



**California Regional Water Quality Control Board**  
**Central Valley Region**  
**Katherine Hart, Chair**



**Matthew Rodriguez**  
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**Edmund G. Brown Jr.**  
*Governor*

10 January 2012

Mr. Mark Madison, General Manager  
Elk Grove Water District  
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Elk Grove, CA 95624

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**REVISED NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; ELK GROVE WATER DISTRICT MAINTENANCE PROJECT; SACRAMENTO COUNTY**

Our office issued a NOA dated 19 July 2010 based on information received from a 3 March 2010 Notice of Intent (NOI) submitted by the Elk Grove Water District (Discharger) for the Elk Grove Water District Maintenance Project (Project). Based on the information in the NOI, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff determined that the Project met the required conditions for approval under the *Waste Discharge Requirements for Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order), and was assigned Low Threat General Order No. R5-2008-0081-059 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. By letter dated 16 December 2011, the Discharger requested an additional low threat surface water discharge from the Project and submitted a revised Pollution Prevention and Monitoring and Reporting (PPMRP). This Revised NOA incorporates the additional discharge from the Dischargers' potable water system and the revised PPMRP. Please continue to reference the unique Order No. R5-2008-0081-059 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](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

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the SIP exception in Section 5.3 and are 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 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 Elk Grove Water District distribution system is located in southern Sacramento County, bounded by Sheldon Road to the north, Grant Line Road to the southeast, and Highway 99 to the southwest. The Discharger proposes discharges as described in the revised PPMRP. The discharges are part of the practice of operating a potable domestic water supply system as permitted by the California Department of Public Health under the authority given to it by the California Safe Drinking Water Act. The general types of discharges are associated with well discharges, groundwater treatment plant discharges and potable distribution system discharges, as described more specifically in the PPMRP.

The discharges will enter into the local storm water system that will directly discharge into White Horse Creek, Laguna Creek and Elk Grove Creek, all tributaries of Morrison Creek, a tributary of the Sacramento River.

### **MONITORING AND REPORTING**

All Dischargers must notify Central Valley Water Board staff: 1) 24 hours before the start of each new discharge or per the Discharger's PPMRP, 2) as soon as noncompliance is anticipated, and 3) when the discharge ceases. This is a maintenance project where the Discharger requested additional discharge points from their potable water supply system. Therefore, the Discharger was required to submit a revised PPMRP. The revised PPMRP submitted by email on 27 December 2011 is approved with the condition that, for each type of discharge that occurs during a quarter, receiving water monitoring and /or observations must be conducted for at least one discharge per quarter. The revised PPMRP complies with Attachment H and with Sections I, IX, and X of Attachment E of the Low Threat General Order.

Effluent and receiving water analytical monitoring shall be conducted as described in the enclosed revised PPMRP. Data shall be 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 of the Low Threat General Order, 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 Lucio Orellana at (916) 464-4660 or [lorellana@waterboards.ca.gov](mailto:lorellana@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](mailto:mnegrete@waterboards.ca.gov).

*Original Signed by Kenneth D. Landau*  
Pamela C. Creedon  
Executive Officer

Enclosures (2):      1)      General Order No. R5-2008-0081 (Discharger only)  
                                 2)      Revised PPMRP (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