



## Central Valley Regional Water Quality Control Board

19 April 2012

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### **REVISED NOTICE OF APPLICABILITY (NOA); LIMITED THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2008-0082 (GENERAL ORDER); PLACER COUNTY WATER AGENCY, AUBURN TUNNEL OUTFALL MODIFICATIONS PROJECT, PLACER COUNTY**

Our office issued a NOA dated 24 February 2012 based on information received from a Report of Waste Discharge (RoWD) application on 24 January 2012 submitted by the Placer County Water Agency for the Auburn Tunnel Outfall Modifications Project. Based on the RoWD application packet and subsequent information submitted by the Discharger, staff has determined that the project meets the required conditions for approval under the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order), and was assigned Limited Threat General Order R5-2008-0082-026 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002.

In the original NOA, an error was found in the Monitoring and Reporting Section. The NOA is revised to correctly state, *"The Discharger shall monitor the effluent as required in Table E-3 2 for Total Flow, Electrical Conductivity @ 25 C, pH, and Whole Effluent Toxicity."* Please continue to reference unique Order R5-2008-0082-026 in all future correspondence and documents.

The Limited Threat General Order is enclosed, and may also be viewed at the following web address:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2008-0082.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2008-0082.pdf). You are urged to familiarize yourself with the contents of the entire document. The Limited 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 and the Limited Threat General Order.

### **PROJECT DESCRIPTION**

The Auburn Tunnel is a three mile tunnel located southeast of Sunset Lane and Bald Hill Road near the City of Auburn. The function of the Auburn Tunnel is to divert surface water from the North Fork of the American River into Auburn Ravine for agricultural use to western Placer County during the dry season.

The Discharger proposes to discharge groundwater associated with dewatering activities from construction improvements on the existing Auburn Tunnel. The Auburn Tunnel Outlet Modification Project includes construction of two concrete vaults to be used for tunnel access, valves, placement of a flow meter, and a small amount of piping at the end of the Auburn Tunnel adjacent to Auburn Ravine. These components will allow the Discharger to more accurately control and record water flows into Auburn Ravine. Other project components include the construction of rock walls, improvements to access roads, site fencing, and the removal and transport of sediment from the tunnel via trucks to the Ophir Water Treatment Plant.

The estimated maximum groundwater flow rate is 125 gallons per minute or 180,000 gallons per day. The groundwater will be treated through a 28,000 gallon settling tank with sand filters before being discharged into Auburn Ravine.

### **CALIFORNIA TOXIC RULE / STATE IMPLEMENTATION POLICY MONITORING**

The Limited 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).

Screening levels for CTR constituents are found in Attachment B of the Limited Threat General Order. Review of your effluent water quality data in comparison to the CTR screening values showed no reasonable potential for the discharge to cause or contribute to an exceedence of the CTR water quality objectives in Auburn Ravine. However, due to the project's groundwater being hydrologically connected to the American River, high discharge flow rates may occur during the raining season. Therefore, this discharge is considered a limited threat to water quality and must comply with the requirements contained in this NOA and the Limited Threat General Order.

### **EFFLUENT LIMITATIONS**

Effluent limitations are specified in Section V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS of the Limited Threat General Order. The following effluent limitations are applicable to this discharge and are contained in Section V. A and B of the Limited Threat General Order:

#### **A. Effluent Limitations – Applicable to All Limited Threat Discharges**

**2. Acute Whole Effluent Toxicity.** Survival of aquatic organisms in 96-hour bioassays of undiluted waste for all limited threat discharges shall be no less than:

- a. 70%, minimum for any one bioassay; and
- b. 90%, median for any three consecutive bioassays.

#### **B. Effluent Limitations – Limited Threat Dischargers to Specific Waterbodies**

**4.** The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Creek) shall at all times be within the range of 6.5 and 8.5.

## **MONITORING AND REPORTING**

Monitoring and reporting requirements are contained in Attachment E of the Limited Threat General Order. The Discharger is required to comply with the following monitoring and reporting requirements for the effluent and receiving water as specified in Attachment E of the Limited Threat General Order.

*Effluent Monitoring* – The Discharger shall monitor the effluent as required in Table E-2 for Total Flow, Electrical Conductivity @ 25°C, pH, and Whole Effluent Toxicity.

*Receiving Water Monitoring* – None required.

Monitoring reports shall be submitted to the Central Valley Water Board on a quarterly basis. Quarterly monitoring reports must be submitted until your coverage is formally terminated in accordance with the Limited Threat General Order, even if there is no discharge or receiving water flow during the reporting quarter.

Auburn Ravine is not listed under the Clean Water Act 303(d) List of impaired water bodies. Therefore, no additional effluent limitations or monitoring requirements will be added to this Limited Threat General Order.

## **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 this NOA is officially terminated. You must notify this office in writing when the discharge regulated by the Limited Threat General Order is no longer necessary. If a timely written request is not received, 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 Limited 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. In addition, late monitoring reports may be subject to MMPs. 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 monitoring reports submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Lucio Orellana of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Orellana can be reached at (916) 464-4660 or [lorellana@waterboards.ca.gov](mailto:lorellana@waterboards.ca.gov).

Questions regarding the permitting aspects of your Limited Threat General Order, and written notification for termination of coverage under the Order, shall be directed to Mr. Michael Negrete at (916) 464-4662 or at [mnegrete@waterboards.ca.gov](mailto:mnegrete@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 R5-2008-0082 (Discharger only)

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