



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

22 July 2015

Paul M. Heim, Senior Vice President Legal
Daikin Applied Americas, Inc.
13600 Industrial Park Boulevard
Minneapolis, MN 55441

CERTIFIED MAIL
7014 3490 0001 7023 3514

NOTICE OF APPLICABILITY (NOA); LIMITED THREAT DISCHARGE WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-0073-01 (NPDES NO. CAG995002); DAIKIN APPLIED AMERICAS, INC.; GROUNDWATER REMEDIATION SYSTEM; TULARE COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) Fresno office received a Report of Waste Discharge/National Pollutant Discharge Elimination System (NPDES) application on 24 November 2014 from Daikin Applied Americas, Inc. (hereafter Discharger) for the groundwater remediation system at Goshen Avenue and Shirk Road in Visalia (Facility). The groundwater remediation system currently discharges treated groundwater in accordance with Waste Discharge Requirements (WDRs) Order R5-2010-0075, NPDES Permit No. CA0082511, to surrounding agricultural fields and Mill Creek Ditch, a water of the United States, and a tributary to Cross Creek. Based on the application packet and subsequent information submitted by the Discharger, Central Valley Water Board staff determined that the Facility and its discharges to Mill Creek Ditch meet the required conditions for approval under General Order R5-2013-0073-01 (NPDES No. CAG995002) 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). The Facility is hereby assigned Limited Threat General Order **R5-2013-0073-01-043** and NPDES No. CAG995002. Please reference your Limited Threat General Order number, R5-2013-0073-01-043, in your correspondence and submitted documents.

The Limited Threat General Order shall become effective on 31 July 2015 when the existing individual NPDES permit for the Facility (WDRs Order R5-2010-0075, NPDES No. CA0082511) is rescinded by a separate action of the Central Valley Water Board, which is scheduled for **31 July 2015**.

The enclosed Limited Threat General Order may also be viewed at the web address provided below. 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 Facility shall be operated in accordance with the requirements contained in this NOA and the Limited Threat General Order.

http://www.swrcb.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073-01.pdf

FACILITY DESCRIPTION

Industrial activities on two parcels ("east" and "west") northeast of the Facility resulted in the remediation activities at the site. The remediation activities at the site are proceeding under California Environmental Protection Agency, Department of Toxic Substances Control's Imminent and Substantial Endangerment Determination and Order No. I&S 90/91-011. On the "west" parcel (6941 West Goshen Avenue), Bostitch Division of Textron, Inc. manufactured nail and staple products from 1966 to 1982. In 1986, the Stanley Works purchased the property and began manufacturing coiled nail products and discharged rinse waters containing residual solution from acid and alkaline baths into dry wells. Stanley Bostitch, Inc. discontinued operations on the "west" parcel in 2001.

On the "east parcel" (6707 West Goshen Avenue), the McQuay Perfex Corporation manufactured heating, ventilation, and air conditioning equipment from 1961 to 1974. From 1976 to 1982, SSP Agricultural Equipment, Inc. manufactured wind machine parts at the facility. SnyderGeneral Corporation assumed the assets and liabilities of McQuay Perfex Corporation in 1984. In 1994, the O.Y.L. Group acquired SnyderGeneral Corporation in a stock purchase. The acquisition resulted in a name change from SnyderGeneral to AAF-McQuay, Inc. In 2013, AAF-McQuay, Inc. changed its name to Daikin Applied Americas, Inc. From 1982 to 1996, SunStar Plastics Engineering Corporation and Pepco Water Conservation Products, Inc. used the plant to manufacture extruded plastic products.

The Discharger owns and operates the groundwater remediation system located at Goshen Avenue and Shirk Road in Visalia, California. The Facility is located on multiple properties owned by various owners. The Facility consists of two dual-vessel granular activated carbon (GAC) treatment systems and up to 11 extraction wells. GAC Unit No. 28E3 treats groundwater pumped from extraction wells E8D, E10D, E11E, E9C-C', and 28E3. GAC Unit No. 28G1 treats groundwater pumped from extraction wells 28B5, 28G1, E7C, E6C'-D, E12C', and E13D. The GAC treatment systems are designed to handle up to 1.44 million gallons per day (mgd) each when operated in series.

The discharge of treated groundwater from GAC Unit Nos. 28G1 and 28E3 to Mill Creek Ditch occurs at two separate locations. Discharge of treated groundwater to Mill Creek Ditch from GAC Unit No. 28G1 (Discharge Point 001) is in Section 28, T18S, R24E, MDB&M, at a point latitude of 36° 20' 1.84" north and longitude of 119° 22' 19.7" west. Discharge of treated groundwater to Mill Creek Ditch from GAC Unit No. 28E3 (Discharge Point 002) is in Section 28, T18S, R24E, MDB&M, at a point latitude of 36° 20' 4.19" north and longitude of 119° 22' 52.11" west. Treated groundwater is also diverted and discharged from both GAC Units to surrounding agricultural fields. The discharge of treated groundwater to surrounding agricultural fields is not covered by Order R5-2013-0073-01.

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 B of the Limited

Threat General Order. Attachment B lists the most stringent objective/criteria for human health and acute and chronic aquatic life.

The Central Valley Water Board's *Water Quality Control Plan for the Tulare Lake Basin, Second Edition (Revised January 2004)* (Tulare Lake Basin Plan) does not specifically identify beneficial uses for Mill Creek Ditch or Cross Creek, but does identify present and potential beneficial uses for Valley Floor Waters. Mill Creek Ditch and Cross Creek are both Valley Floor Waters. The Tulare Lake Basin Plan does not designate the municipal and domestic (MUN) beneficial use as a beneficial use for Valley Floor Waters. Therefore, the human health objectives/criteria specified in Attachment B of the Limited Threat General Order are not applicable to the Facility's discharge. Central Valley Water Board staff compared the representative effluent data reported for the Facility during the permit term of Order R5-2010-0075 to the applicable screening levels listed in Attachment B of the Limited Threat General Order. Review of the representative water quality data for the Facility showed there were no constituents detected in the effluent above the applicable screening levels.

BACKSLIDING

1,1-Dichloroethane; 1,1,1-Trichloroethane; 1,1,2-Trichloroethane; cis-1,2-Dichloroethylene; and Chloromethane

WDRs Order R5-2010-0075 (NPDES Permit No. CA0082511) includes technology-based effluent limitations (TBELs) for 1,1-dichloroethane; 1,1,1-trichloroethane; 1,1,2-trichloroethane; cis-1,2-dichloroethylene; and chloromethane based on best professional judgment. However, this NOA does not include effluent limitations for these volatile organic carbons. Clean Water Act (CWA) section 402(o)(2)(B)(i) allows a renewed, reissued, or modified permit to contain a less stringent effluent limitation for a pollutant if information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance. New monitoring data that were not available at the time Order R5-2010-0075 was issued indicate that 1,1-dichloroethane; 1,1,1-trichloroethane; 1,1,2-trichloroethane; cis-1,2-dichloroethylene; and chloromethane were consistently not detected in the Facility's influent or treated effluent. This new information justifies less stringent effluent limitations for 1,1-dichloroethane; 1,1,1-trichloroethane; 1,1,2-trichloroethane; cis-1,2-dichloroethylene; and chloromethane because TBELs for pollutants not consistently detected in the influent or treated effluent are unnecessary. No change in water quality is expected to occur as a result of eliminating effluent limitations for 1,1-dichloroethane; 1,1,1-trichloroethane; 1,1,2-trichloroethane; cis-1,2-dichloroethylene; and chloromethane.

1,1-Dichloroethylene

WDRs Order R5-2010-0075 also includes a TBEL of < 0.5 µg/L for 1,1-dichloroethylene. The Limited Threat General Order does not include a TBEL for 1,1-dichloroethylene, but does include water quality-based effluent limitations. However, the water quality-based effluent limitations are not applicable to the Facility's discharge since the limitations are based on the California Toxics Rule criteria for drinking water sources (MUN beneficial use). As previously mentioned, the Tulare Lake Basin Plan does not designate the beneficial use of MUN for Mill Creek Ditch or Cross Creek. Therefore, issuance of this NOA results in the removal of the 1,1-dichloroethylene effluent limitation for the Facility.

The Discharger operates the Facility under the *Operation and Maintenance Plan (O&M Plan)*, dated 17 June 2015. The 17 June 2015 O&M Plan states the GAC treatment system will be operated in a manner that removes 1,1-dichloroethylene in the extracted groundwater to non-detectable levels (i.e., < 0.5 µg/L). The O&M Plan was updated after the issuance of Order R5-2010-0075 (the Facility previously operated under an operation and maintenance plan dated 30 August 2005), and this NOA requires the Discharger to operate the Facility in accordance with the 17 June 2015 O&M Plan. Therefore, the issuance of this NOA and, thus, the removal of the 1,1-dichloroethylene effluent limitation, meets the anti-backsliding exception allowed in CWA section 402(o)(2)(B)(i) (i.e., new information).

Boron, Chloride, and Electrical Conductivity

CWA section 303(d)(4)(B) specifies that, for attainment waters, a limitation based on a water quality-based standard may be relaxed where the action is consistent with the antidegradation policy. Order R5-2010-0075 includes performance-based effluent limitations for boron, chloride, and electrical conductivity based on the Basin Plan effluent limits for these constituents. However, the Limited Threat General Order does not include effluent limitations for boron, chloride, or electrical conductivity. To the extent the performance-based effluent limitations for boron, chloride, and electrical conductivity could be considered water quality-based effluent limitations (WQBELs), the removal of the boron, chloride, and electrical conductivity effluent limitations complies with the antidegradation policy and, therefore, satisfies CWA section 303(d)(4)(B). Based on the monitoring data reported during the permit term of R5-2010-0075, the average effluent concentrations for boron (47 µg/L and 51 µg/L), chloride (16 mg/L and 22 mg/L), and electrical conductivity (395 µmhos/cm and 408 µmhos/cm) are significantly lower than the applicable Basin Plan effluent limitations. Furthermore, the Facility does not treat extracted groundwater for salinity nor does the Discharger add salt in the Facility's treatment (i.e., no chemicals are used in the GAC treatment systems). Thus, the removal of the boron, chloride, and electrical conductivity limitations should not result in any change in water quality.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. Effluent Limitations and Discharge Specifications of the Limited Threat General Order. **Effective upon the date that Order R5-2010-0075 (NPDES No. CA0082511) is rescinded;** the following effluent limitations are applicable at Discharge Points 001 and 002, with compliance measured at Monitoring Locations EFF-001 and EFF-002, and are contained in Sections V.A, V.B., and V.C. of the Limited Threat General Order:

A. Effluent Limitations – Applicable to All Limited Threat Discharges

1. **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 Discharges to Specific Waterbodies

1. **pH.** The pH of all limited threat discharges within the Tulare Lake Basin shall at all times be within the range of 6.5 and 8.3.

C. Effluent Limitations – Volatile Organic Compound Groundwater Remediation Sites

1. **Volatile Organic Compounds (VOCs).** The discharge from groundwater extraction and treatment systems shall not exceed the following applicable effluent limitations in the table below:

Table 8. Effluent Limitations – Volatile Organic Compound Groundwater Remediation Sites

Parameter	Units	Maximum Daily
Chloroform	µg/L	0.5
Tetrachloroethylene	µg/L	0.5
Trichloroethylene	µg/L	0.5

Mill Creek Ditch is not listed under the Clean Water Act section 303(d) list of impaired water bodies. Therefore, no additional 303(d)-based effluent limitations or monitoring requirements are required by this NOA.

MONITORING AND REPORTING

Monitoring and reporting requirements are contained in Attachment E – Monitoring and Reporting Program of the Limited Threat General Order. The Discharger is required to comply with the following specific monitoring and reporting requirements for the Facility’s discharges to Mill Creek Ditch in accordance with Attachment E of the Limited Threat General Order. All other requirements in Attachment E, including reporting requirements in Table E-4, are applicable, as are the additional monitoring requirements specified below for the influent, mid-treatment, and receiving water monitoring locations.

The Discharger is required to comply with the following monitoring requirements:

Monitoring Locations. The Discharger shall monitor the following locations when discharging to Mill Creek Ditch:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	INF-001	A location where a representative sample of the influent into GAC Unit No. 28G1 can be collected.
--	INF-002	A location where a representative sample of the influent into GAC Unit No. 28E3 can be collected.
001	EFF-001	A location representative of the final effluent from GAC Unit No. 28G1.
002	EFF-002	A location representative of the final effluent from GAC Unit No. 28E3 (formerly referred to as Discharge Point 003).
--	RSW-001	Mill Creek Ditch, approximately 100 feet <u>upstream</u> of Discharge Point 001.
--	RSW-002	Mill Creek Ditch, approximately 100 feet <u>downstream</u> of Discharge Point 001.
--	RSW-003	Mill Creek Ditch, approximately 100 feet <u>downstream</u> of Discharge Point 002.
--	MDT-001	A location between the lead and polish vessel of GAC Unit No. 28G1 where a representative sample of the effluent from the lead GAC vessel can be collected.

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	MDT-002	A location between the lead and polish vessel of GAC Unit No. 28E3 where a representative sample of the effluent from the lead GAC vessel can be collected.

Effluent Monitoring. The Discharger shall monitor the discharge of GAC Unit No. 28G1 (Discharge Point 001) and GAC Unit No. 28E3 (Discharge Point 002) at Monitoring Locations EFF-001 and EFF-002, respectively, in accordance with Table E-2 below when discharging to Mill Creek Ditch.

Table E-2. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Flow	mgd	Meter	1/Two Weeks	--
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Quarter	1,2
pH	pH units	Grab	1/Quarter	1,2
Hardness, Total (as CaCO ₃)	mg/L	Grab	2/Year ⁶	1
1,1-Dichloroethane	mg/L	Grab	1/Quarter	1,3
1,1-Dichloroethylene	µg/L	Grab	1/Quarter	1,3
1,1,1-Trichloroethane	µg/L	Grab	1/Quarter	1,3
1,1,2-Trichloroethane	µg/L	Grab	1/Quarter	1,3
1,1,2,2-Tetrachloroethane	mg/L	Grab	1/Quarter	1,3
1,2-Dichlorobenzene	µg/L	Grab	1/Quarter	1,3
1,2-Dichloroethane	µg/L	Grab	1/Quarter	1,3
1,2-Dichloropropane	µg/L	Grab	1/Quarter	1,3
1,3-Dichlorobenzene	µg/L	Grab	1/Quarter	1,3
1,3-Dichloropropylene	µg/L	Grab	1/Quarter	1,3
1,4-Dichlorobenzene	µg/L	Grab	1/Quarter	1,3
Acrolein	µg/L	Grab	1/Quarter	1,3
Acrylonitrile	mg/L	Grab	1/Quarter	1,3
Benzene	µg/L	Grab	1/Quarter	1,3
Bromoform	µg/L	Grab	1/Quarter	1,3
Methyl Bromide	µg/L	Grab	1/Quarter	1,3
Carbon Tetrachloride	µg/L	Grab	1/Quarter	1,3
Chlorobenzene	µg/L	Grab	1/Quarter	1,3
Chlorodibromomethane	µg/L	Grab	1/Quarter	1,3
Chloroethane	µg/L	Grab	1/Quarter	1,3
Chloroform	µg/L	Grab	1/Quarter	1,3
Methyl Chloride	µg/L	Grab	1/Quarter	1,3
Methylene Chloride	µg/L	Grab	1/Quarter	1,3
Dichlorobromomethane	µg/L	Grab	1/Quarter	1,3
Ethylbenzene	µg/L	Grab	1/Quarter	1,3

<i>Parameter</i>	<i>Units</i>	<i>Sample Type</i>	<i>Minimum Sampling Frequency</i>	<i>Required Analytical Test Method</i>
Tetrachloroethylene	µg/L	Grab	1/Quarter	1,3
Toluene	µg/L	Grab	1/Quarter	1,3
1,2-trans-Dichloroethylene	µg/L	Grab	1/Quarter	1,3
Trichloroethylene	µg/L	Grab	1/Quarter	1,3
Vinyl Chloride	µg/L	Grab	1/Quarter	1,3
Acute Toxicity ⁵	% survival	Grab	4	1
Chronic Toxicity	TUc	Grab	4	1

¹ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.

² A hand-held 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.

³ For priority pollutant constituents with effluent limitations, detection limits shall be below the effluent limitations. If the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP) is not below the effluent limitation, the detection limit shall be the lowest ML. For priority pollutant constituents without effluent limitations, the detection limits shall be equal to or less than the lowest ML published in Appendix 4 of the SIP.

⁴ Acute and chronic toxicity testing shall be conducted at least once between January 2016 and December 2016. If treated groundwater is not discharged from either GAC Unit to Mill Creek Ditch during 2016, the Discharger shall conduct acute and chronic toxicity testing the next time treated groundwater is discharged from the GAC Unit(s) to Mill Creek Ditch. See Section V of Attachment E – Monitoring and Reporting Program in the Limited Threat General Order for additional details regarding toxicity monitoring requirements.

⁵ Test species shall be fathead minnows (*Pimephales promelas*).

⁶ Samples shall be collected once between 1 January - 30 June and once between 1 July – 31 December.

Receiving Water Monitoring. If the discharge comprises the entire flow in the receiving water, receiving water monitoring is not required. When discharging treated groundwater to Mill Creek Ditch, the Discharger shall monitor Mill Creek Ditch at Monitoring Locations RSW-001, RSW-002, and RSW-003 as follows:

Table E-3. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Dissolved Oxygen	mg/L	Grab	1/Quarter	1,2
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Quarter	1,2
pH	pH units	Grab	1/Quarter	1,2
Temperature	°C/°F	Grab	1/Quarter	1,2
Turbidity	NTU	Grab	1/Quarter	1,2
Hardness, Total (as CaCO ₃)	mg/L	Grab	1/Quarter ³	1

¹ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.

² A hand-held 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.

³ Sampling required at RSW-001 and RSW-003 only.

Influent and Mid-treatment Monitoring. The Discharger shall monitor the influent to the GAC Unit treatment systems at Monitoring Locations INF-001 and INF-002 and the mid-treatment points at Monitoring Locations MDT-001 and MDT-002, as follows:

Table NOA-5. Influent and Mid-treatment Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
1,1-Dichloroethane	µg/L	Grab	1/Quarter	1,2
1,1-Dichloroethylene	µg/L	Grab	1/Quarter	1,2
1,1,1-Trichloroethane	µg/L	Grab	1/Quarter	1,2
1,1,2-Trichloroethane	µg/L	Grab	1/Quarter	1,2
1,1,2,2-Tetrachloroethane	µg/L	Grab	1/Quarter	1,2
1,2-Dichlorobenzene	µg/L	Grab	1/Quarter	1,2
1,2-Dichloroethane	µg/L	Grab	1/Quarter	1,2
1,2-Dichloropropane	µg/L	Grab	1/Quarter	1,2
1,3-Dichlorobenzene	µg/L	Grab	1/Quarter	1,2
1,3-Dichloropropylene	µg/L	Grab	1/Quarter	1,2
1,4-Dichlorobenzene	µg/L	Grab	1/Quarter	1,2
Acrolein	µg/L	Grab	1/Quarter	1,2
Acrylonitrile	µg/L	Grab	1/Quarter	1,2
Benzene	µg/L	Grab	1/Quarter	1,2
Bromoform	µg/L	Grab	1/Quarter	1,2
Methyl Bromide	µg/L	Grab	1/Quarter	1,2
Carbon Tetrachloride	µg/L	Grab	1/Quarter	1,2
Chlorobenzene	µg/L	Grab	1/Quarter	1,2
Chlorodibromomethane	µg/L	Grab	1/Quarter	1,2
Chloroethane	µg/L	Grab	1/Quarter	1,2
Chloroform	µg/L	Grab	1/Quarter	1,2
Methyl Chloride	µg/L	Grab	1/Quarter	1,2
Methylene Chloride	µg/L	Grab	1/Quarter	1,2
Dichlorobromomethane	µg/L	Grab	1/Quarter	1,2
Ethylbenzene	µg/L	Grab	1/Quarter	1,2
Tetrachloroethylene	µg/L	Grab	1/Quarter	1,2
Toluene	µg/L	Grab	1/Quarter	1,2
1,2-trans-Dichloroethylene	µg/L	Grab	1/Quarter	1,2
Trichloroethylene	µg/L	Grab	1/Quarter	1,2
Vinyl Chloride	µg/L	Grab	1/Quarter	1,2

¹ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.

² For priority pollutant constituents, the detection limits shall be equal to or less than the lowest ML published in Appendix 4 of the SIP.

GENERAL INFORMATION AND REQUIREMENTS

Order R5-2013-0073-01, Provision VII.C.3.a. requires the Discharger to develop and implement best management practices (BMPs) that, in part, will ensure proper operation and maintenance of the Facility. Therefore, the Discharger shall operate the Facility in accordance with the 17 June 2015 *Operation and Maintenance Plan* (O&M Plan) or any subsequently revised O&M Plan approved by the Executive Officer. The O&M Plan states that the Discharger will operate the Facility in a manner that ensures 1,1-dichloroethene in the extracted groundwater is treated to non-detectable levels (i.e., < 0.5 µg/L). Any proposed changes to the O&M Plan must be submitted to the Central Valley Water Board for Executive Officer approval.

The Discharger shall submit electronic self-monitoring reports (eSMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (http://www.waterboards.ca.gov/water_issues/programs/ciwqs). The Discharger shall maintain sufficient staffing and resources to ensure it submits eSMRs during enrollment under the Limited Threat General Order. This includes provision of training and supervision of individuals (e.g., Discharger personnel or consultant) on how to prepare and submit eSMRs. The CIWQS Web site will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.

Discharge of material other than what is described in this NOA is prohibited. The required annual fee (as specified in the annual billing sent by the State Water Board) shall be submitted until this NOA is officially terminated. The Discharger must notify the Central Valley Water Board 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 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 discretionary penalties of up to \$10,000 per violation and 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 monitoring report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

Questions regarding compliance and enforcement shall be directed to Warren Gross of the Central Valley Water Board's Compliance and Enforcement Unit, who can be reached at (559) 445-5128 or Warren.Gross@waterboards.ca.gov.

Questions regarding the permitting aspects of the Limited Threat General Order, and written notification for termination of coverage under the Limited Threat General Order, shall be directed to Alex Mushegan of the Central Valley Water Board's NPDES Permitting Unit, who can be reached at (559) 488-4397 or at Alexander.Mushegan@waterboards.ca.gov.

All other documents and correspondence, such as responses to inspections, written notifications, and documents submitted to comply with this NOA and the Limited Threat General Order shall be submitted in portable document format (PDF) and emailed to

CentralValleyFresno@waterboards.ca.gov. The subject line shall include "NPDES Permitting Unit" and the Facility name. The body of the email shall include the Discharger's name, Facility name, and Order number R5-2013-0073-01-043. Documents that are 50 megabytes (MB) or larger shall be transferred to a CD, DVD, or flash drive and mailed to our office at 1685 "E" Street, Fresno, California 93706.

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., within 30 days from the date of this NOA, except that if the thirtieth day following the date of this NOA 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 following 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.



for Pamela C. Creedon
Executive Officer

Enclosure: General Order R5-2013-0073-01 (Discharger only)

cc: David Smith, USEPA Region IX, WTR-2-3, San Francisco (via email)
Peter Kozelka, USEPA Region IX, WTR-2-3, San Francisco (via email)
U.S. Army Corps of Engineers, Sacramento
U.S. Fish and Wildlife Service, Sacramento
NPDES Wastewater, State Water Resources Control Board, DWQ, Sacramento (via email)
Nathan Jacobsen, State Water Resources Control Board, OCC, Sacramento (via email)
Michael Pfister, Department of Toxic Substances Control, Clovis
Mark Larsen, General Manager, Kaweah Delta Water Conservation District, Visalia
Stuart St. Clair, AECOM, Fresno, CA 93720 (via email)
Bill Jennings, California Sportfishing Protection Alliance, Stockton
Danny S. Freitas & Jeannette Freitas, 983 East Levin Avenue, Tulare, CA 93274
Ron Gruber, Fewer Ranch, 30050 Road 88, Visalia, CA 93231
Clifton G. Harris III & Charmaine L. Harris, 527 North Shirk Road, Visalia, CA 93291
Robert and Sabrina Shahan Living Trust, c/o Robert Shahan, 635 N. Plaze Drive, Visalia, CA 93291
Bernard te Velde Trust, c/o Bernard te Velde, 5821 West Prospect Drive, Visalia, CA 93291
Manuel Martin Costa Jr., Eunice L. Costa, & Manuel Martin Costa III, 4212 Mary Ave, Visalia, CA 93277