applicable to filing petitions](#) may be found on the internet (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided on request.

Original Signed by Clay L. Rogers for:
Patrick Pulupa
Executive Officer

(see next page for figure, enclosure, and cc's)

Figure

- FIGURE 1 – Site Map

Enclosure:

- General Order 2003-0003-DWQ (Discharger Only)

cc (w/o encl.):

- Pentronilo Garcia, Asphalt Terminals, LLC,
1201 China Grade Loop, Bakersfield, CA 93308
- Justin Ivy, Marathon Petroleum, La Palma (via email)

FIGURE 1 – Site Map

