



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



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**Edmund G. Brown Jr.**  
Governor

12 September 2011

Kimi Johnson, General Manager  
Lake Alpine Water Company  
P.O. Box 5013  
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**NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE  
DISCHARGE REQUIREMENTS ORDER NO. R5-2008-0081; LAKE ALPINE WATER  
COMPANY, POTABLE WATER SYSTEM MAINTENANCE PROJECT; ALPINE  
COUNTY**

Our office received a Notice of Intent (NOI) on 30 June 2009 from the Lake Alpine Water Company (Discharger) for its Potable Water System Maintenance Project, and a complete Pollution Prevention and Monitoring and Reporting Plan (PPMRP) on 24 March 2011. 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. R5-2008-0081-088 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference the unique Order No. R5-2008-0081-088 in all future correspondence and documents.

The Low Threat General Order (enclosed) may also be viewed at the following web address:

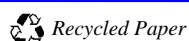
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2008-0081.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2008-0081.pdf). You are urged to familiarize yourself with the contents of the entire document. 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 Dischargers.

**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 may request an exception from the CTR requirements under the SIP Categorical Exceptions, Item Number 2 regarding drinking water to fulfill statutory

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requirements under the Federal Safe drinking Water Act, or the California Health and Safety Code. The Discharger cited the California Health and Safety Code, Sections 116270-116293, quoting Section 116270(e), "This chapter is intended to ensure that the water delivered by public water systems of this State shall at all times be pure, wholesome, and potable." Therefore, the Discharger is 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 that 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 project.

### **PROJECT DESCRIPTION**

The Discharger supplies drinking water to residential and commercial users in the unincorporated town of Bear Valley in western Alpine County. The Discharger's sole source of drinking water is from Bear Lake. The Discharger's potable water system consists of three storage tanks, three pressure zones, five backflow prevention assemblies, 49 fire hydrants and 110 blow-off valves. The Discharger serves 474 customers through 325 connections.

The Discharger will discharge to surface waters both raw surface water and treated potable water from multiple components within their potable water system during regular scheduled maintenance activities. Before discharging the Discharger will dechlorinate potable water and also provide additional treatment for both potable water and surface water discharges as necessary to meet the Effluent and Receiving Water Limitations contained in the Low Threat General Order.

Discharge rates from the potable water system will vary depending on the component that is discharging. The total flow from the Discharger's storage tanks is estimated at 0.60 million gallons per day. The total from eight fire hydrants is estimated between 2,500-10,000 gallons for one day. Discharges will enter into the near-by storm drain system and will ultimately flow into the Stanislaus River.

### **MONITORING AND REPORTING**

All Dischargers must notify Central Valley Water Board staff 24 hours 1) before the start of each new discharge or per the Discharger's Pollution Prevention and Monitoring and Reporting Plan (PPMRP), 2) as soon as noncompliance is anticipated, 3) and when the discharge ceases. This is a water supply project with numerous discharge points. Therefore, the Discharger was required to submit a PPMRP with the NOI. The PPMRP dated 24 March 2011 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. 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. To terminate coverage under the Low Threat General Order, the Dischargers must submit written notification to the Central Valley Water Board that the discharge regulated by this Low Threat General Order has ceased and is no longer necessary. If a timely written request is not received, then the Dischargers will be required to pay additional annual fees as determined by the State Water Resources Control Board.

## **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 may be subject to an MMP of \$3,000 for each period of 30 days late. When discharges do not occur during a quarterly monitoring period, the Dischargers must still submit a quarterly report indicating that no discharge occurred to avoid being subject to enforcement actions.

## **COMMUNICATION**

All monitoring report submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Victor Vasquez of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Victor Vasquez can be reached at (916) 464-4623 or [vvasquez@waterboards.ca.gov](mailto:vvasquez@waterboards.ca.gov).

Questions regarding the permitting aspects of this Low Threat General Order, and written notification for termination of coverage under this Order, shall be directed to Mike Negrete of the Central Valley Water Board's NPDES Permitting Unit. Mr. Negrete can be reached at (916) 464-4662 or [mnegrete@waterboards.ca.gov](mailto:mnegrete@waterboards.ca.gov).

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

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

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