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## Central Valley Regional Water Quality Control Board

13 June 2022

Ben Koehler  
Water Quality Control Superintendent and Chief  
Plant Operator  
City of Modesto  
1221 Sutter Avenue  
Modesto, CA 95351

VIA EMAIL  
bkoehler@modestogov.com

### NOTICE

**TENTATIVE NOTICE OF APPLICABILITY  
FOR COVERAGE UNDER  
WASTE DISCHARGE REQUIREMENTS/NATIONAL POLLUTANT DISCHARGE  
ELIMINATION SYSTEM (NPDES) PERMIT  
(ORDER R5-2017-0085-02; NPDES CAG585001)  
FOR MUNICIPAL WASTEWATER DISCHARGERS THAT MEET  
OBJECTIVES/CRITERIA AT  
THE POINT OF DISCHARGE TO SURFACE WATER  
FOR  
CITY OF MODESTO  
WATER QUALITY CONTROL FACILITY  
STANISLAUS COUNTY**

#### **TO ALL CONCERNED PERSONS AND AGENCIES:**

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff has determined that the City of Modesto Water Quality Control Facility (Facility) is eligible for coverage under General Order R5-2017-0085-02 for *Municipal Wastewater Dischargers That Meet Objectives/Criteria at the Point of Discharge to Surface Water* (Municipal General Order). Enclosed is a tentative Notice of Applicability (NOA).

The City of Modesto owns and operates the Facility. The Facility provides sewerage service for the City of Modesto, the community of Empire, and a portion of the City of Ceres and serves a population of approximately 256,000. The Facility is currently authorized under existing Order R5-2017-0064 (NPDES CA0079103) to discharge disinfected tertiary treated municipal wastewater to the San Joaquin River in Stanislaus County. The tentative NOA, once final and effective, would provide coverage for the Facility's discharge under the Municipal General Order, at which time the terms and conditions in Order R5-2017-0064 will cease to be effective except for enforcement purposes.

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

Any comments or recommendations you may have concerning the tentative NOA should be submitted no later than 5:00 p.m. on **28 June 2022** in order for the Central Valley Water Board's Executive Officer to give them full consideration prior to the finalization and issuance of the NOA. Please submit comments or recommendations to this office via email to [RB5S-NPDES-Comments@waterboards.ca.gov](mailto:RB5S-NPDES-Comments@waterboards.ca.gov) with a copy to [Joshua.Palmer@waterboards.ca.gov](mailto:Joshua.Palmer@waterboards.ca.gov) and [Armando.Martinez@waterboards.ca.gov](mailto:Armando.Martinez@waterboards.ca.gov).

After the close of the public comment period Central Valley Water Board staff will review comments, respond as necessary, and the tentative NOA may be revised if appropriate. If substantial written comments are not received by the due date, the Executive Officer will issue the final NOA in accordance with the Municipal General Order. If substantial comments are received by the due date any member of the public may request an oral hearing before the Central Valley Water Board. If deemed appropriate by the Executive Officer, a subsequent notice of public hearing will be issued so the matter can be considered at a future Central Valley Water Board meeting.

An electronic copy of the [Municipal General Order](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2017-0085.pdf) ([http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2017-0085.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2017-0085.pdf)) is available on the Central Valley Water Board's website. The tentative NOA is available on the Central Valley Water Board's [Tentative Orders Page](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/) ([http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/)).

If you have any questions regarding the tentative NOA, please contact Armando Martinez at (916) 464-4617 or at [Armando.Martinez@waterboards.ca.gov](mailto:Armando.Martinez@waterboards.ca.gov).

Original Digitally Signed by James Marshall  
on Date: 2022.06.13 16:21:28 -07'00'

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James Marshall, P.E.  
Supervising Engineer

Enclosure: Tentative Notice of Applicability (Discharger Only)

cc:

Elizabeth Sablad, U.S. EPA, Region IX, San Francisco (email only)  
Peter Kozelka, U.S. EPA, Region IX, San Francisco (email only)  
Prasad Gullapalli, U.S. EPA Region IX, San Francisco (email only)  
Division of Water Quality, State Water Board, Sacramento (email only)  
Division of Drinking Water, State Water Board, Sacramento  
U.S. Army Corp of Engineers, Sacramento  
U.S. Fish and Wildlife Service, Sacramento  
U.S. National Marine Fisheries Service, Sacramento  
Regional Manager, State Department of Fish & Wildlife, Region IV, Fresno  
State Department of Public Health, Environmental Management Branch, Sacramento  
State Department of Water Resources, South Central District, Sacramento

Ben Koehler  
City of Modesto  
Water Quality Control Facility

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State Department of Water Resources, North Central District, Sacramento  
State Office of Historic Preservation, Sacramento  
Environmental Resources, Stanislaus County, Modesto  
Debbie Webster, Central Valley Clean Water Association, Sacramento (email only)  
Roberta Larson, Central Valley Clean Water Association, Sacramento (email only)  
Bill Jennings, California Sportfishing Protection Alliance, Stockton  
Michael Garabedian, Friends of the North Fork, Citrus Heights (email only)  
Richard McHenry, California Sportfishing Protection Alliance (email only)  
Neil Peyron, Tule River Indian Tribe  
Kevin A. Day, Tuolumne Band of Me-Wuk Indians