



Central Valley Regional Water Quality Control Board

15 December 2020

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Yuba Water Agency
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VIA EMAIL
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CERTIFIED MAIL
7019-2280-0001-9244-0252

NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2016-0076-01 FOR LIMITED THREAT DISCHARGES TO SURFACE WATER; YUBA WATER AGENCY, NEW BULLARDS BAR DAM, YUBA COUNTY

Our office received a Notice of Intent on 7 July 2020 from Yuba Water District (Discharger), for discharge of process water to surface water. Based on the 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 to Surface Water (Limited Threat General Order), Tier 1A. This project is hereby assigned Limited Threat General Order R5-2016-0076-067 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2016-0076-067**, in your correspondence and submitted documents.

The project activities shall be operated in accordance with the requirements contained in the Limited Threat General Order and as specified in this NOA. You are urged to familiarize yourself with the entire contents of the enclosed [Limited Threat General Order](#) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf).

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Limited 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 and other constituents of concern are found in Attachment I of the Limited Threat General Order. Review of your water quality data in comparison to the screening values, showed no reasonable potential for the discharge to cause or contribute to an exceedance of water quality objectives in the north fork of the Yuba River, which is a water of the United States.

KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

PROJECT DESCRIPTION

The Discharger owns and operates the Yuba River Development (Federal Energy Regulatory Commission Project (FERC) No. 2264) located in Yuba county. The primary water storage facility is New Bullards Bar Reservoir (969,600 acre-ft) which is impounded by a 645-foot-high concrete arch dam located within the deep canyon of the North Yuba River. The Discharger is proposing to implement a maintenance plan for the foundation drainage system at New Bullards Bar Dam (NBBD). Maintenance is recommended to maintain the safety and security of the dam and to comply with dam safety requirements of FERC and the California Department of Water Resources Division of Dam Safety. The maintenance plan is designed to improve drainage, alleviate high uplift pressures, and improve uplift pressure monitoring.

The proposed project consists of: (1) re-establishing foundation drainage in selected areas by drilling 14 replacement drains where existing drain blockage was indicated during the drain cleaning program that occurred in 2015, (2) installing (i.e., drilling) 15 new drains to alleviate local high uplift pressures noted during periods of near-full reservoir in uplift pressure gauges in selected dam blocks, and (3) installing 10 new uplift pressure monitors under selected dam blocks where uplift monitoring is not currently occurring. All new drains (and uplift pressure monitoring holes) would be drilled via NX (3-inch diameter hole) coring using clear water for circulation fluid.

The Discharger seeks coverage under the Limited Threat Order to address the potential effects of maintenance activities on seepage water quality that drains through NBBD. Although seepage waters would be isolated and treated prior to discharge, coverage under the Limited Threat Order is being sought to support the potential effects of maintenance-related discharges of these seepage waters, that may contain cement cuttings or grout materials, into the north fork of the Yuba River located at the base of the dam. The discharge is anticipated for approximately 115 working days with an average discharge of about 4,320 gallons per day. The Discharger anticipates a maximum daily discharge of 34,560 gallons per day.

Most of this seepage water would not receive treatment because it is not anticipated to be affected by any of the proposed maintenance activities. However, all drainage effluent/seepage waters that comes into contact with the maintenance activities (i.e., drilling) would be isolated and piped to a temporary water treatment facility, that will filter the water and control pH via a carbon dioxide sparging system, located outside of the galleries at the base of the dam. After project affected seepage water is treated it would be discharged into the north fork of the Yuba River, located at the base of the NBBD.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V of the Limited Threat General Order. Based on the information provided in the NOI, effluent limitations are only required for the parameter listed below:

- 1. pH (Section V.A.1.b.i).** The shall be within the range of 6.5 and 8.5, at all times.

The north fork of the Yuba River is listed for mercury on the Clean Water Act 303(d) List of impaired water bodies. Mercury was not detected in the representative sample

submitted as part of the NOI. Therefore, no additional 303(d) based effluent limitations or monitoring requirements are included in this NOA.

RECEIVING WATER LIMITATIONS

The Limited Threat General Order includes receiving surface water limitations in Section VIII.A. Based on the information provided in the NOI, only the following receiving surface water limitations are applicable to this discharge:

- Bacteria (VIII.A.2);
- Biostimulatory substances (VIII.A.3);
- Chemical constituents (VIII.A.4);
- Color (VIII.A.5);
- Dissolved oxygen (VIII.A.6.a);
- Floating material (VIII.A.7);
- Oil and grease (VIII.A.8);
- pH (VIII.A.9.a);
- Pesticides ((VIII.A.10);
- Radioactivity (VIII.A.11);
- Suspended sediments (VIII.A.12);
- Settleable substances (VIII.A.13);
- Suspended material (VIII.A.14);
- Taste and odors (VIII.A.15);
- Temperature (VIII.A.16.a);
- Toxicity (VIII.A.17); and
- Turbidity (VIII.A.18.a).

MONITORING AND REPORTING

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

Monitoring Locations – The Discharger shall monitor the effluent and receiving water at the specified location as follows:

Table 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, after leaving the treatment plant, can be collected prior to discharging to the receiving water.
--	RSW-001D	North Fork of Yuba River, as shown on Figure 1

Figure 1. Monitoring Locations



Effluent Monitoring – When discharging to surface water, the Discharger shall monitor the effluent at EFF-001 in accordance this NOA. The applicable monitoring requirements are as follows in Table 2 and subsequent Table 2 Notes:

Table 2. Effluent Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Flow	MGD	Meter	1/Day
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Week
pH	standard units	Grab	1/Week
Turbidity	NTU	Grab	1/Week
Temperature	°F	Grab	1/Week
Dissolved Oxygen (DO)	mg/L	Grab	1/Week

Table 2 Notes

1. Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.

2. **Electrical conductivity, pH, turbidity, temperature, and DO.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-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.
3. A grab sample is defined as an individual discrete sample collected over a period of time not exceeding 15 minutes. It can be taken manually, using a pump, scoop, vacuum, or other suitable device.

Receiving Water Monitoring – When discharging to surface water, the Discharger shall monitor the receiving water at RSW-001D, in accordance with this NOA. Only downstream receiving water monitoring is feasible due to the discharge occurring at the base of the dam. The applicable monitoring requirements are as follows in Table 3 and subsequent Table 3 Notes:

Table 3. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Dissolved Oxygen	mg/L	Grab	1/Month
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Month
pH	standard units	Grab	1/Month
Temperature	°F	Grab	1/Month
Turbidity	NTU	Grab	1/Month

Table 3 Notes

1. Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
2. **Electrical conductivity, pH, turbidity, temperature, and DO.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-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 by the Discharger.
3. A grab sample is defined as an individual discrete sample collected over a period of time not exceeding 15 minutes. It can be taken manually, using a pump, scoop, vacuum, or other suitable device.

In conducting the receiving water sampling, a log shall be kept of the receiving water conditions at RSW-001D. 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 this NOA 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 2020**. This report shall be submitted on **1 February 2021**. All Monitoring Reports shall specify the dates during the monitoring period the discharge did or did not occur. 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 discharge has not begun there is no need to monitor. However, a certified Monitoring Report must be submitted stating that there has been no discharge. Table 4, below, summarizes the Monitoring Report due dates required under the Limited Threat General Order. 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 during the reporting quarter.

Table 4. Monitoring Periods and Reporting Schedule

Monitoring Period for All Sampling Frequencies	Quarterly Report Due Date
First Quarter (1 January through 31 March)	1 May
Second Quarter (1 April through 30 June)	1 August
Third Quarter (1 July through 30 September)	1 November
Fourth Quarter (1 October through 31 December)	1 February of the following year

GENERAL INFORMATION AND REQUIREMENTS

The Discharger must notify Central Valley Water Board staff within 24 hours of having knowledge of:

- 1) the start of each new discharge or new activity affecting the discharge;
- 2) noncompliance; and
- 3) when the discharge ceases.

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 invoice 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 by submitting the Request for Termination of Coverage (Attachment E). 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 or discretionary penalties of up to \$1,000 per day late. When discharges do not occur during a quarterly monitoring period, the Discharger must still submit a quarterly certified Monitoring Report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

We have transitioned to a paperless office, therefore, please convert all documents to a searchable Portable Document Format (pdf) and email them to the general Central Valley Water Board email (centralvalleysacramento@waterboards.ca.gov). 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".

All documents, including Monitoring Reports, written notifications, and documents submitted to comply with this NOA and the Limited Threat General Order, should be submitted to the NPDES Compliance and Enforcement Unit, Attention: Jon Rohrbough. Mr. Rohrbough can be reached by phone at (916) 464-4822 or by [email](mailto:Jon.Rohrbough@waterboards.ca.gov) at Jon.Rohrbough@waterboards.ca.gov. **Please include the attached Monitoring Report Transmittal Form as the first page of each Monitoring Report and the following information in the email:**

- Attention: NPDES Compliance Unit - Jon Rohrbough
- Discharger: Yuba Water Agency
- Facility: New Bullards Bar Dam
- County: Yuba County
- CIWQS place ID: 870319

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. Links to the law and regulations applicable to filing petitions may be found on the [Petitions Home Page](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.

Patrick Pulupa
Executive Officer

Tim Truong
Chief Dam Safety Engineer
Yuba Water Agency

15 December 2020
New Bullards Bar Dam
R5-2016-0076-067

Enclosures (2): Project Location Map
 Monitoring Report Transmittal Form (Discharger only)

cc: Peter Kozelka, U.S. EPA, Region IX, San Francisco (email only)
 Elizabeth Sablad, U.S. EPA, Region IX, San Francisco (email only)
 Division of Water Quality, State Water Board, Sacramento (email
 only)
 Sarah Torres, PG Environmental, Chantilly, Virginia (via email)

PROJECT LOCATION MAP

