



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Central Valley Regional Water Quality Control Board

24 July 2013

Phil Gianfortone  
Mozingo Construction  
Contractor  
751 Wakefield Court  
Oakdale, CA 95361

CERTIFIED MAIL  
7012 2210 0002 1420 1791

### **NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-0074; PILLSBURY SUBDIVISION PROJECT; SAN JOAQUIN COUNTY**

Our office received a Notice of Intent (NOI) on 26 June 2013 from Mozingo Construction (Discharger) for the Pillsbury Subdivision Project (Project). 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 **R5-2013-0074-124** and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference unique Order **R5-2013-0074-124** in all future correspondence and documents.

The Low Threat General Order (enclosed) may be viewed at the following web address: [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.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).

### **PROJECT DESCRIPTION**

The Project is located west of Pillsbury Road and south of Buena Vista Drive and Azevedo Avenue, in the City of Manteca, San Joaquin County. The project site is located approximately one mile southwest of the intersection of Highway 99 and Highway 120, and approximately 5.5 miles east of the South San Joaquin Irrigation District (SSJID) French Camp Outlet Canal. The Project consists of constructing 275 residential lots on approximately 80 acres. Work includes excavation, grading, storm drain basin construction, installation of underground wet utilities (sewer, water, storm, irrigation) and related facilities, placement of crushed aggregate base, hot mix asphalt, placement of thermoplastic striping and pavement markings, traffic signs, concrete work including curb, gutter and sidewalk, and various other items not specifically mentioned above that are required by the project plans.

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCCE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

The Project will consist of constructing approximately 3,200 feet of 8-12 inch sewer pipe, 1,200 feet of 18-30 inch storm drain pipe, a sewer lift station and a storm drain pump station. The Discharger plans on placing 27 temporary dewatering wells at a depth of 30 feet throughout the site which will extract the groundwater and be discharged to the existing South San Joaquin Irrigation District's Irrigation Lateral X along Azevedo Avenue. Each of the temporary wells will produce approximately 25 gallons per minute, which will total 0.97 million gallons daily continuously for less than four months.

### **MONITORING AND REPORTING**

The Discharger must notify Central Valley Water Board staff 24 hours 1) before the start of each new discharge, 2) as soon as noncompliance is anticipated, and 3) when the discharge ceases.

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 the Low Threat General 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 Discharger 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 Discharger 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 Discharger 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 Mohammad Farhad of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Farhad can be reached at (916) 464-1181 or Mohammed.Farhad@waterboards.ca.gov.

Questions regarding the permitting aspects of this Low Threat General Order, and written notification for termination of coverage under the Low Threat General Order, shall be directed to Jim Marshall of the Central Valley Water Board's NPDES Permitting Unit. Mr. Marshall can be reached at (916) 464-4772 or James.Marshall@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the

petition must be received by the State Water 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 at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

Original signed by Kenneth D. Landau for

Pamela C. Creedon  
Executive Officer

Enclosure: General Order R5-2013-0074 (Discharger only)

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