



Central Valley Regional Water Quality Control Board

18 April 2017

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REVISED NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-0074; ARBOR AVENUE CONSTRUCTION DEWATERING PROJECT; SAN JOAQUIN COUNTY

Our office received a Notice of Intent (NOI) on 21 September 2016 from Knife River Construction (hereinafter Discharger) for its Arbor Avenue Construction Dewatering 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). On 3 October 2016 a NOA was issued for this project and was assigned Low Threat General Order R5-2013-0074-157 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001.

A request to add an additional discharge location was submitted by the Discharger on 13 April 2017. This NOA is hereby revised to include an additional discharge location to Sugar Cut Channel (Discharge Point 002) and associated changes to the monitoring requirements. Please reference unique Order **R5-2013-0074-157** and **CIWQS ID 828437** in all future correspondence and documents.

The Low Threat General Order may be viewed at the following web address: 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 and reporting 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 TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Low Threat General Order incorporates the requirements of the California Toxics Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, 2005*, also known as the State Implementation Policy (SIP). Screening levels for CTR constituents are found in Attachment B of the Low Threat General Order. Review of your water quality data in comparison to the CTR screening values showed no reasonable potential to cause or contribute to an instream exceedance of the CTR criteria in the Pescadero Irrigation District Channel or Sugar Cut Channel.

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

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PROJECT DESCRIPTION

The Project is located on MacArthur Drive and Arbor Avenue in the City of Tracy, San Joaquin County. The project consists of building an 800,000 square foot industrial Warehouse south of Arbor Ave on an approximately 40 acre property. Work includes grading, excavation for wet utilities (storm/sewer/water), concrete, placement of aggregate base, paving, and construction of tilt-up warehouse. Construction dewatering operations will be related to installing 3,200 LF of 10” and 8” sewer lines. The connection point will be at the intersection of MacArthur Drive and the westbound I-205 On/Off ramps. The line will run north on MacArthur Drive to Arbor Ave then head east down Arbor Ave approximately 800 ft then turn south to bring the wet utilities onsite. There will be another 800 LF of pipeline dewatering required onsite. The Discharger plans on installing 65 temporary dewatering wells at a depth of 50 ft along the alignment of the pipe which will extract the groundwater and be discharged to the Pescadero Irrigation District Channel (Discharge Point 001) or Sugar Cut Channel (Discharge Point 002). The Pescadero Irrigation District Channel runs east to west along the north side of I-205 and flows into Sugar Cut Channel, which flows north along the eastern edge of the City of Tracy Wastewater Treatment Plant (see enclosed Project Map). Each well will produce approximately 5 gallons per minute, resulting in a daily maximum discharge of up to 0.5 million gallons per day. The discharge was initiated on 20 March 2017 and will occur 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 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 the Order be terminated.

Monitoring Locations – The Discharger shall monitor the effluent, the Pescadero Irrigation District Channel, and Sugar Cut Channel at the specified locations as follows:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	A location where a representative sample of the effluent can be collected prior to discharging to the Pescadero Irrigation District Channel.
002	EFF-001A	A location where a representative sample of the effluent can be collected prior to discharging to Sugar Cut Channel.
--	RSW-001	The Pescadero Irrigation District Channel, approximately 50 feet upstream from Discharge Point 001.
--	RSW-002	The Pescadero Irrigation District Channel, approximately 50 feet downstream from Discharge Point 001.
--	RSW-001A	Sugar Cut Channel, approximately 50 feet upstream from Discharge Point 002.
--	RSW-002A	Sugar Cut Channel, approximately 50 feet downstream from Discharge Point 002.

Effluent Monitoring – When discharging to surface water, the Discharger shall monitor the effluent at EFF-001 (when discharging at Discharge Point 001, Pescadero Irrigation District Channel), or EFF-001A (when discharging at Discharge Point 002, Sugar Cut Channel), as follows:

Table E-3. Effluent Monitoring – Discharges Less than 4 Months in Duration

Parameter	Units	Sample Type	Minimum Sampling Frequency ^{1,2}	Required Analytical Test Method
Biochemical Oxygen Demand (5-Day @ 20 °C)	mg/L	Grab	2/Month	3
Chlorine, Total Residual	mg/L	Grab	1/Discharge Event	3,4,5
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	2/Month	3
pH	standard units	Grab	2/Month	3
Settleable Solids	mL/L	Grab	2/Month	3
Total Suspended Solids	mg/L	Grab	2/Month	3

¹ If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the Discharger shall monitor and record data for all of the constituents listed above, after which the frequencies of analysis given in the schedule shall apply for the duration of each such intermittent discharge. In no event shall the Discharger be required to monitor and record data more often than twice the frequencies listed in the table.

² The first sample shall be collected at the start of discharge.

³ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

⁴ A handheld field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

⁵ Total chlorine residual must be monitored with a method sensitive to and accurate at a reporting level of 0.08 mg/L, or any more stringent reporting level included in a final statewide policy or standard for total residual chlorine.

Receiving Water Monitoring – When discharging to surface water, the Discharger shall monitor the receiving water at RSW-001 and RSW-002 (when discharging at Discharge Point 001, Pescadero Irrigation District Channel), or RSW-001A and RSW-002A (when discharging at Discharge Point 002, Sugar Cut Channel), as follows:

Table E-5. Receiving Water Monitoring – Discharges Less than 4 Months in Duration

Parameter	Units	Sample Type	Monitoring Frequency	Required Analytical Test Method
Dissolved Oxygen	mg/L	Grab	2/Week	1
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	2/Week	1
pH	standard units	Grab	2/Week	1
Temperature	°F	Grab	2/Week	1
Turbidity	NTU	Grab	2/Week	1

¹ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by the applicable receiving water monitoring locations. Attention shall be given to the presence or absence of:

- a. Floating or suspended matter
- b. Discoloration
- c. Bottom deposits
- d. Aquatic life
- e. Visible films, sheens, or coatings

- f. Fungi, slimes, or objectionable growths
- g. Potential nuisance conditions

Notes on receiving water conditions shall be summarized in the monitoring report.

Monitoring Report Submittals - Monitoring in accordance with the Low Threat General Order shall begin upon initiation of discharge. Monitoring reports shall be submitted to the Central Valley Water Board on a quarterly basis, beginning with the Fourth Quarter 2016. This report shall be submitted by 1 February 2017. If monitoring samples were not obtained within 24 hours of initiation of the discharge, the Discharger must document the reasons in the corresponding monitoring report. If the discharge has not begun there is no need to monitor. However, a monitoring report must be submitted stating that there has been no discharge. Table E-6, below, summarizes the monitoring report due dates required under the Low Threat General Order. Quarterly monitoring reports must be submitted until your coverage is formally terminated in accordance with the Low Threat General Order, even if there is no discharge during the reporting quarter.

Table E-6. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On	Quarterly Report Due Date
1/Discharge Event, Continuous, 2/Week, 1/Month, 2/Month, 1/Quarter	3 October 2016	1 May (1 Jan – 31 Mar) 1 Aug (1 Apr – 30 Jun) 1 Nov (1 Jul – 30 Sep) 1 Feb, of following year (1 Oct – 31 Dec)

GENERAL INFORMATION AND REQUIREMENTS

The Central Valley Water Board shall be notified immediately if any effluent limit violation is observed during implementation of the project.

Discharge of material other than what is described in the application is prohibited. 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 discretionary penalties of up to \$10,000 per violation and to Mandatory Minimum Penalties (MMPs) of \$3,000 per violation. In addition, late monitoring reports are subject to both discretionary and mandatory penalties. When discharges do not occur during a quarterly report monitoring period, the Discharger must still submit a quarterly monitoring report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

All documents, including monitoring reports, response to inspections, written notifications, and documents submitted to comply with this NOA and the Low Threat General Order, should be submitted to the NPDES Compliance unit, attention Genevieve Sparks. Ms. Sparks can be reached at (916) 464-4821 or Genevieve.Sparks@waterboards.ca.gov.

We have transitioned to a paperless office, therefore, please convert all documents to a searchable Portable Document Format (pdf) and email them to centralvalleysacramento@waterboards.ca.gov. Please include the following information in the email: Attention: NPDES Compliance section; Discharger: Knife River Construction; Facility: Arbor Avenue Construction Dewatering Project; County: San Joaquin County; and the **CIWQS place ID 828437** in the body of the email. Documents that are 50 megabytes or larger must be transferred to a DVD, or flash drive and mailed to our office, attention "ECM Mailroom-NPDES". Please include the attached Monitoring Report Transmittal Form as the first page of each monitoring report.

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 or will be provided upon request.

ORIGINAL SIGNED BY ADAM LAPUTZ FOR

Pamela C. Creedon
Executive Officer

Enclosure: Project Map

cc: David Smith, U.S. EPA, Region IX, San Francisco (email only)
Phil Isorena, State Water Resources Control Board, Sacramento (email only)

Project Map

