



Central Valley Regional Water Quality Control Board

19 December 2019

Mr. Jeff Roberts
Assemi Group, Inc.
1396 Herndon Avenue, Suite 110
Fresno, CA 93711

CERTIFIED MAIL
7018 3090 0001 1080 5177

NOTICE OF APPLICABILITY

RESOLUTION R5-2018-0085; WAIVER OF REPORTS OF WASTE DISCHARGE AND WASTE DISCHARGE REQUIREMENTS FOR SPECIFIC TYPES OF DISCHARGE WITHIN THE CENTRAL VALLEY REGION; ASSEMI GROUP INC.; USE OF RECYCLED WATER FOR CONSTRUCTION PURPOSES; FRESNO COUNTY

On 9 August 2019, Robert Dawyot with Allied Engineers, Inc. submitted a Report of Waste Discharge (RWD) on behalf of the Assemi Group, Inc. for coverage under Resolution R5-2018-0085, *Approving Waiver of Reports of Waste Discharge and Waste Discharge Requirements for Specific Types of Discharge Within the Central Valley Region* (Low Threat Waiver). The RWD is for the use of recycled water for construction purposes (Category 11) and includes a Form 200, Title 22 Engineering Report, and approval letter from the State Water Resources Control Board, Division of Drinking Water (DDW). The Title 22 Engineering Report was prepared and signed by Robert Dawyot, an engineer (RCE 27580) with Allied Engineers, Inc. An application fee and additional information were submitted on 7 October, 21 October, and 5 December 2019.

Based on the information provided in the RWD and additional information, the discharge meets the required conditions for approval under the Low Threat Waiver. You are hereby assigned enrollee number **R5-2018-0085-0035**. A [copy of the Low Threat Waiver](#) is enclosed and available on the Central Valley Water Board's website at (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf).

Please familiarize yourself with the contents of the Low Threat Waiver, including the Conditions of Discharge (Attachment A). The discharge must be managed in accordance with the requirements contained in the Conditions of Discharge and with the information submitted in the RWD and this Notice of Applicability (NOA). The Low Threat Waiver will expire on **7 December 2023**. Prior to this date the Discharger shall contact the Central Valley Water Board and either cease the discharge or submit a new RWD and application fee to continue the discharge under a renewed waiver, general order, or individual waste discharge requirements.

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

LOCATION

Construction activities, which will make use of recycled water, includes new housing and commercial developments on Tracts 4968 and 4934 within the Millerton New Town community off Millerton Road, south of Millerton Lake in northern Fresno County about 10 miles north of Fresno. This portion of Fresno County is within the San Joaquin River Basin.

The operative *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve water quality objectives for all waters of the Basin.

DISCHARGE DESCRIPTION

The proposed recycled water reuse project will utilize tertiary disinfected effluent from the Millerton New Town Wastewater Treatment Facility (WWTF) for Fresno County Special District #34 (District). The WWTF is regulated by Waste Discharge Requirements (WDRs) Order R5-2008-0127. The District also has a Master Reclamation Permit R5-2008-0128, adopted on 21 July 2008 to manage recycled water use within the District. However, Master Reclamation Permit R5-2008-0128 is not currently in effect since an appropriate administrative structure has not been finalized by the Developer and the District is not equipped to manage recycled water use until the administrative structure has been established. Until Master Reclamation Permit R5-2008-0128 becomes effective the limited use of recycled water for construction purposes within the District will be regulated by this NOA under the Low Threat Waiver. According to the RWD, the Assemi Group, Inc. and their general contractor (or recycled water user) will be responsible for the distribution and reuse of recycled water as described in this NOA.

The WWTF provides tertiary treatment with primary clarification, trickling filtration, chemical coagulation, secondary clarification, pressure sand filtrations, and chlorine disinfection. Treated wastewater will be taken from the effluent storage pond (Pond 2) adjacent to the WWTF and pumped to a water tower adjacent to the construction areas where it will be transferred to water trucks for reuse. The recycled water will be used for construction purposes including dust suppression and soil compaction within the designated areas for Tracts 4968 and 4934 and construction areas along Morningside Way and Marina Drive extension as shown in **Attachment A**. All construction workers and recycled water truck drivers working at the site will be instructed in the use of recycled water.

A temporary water line consisting of a six-inch black high-density polyethylene (HDPE) pipe will be used to transfer the recycled water from the effluent storage pond to the water tower across White Fox Creek as shown in **Attachment A**. Per the plans approved by Fresno County, to cross the creek the recycled water line will run through a 10-inch rigid steel conduit to provide additional stability and secondary containment in case of leak or rupture. The conduit will be supported on either side of the creek bed on 18-inch concrete columns. The recycled water line will be marked every 100 feet with stakes labeled with a sign stating "Recycled Water" in English and Spanish.

MONITORING AND REPORTING

The Monitoring and Reporting Program (MRP) for Order R5-2008-0127 requires the District to provide a summary of all recycled water uses as part of its annual monitoring report. The summary is expected to discuss total annual recycled water use, annual nutrient loading, and estimated nutrient removal. To comply with this requirement the recycled water user shall install a flow meter and provide quarterly reports to the District and the Central Valley Water Board with information on volume of recycled water use, application rate, and application areas.

FACILITY-SPECIFIC REQUIREMENTS

The Low Threat Waiver and this NOA regulate the discharge of recycled water for construction purposes. The Discharger shall comply with the requirements specified in the Low Threat Waiver and the facility-specific requirements listed below.

1. Application of recycled water at a location or manner different from that described in the Title 22 Engineering Report, RWD, and this NOA is prohibited.
2. Recycled water will not be applied where it could contact or enter passing vehicles, occupied buildings, areas where food is handled or eaten, or storm drains.
3. Runoff or discharge of recycled water to a wetland, surface water, surface water drainage course, or biologically or culturally sensitive area is prohibited.
4. Recycled water shall be applied at a rate that will not result in surface runoff or ponding.
5. Warning signs will be posted in use areas with the statement "RECYCLED WATER – DO NOT DRINK" and an international symbol signifying that the water is not to be used for drinking.
6. The area around the water tower and recycled water transfer line shall be visually inspected on a daily basis for leaks and or ponding. In addition, all workers who can or will come into contact with recycled water will be informed of the fact and will be instructed in the safe handling and use of recycled water.
7. Failure to comply with the requirements of the Low Threat Waiver may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleyfresno@waterboards.ca.gov.

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Assemi Group Recycled Water Project
Program: NON-15.
Resolution: R5-2018-0085-0035
CIWQS Place ID: 862346

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
Fresno Office
1685 E Street
Fresno, CA 93706

All documents, including responses to inspections and written notifications, submitted to comply with this Waiver shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Russell Walls. Mr. Walls can be reached at (559) 488-4392 or Russel.Walls@waterboards.ca.gov. Questions regarding the permitting aspects of the Wavier, and notification for termination of coverage under the Waiver, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention Katie Carpenter. Ms. Carpenter can be reached at (559) 445-5551 or by email at Katie.Carpenter@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control 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 Resources Control 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 Resources Control 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 or will be provided upon request.
(http://www.waterboards.ca.gov/public_notices/petitions/water_quality).

Original Signed by Clay L Rodgers for:
Patrick Pulupa,
Executive Officer

Enclosure: Low Threat Waiver, Resolution R5-2018-0085

Attachment: Attachment A – Recycled Water Use Site Plan

cc w/o enc.: John Thompson, Fresno County Planning and Public Works
2220 Tulare Street, 6th Floor, Fresno, CA 93721
Mitch Wright, Millerton New Town WWTF, Fresno (via email)
Robert Dawyot, Allied Engineers, Inc. San Ramon (via email)
Jose Robledo, State Water Resources Control Board, DDW, Fresno (via email)
Russell Walls, Central Valley Water Board, Fresno (via email)

ATTACHMENT A RECYCLED WATER USE SITE PLAN



Drawing Reference:
Google Earth Maps 23 August 2018