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Central Valley Regional Water Quality Control Board

2 July 2014

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Director of Public Works
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NOTICE OF APPLICABILITY (NOA); LOW THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-0074; BRIGHTON LANDING PROJECT; SOLANO COUNTY

Our office received a Notice of Intent (NOI) on 7 March 2014 from Regis Homes of Sacramento, on behalf of the City of Vacaville (Discharger). Based on the information in the NOI, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff has determined that the project meets the required conditions for approval under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order). This project is hereby assigned Low Threat General Order R5-2013-0074-144 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995001. Please reference unique Order R5-2013-0074-144 in all future correspondence and documents.

The Low Threat General Order (enclosed) may be viewed at the following web address: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf. You are urged to familiarize yourself with the contents of the entire document. The Low Threat General Order prescribes mandatory discharge monitoring requirements. The project activities shall be operated in accordance with the requirements contained in this NOA, the Low Threat General Order, and with the information submitted by the Discharger.

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Low 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 are found in Attachment B of the Low Threat General Order. Review of your water quality data in comparison to the CTR screening values showed no reasonable potential to cause or contribute to an in stream exceedance of the CTR criteria in Frost Canal.

PROJECT DESCRIPTION

The Discharger plans to construct a new Regional Stormwater Detention Facility (Facility) east of the City of Vacaville on an undeveloped parcel of land. The Facility will be located at 38° 20' 37" N, 121° 55' 05" W, on an access road that travels south from Elmira Road. Due to the shallow groundwater elevation, the Discharger plans to install 80 wells to initially draw down the groundwater elevation and then after approximately a week the number of operating wells will be reduced to 15 to maintain groundwater levels. The Discharger plans to drill all the wells to the depth of 40 feet below ground surface and pump the groundwater into Frost Canal. The

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discharge flow rate will range from 2.3 to 11.5 million gallons per day and the dewatering needed for Facility construction will be less than four months.

MONITORING AND REPORTING

The Discharger must notify Central Valley Water Board staff 24 hours 1) before the start of each new discharge, 2) as soon as noncompliance is anticipated, and 3) when the discharge ceases.

The Discharger must submit quarterly reports, as described in Attachment E, Section X of the Low Threat General Order, even if there is no discharge or receiving water flow during the reporting quarter, until the Discharger formally requests that coverage under the Order be terminated.

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

Table E-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 surface water. |
| -- | RSW-001 | Frost Canal, approximately 50 feet upstream from the discharge point. |
| -- | RSW-002 | Frost Canal, approximately 50 feet downstream from the discharge point. |

Effluent Monitoring – The Discharger shall monitor the effluent as follows:

Table E-3. Effluent Monitoring – Discharges Less than 4 Months in Duration

| Parameter | Units | Sample Type | Minimum Sampling Frequency ^{1,2} | Required Analytical Test Method |
|---|----------------|-------------|---|---------------------------------|
| Biochemical Oxygen Demand (5-Day @ 20 °C) | mg/L | Grab | 2/Month | 3 |
| Chlorine, Total Residual | mg/L | Grab | 1/Discharge Event | 3,4,5 |
| Electrical Conductivity @ 25 °C | µmhos/cm | Grab | 2/Month | 3 |
| pH | standard units | Grab | 2/Month | 3 |
| Settleable Solids | mL/L | Grab | 2/Month | 3 |
| Total Suspended Solids | mg/L | Grab | 2/Month | 3 |

¹ If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the Discharger shall monitor and record data for all of the constituents listed above, after which the frequencies of analysis given in the schedule shall apply for the duration of each such intermittent discharge. In no event shall the Discharger be required to monitor and record data more often than twice the frequencies listed in the table.

² The first sample shall be collected at the start of discharge.

³ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

⁴ A handheld field 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.

⁵ Total chlorine residual must be monitored with a method sensitive to and accurate at a reporting level of 0.08 mg/L, or any more stringent reporting level included in a final statewide policy or standard for total residual chlorine.

Receiving Water Monitoring – The Discharger shall monitor the receiving water as follows:

Table E-5. Receiving Water Monitoring – Discharge Less than 4 Months in Duration

| Parameter | Units | Sample Type | Monitoring Frequency | Required Analytical Test Method |
|---------------------------------|----------------|-------------|----------------------|---------------------------------|
| Dissolved Oxygen | mg/L | Grab | 2/Week | 1 |
| Electrical Conductivity @ 25 °C | µmhos/cm | Grab | 2/Week | 1 |
| pH | standard units | Grab | 2/Week | 1 |
| Temperature | °F | Grab | 2/Week | 1 |
| Turbidity | NTU | Grab | 2/Week | 1 |

¹ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136.

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.

GENERAL INFORMATION AND REQUIREMENTS

The required annual fee (as specified in the annual billing you will receive from the State Water Resources Control Board) shall be submitted until the discharge is terminated. To terminate coverage under the Low Threat General Order, the Discharger must submit written notification to the Central Valley Water Board that the discharge regulated by this Low Threat General Order has ceased and is no longer necessary. If a timely written request is not received, then 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 Low 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. Late reports may be subject to an MMP of \$3,000 for each period of 30 days late. When discharges do not occur during a quarterly monitoring period, the Discharger must still submit a quarterly report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

All monitoring report submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Mohammad Farhad of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Farhad can be reached at (916) 464-1181 or Mohammad.Farhad@waterboards.ca.gov.

Questions regarding the permitting aspects of this Low Threat General Order, and written notification for termination of coverage under the Low Threat General Order, shall be directed to Jim Marshall of the Central Valley Water Board's NPDES Permitting Unit. Mr. Marshall can be reached at (916) 464-4772 or James.Marshall@waterboards.ca.gov.

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 internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Original Signed by Kenneth D Landau for

Pamela C. Creedon
Executive Officer

Enclosure: General Order R5-2013-0074 (Discharger only)

cc: Dave Smith, U.S. Environmental Protection Agency, Region IX, San Francisco
Phil Isorena, Division of Water Quality, State Water Board, Sacramento
Peter Thorne, BT Consulting Incorporated, Shingle Springs