

Central Valley Regional Water Quality Control Board

19 August 2019

Karl Boles
President
Blue Oak Terrace Mutual Water Company
62 Tuscan Dr.
Paradise, CA 95969

**CERTIFIED MAIL:
7018 1130 0001 8556 2442**

NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2016-0076 FOR LIMITED THREAT DISCHARGES TO SURFACE WATER; BLUE OAK TERRACE MUTUAL WATER COMPANY, BLUE OAK TERRACE MUTUAL WATER WELL #2 PROJECT, BUTTE COUNTY

Our office received a Notice of Intent on 11 February 2019 from Blue Oak Terrace Mutual Water Company (hereinafter Discharger), for discharge of well development water to surface water. Based on the application packet 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 1B. This project is hereby assigned Limited Threat General Order R5-2016-0076-056 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2016-0076-056**, 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 Limited Threat General Order. To conserve resources, the Limited Threat General Order may be viewed on the [Central Valley Water Board's Adopted Orders Page](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf) at : https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf. A copy of the Limited Threat General Order can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

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 Nance Canyon Creek, which is a water of the United States.

PROJECT DESCRIPTION

The Blue Oak Terrace Mutual Water Company Well #2 Project (Project) is located at 110 Bay Tree Dr, Paradise; Section 29, Township 32 North, Range 5 West, Mount Diablo Base and Meridian. The centroid of the Project area is 39° 44.435' N, 121° 39.363' W. The Project is bounded by Skyway Road, Bay Tree Drive, and a drainage ditch, that is tributary to Nance Canyon Creek.

The purpose of the Project is to develop a drinking water well for the community of Blue Oak Terrace. The drinking water well is approximately 1,000 ft deep and is estimated to generate 410,000 gallons of well development water over a two-day period. The maximum daily discharge is estimated to be 324,000 GPD, and the Project's discharge will be intermittent.

The most viable disposal option for the Project is discharge to surface water. Hydrotec Solutions, Inc., the wastewater treatment system operations, maintenance and monitoring provider for Blue Oak Terrace, stated that disposing of the well development water at the wastewater treatment plant was not viable because "the length of time and volume of water to be purged during well testing is beyond the capacity of the current leach lines to consume without causing detriment". Furthermore, the Project is located on Tuscan Formation volcanic mudflows (hard rock); this makes underground injection infeasible due to high drilling costs and land disposal impractical because the infiltration capacity of the hard rock is very low.

As mentioned above, the well development water does not have reasonable potential to cause or contribute to an exceedance of water quality objectives in Nance Canyon Creek; therefore, treatment is not required prior to discharge. Nance Canyon is tributary to Butte Creek, a water of the United States, via the Hamlin Slough.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. Effluent Limitations and Discharge Specifications of the Limited Threat General Order.

- 1. Flow (Section V.A.1.a).** The flow rate shall not exceed 0.35 MGD.
- 2. pH (Section V.A.1.b.ii).** The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Lake in Modoc County) shall at all times be within the range of 6.5 and 8.5.

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:

- Biostimulatory substances (VIII.A.3);
- Color (VIII.A.5);
- Floating material (VIII.A.7);
- Oil and grease (VIII.A.8);
- pH (VIII.A.9.a);
- 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.);
- 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 2. 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 Nance Canyon Creek.
--	RSW-001	Nance Canyon Creek, approximately 200 feet upstream from the point of discharge.
--	RSW-002	Nance Canyon Creek, Approximately 200 feet downstream from the point of discharge.

Effluent Monitoring – When discharging to surface water, the Discharger shall monitor the effluent at EFF-001 in accordance with Table C-2 of the Limited Threat General Order and this NOA. The applicable monitoring requirements are as follows in Table 3:

Table 3. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Flow	MGD	Estimate	1/Day	1.2
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Day	1.2
pH	standard units	Grab	1/Day	1.2
Turbidity	NTU	Grab	1/Day	1.2
Temperature	°F	Grab	1/Day	1.2
Dissolved Oxygen	mg/L	Grab	1/Day	1.2
Total Dissolved Solids	mg/L	Grab	1/Day	1.2

- ¹ 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.
- ² 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.

Receiving Water Monitoring - When discharging to surface water, the Discharger shall monitor the receiving water at RSW-001 and RSW-002, in accordance with Table C-3 of the Limited Threat General Order and this NOA. The applicable monitoring requirements are as follows in Table 4:

Table 4. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Monitoring Frequency	Required Analytical Test Method
Dissolved Oxygen	mg/L	Grab	1/Day	1.2
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Day	1.2

Parameter	Units	Sample Type	Monitoring Frequency	Required Analytical Test Method
Hardness, Total (as CaCO ₃)	mg/L	Grab	1/Day	1.2
pH	standard units	Grab	1/Day	1.2
Temperature	°F	Grab	1/Day	1.2
Turbidity	NTU	Grab	1/Day	1.2

- 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 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.

In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by RSW-001 and RSW-002. 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 Limited 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 Third Quarter 2019. This report shall be submitted on 1 November 2019. 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 5,

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.

Closure Certification for Discharges from Drinking Water Supply Systems - If a drinking water supply system Discharger received an exception as allowed by section 5.3 of the SIP, then upon termination of the discharge, certification is required by a qualified biologist that the beneficial uses of the receiving water have been restored. The Closure Certification is to be submitted with the request for termination.

Table 5. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On...	Quarterly Report Due Dates
1/Day, 1/Week, 1/Month, 1/Quarter	19 August 2019	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 Discharger must notify Central Valley Water Board staff within 24 hours of having knowledge of 1) the start of each new 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. Certain qualifying effluent limitation violations may be 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

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: [Michael Collins](mailto:Michael.Collins@waterboards.ca.gov). Mr. Collins can be reached at (530) 224-4785 or Michael.Collins@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 the [Central Valley Redding email box](mailto:centralvalleyredding@waterboards.ca.gov) at centralvalleyredding@waterboards.ca.gov. **Please include the following information in the email:** Attention: NPDES Compliance Unit; Discharger: Blue Oak Terrace Mutual Water Company; Facility: Blue Oak Terrace Mutual Water Company; County: Butte; and the CIWQS place ID 432851 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 [Central Valley Water Board's Water Quality Petitions Page](#) at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Original Signed by Bryan Smith for:
PATRICK PULUPA, Executive Officer

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

cc: David Smith, U.S. EPA, Region IX, San Francisco (email only)
Afrooz Farsimadan, Division of Water Quality, State Water Board,
Sacramento (email only)

ATTACHMENT A – PROJECT LOCATION MAP

