



Central Valley Regional Water Quality Control Board

14 June 2023

Kate Hart
Vice President
JEN California 6, LLC
1478 Stone Point Drive, Suite 100
Roseville, CA 95661

VIA EMAIL
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NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2022-0006-01 FOR LIMITED THREAT DISCHARGES TO SURFACE WATER; JEN CALIFORNIA 6, LLC, HOMESTEAD WELL PROJECT, SOLANO COUNTY

Our office received a Notice of Intent on 12 April 2023 from JEN California 6, LLC (hereinafter Discharger), for discharge of groundwater 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), as a Drinking Water Supply project. This project is hereby assigned Limited Threat General Order R5-2022-0006-018 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2022-0006-018**, 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 \(ca.gov\)](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2022-0006-01.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2022-0006-01.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

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

quality objectives in Ulatis Creek, a part of the Sacramento-San Joaquin Delta (Northwestern Portion), which is a water of the United States.

PROJECT DESCRIPTION

The Homestead Well project (Project) is located southwest of the intersection of Sunflower Way and Blossom Way in Dixon, California, as shown in Attachment A. The site is bounded by Sunflower Way to the north, existing single-family residences to the east, Evergreen Street to the south, and agricultural land to the west. The proposed Project includes discharge of uncontaminated pumped groundwater derived from well development and pump testing for a drinking water well. The well will serve the Homestead Housing Development, A 518-acre master planned community with 1,046 single family homesites located in Dixon, California

Construction dewatering will be necessary during proposed well construction and pump testing. Groundwater extracted through the dewatering process will be discharged via the existing storm drain system to the City of Dixon Pond A, an off-site regional basin located southeast of the well site, as shown in Attachment A. Pond A connects to Dixon Resource Conservation District Lateral 1, before discharging to Ulatis Creek. The storm drain flow path from the site to Pond A is included in Attachment A. The Discharger has obtained permission from the City of Dixon to use Pond A for discharge.

Discharge activities will begin in June 2023 and will continue for approximately 4 weeks. Discharge volumes are estimated to peak at approximately 1 million gallons per day (MGD).

DISCHARGE PROHIBITIONS

Discharge prohibitions are specified in Section IV Discharge Prohibitions of the Limited Threat General Order. Based on the information provided in the NOI, the following discharge prohibitions are applicable to this discharge:

- Prohibition IV.A
- Prohibition IV.B
- Prohibition IV.C
- Prohibition IV.D. The flow rate shall not exceed 1 MGD.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. Effluent Limitations and Discharge Specifications of the Limited Threat General Order. Based on the information provided in the NOI, effluent limitations are only required for the parameter identified in items 1-4, below:

1. **pH (Section V.A.1.b.i).** 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.
2. **Whole Effluent Toxicity, Chronic (Section V.A.2.a).** There shall be no chronic toxicity in the discharge.

3. **Temperature.** For discharges within the legal boundaries of the Sacramento-San Joaquin Delta, the maximum temperature of the discharge shall not exceed the natural receiving water temperature by more than 4°Fahrenheit (°F).
4. **Diazinon and Chlorpyrifos.** For water bodies as specified in Table 3-4 of the Basin Plan for the Sacramento and San Joaquin River Basin, effluent diazinon and chlorpyrifos concentrations shall not exceed the sum of one (1.0) as identified below:
 - i. **Average Monthly Effluent Limitation (AMEL)**
$$\text{SAMEL} = \text{CD M-avg}/0.079 + \text{CC M-avg}/0.012 \leq 1.0$$

CD M-AVG = average monthly diazinon effluent concentration in µg/L
CC M-AVG = average monthly chlorpyrifos effluent concentration in µg/L
 - ii. **Maximum Daily Effluent Limitation (MDEL)**
$$\text{SAWEL} = \text{CD W-avg}/0.16 + \text{CC W-avg}/0.025 \leq 1.0$$

CD W-AVG = average weekly diazinon effluent concentration in µg/L
CC W-AVG = average weekly chlorpyrifos effluent concentration in µg/L

The Sacramento-San Joaquin Delta (Northwestern Portion) is listed for Diazinon, DDT (Dichlorodiphenyltrichloroethane), Invasive Species, Mercury, Chlorpyrifos, Toxicity, Electrical Conductivity on the Clean Water Act 303(d) List of impaired water bodies. A Total Maximum Daily Load (TMDL) has been established for Diazinon, Chlorpyrifos, and Mercury in the Sacramento-San Joaquin Delta (Northwestern Portion). Therefore, additional 303(d) based effluent limitations or monitoring requirements are included in this NOA consistent with Order R5-2022-0006-01.

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.b.iii);
- 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.b);
- 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 can be collected prior to discharging to City of Dixon Storm Drain System.

Effluent Monitoring – When discharging to surface water, the Discharger shall monitor the effluent at EFF-001 in accordance with Table C-3 of the Limited Threat General Order and 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
Discharge Flow Rate	MGD	Calculated	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
Diazinon	µg/L	Grab	1/Project Term
Chlorpyrifos	µg/L	Grab	1/Project Term

Table 2 Notes

1. **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.

2. **All parameters, except flow.** 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 - Not required. The Project discharges directly to the City of Dixon Storm Drain System which has multiple inputs before reaching Pond A and finally Ulatis Creek. Therefore, receiving water monitoring in the Ulatis Creek would not provide sufficient information to evaluate compliance with the receiving water limitations. Where feasible, compliance with the receiving water limitations will be evaluated through monitoring of the effluent.

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 **Second Quarter 2023**. This report shall be submitted on **1 August 2023**. 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, 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). 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: Jonathan Rohrbough at centralvalleysacramento@waterboards.ca.gov and jon.rohrbough@waterboards.ca.gov. Mr. Rohrbough may also be reached by phone at (916) 464-4634.

Please include the following information in the body of the email:

- Attention: NPDES Compliance Unit
- Discharger: JEN California 6, LLC
- Facility: Homestead Well Project
- County: Solano County
- CIWQS place ID: 888724

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".

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

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- 7 -

14 June 2023
Homestead Well Project
R5-2022-0006-018

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

Enclosures (2): Attachment A - Project Location Map
 Monitoring Report Transmittal Form (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)
 Sarah Torres, PG Environmental, Chantilly, Virginia (via email)

ATTACHMENT A – PROJECT LOCATION MAP

