

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

**NOTICE OF OPPORTUNITY TO COMMENT AND
NOTICE OF PUBLIC HEARING**

concerning

**TENTATIVE ORDER
WASTE DISCHARGE REQUIREMENTS ORDER R5 2023-XXXX
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT CA0084271
FOR
MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT PLANT
SAN JOAQUIN COUNTY**

AND

STATE WATER RESOURCES CONTROL BOARD

**NOTICE OF OPPORTUNITY TO COMMENT AND NOTICE OF
PUBLIC MEETING TO CONSIDER PROPOSED RESOLUTION OF
CONCURRENCE IN THERMAL PLAN EXCEPTION**

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is releasing for public review and comment a tentative NPDES Permit (Order) for the Mountain House Community Services District (Discharger) located in Mountain House, California.

NOTICE IS HEREBY GIVEN that the Central Valley Water Board will receive written comments on the tentative Order no later than **1 June 2023**, in accordance with this notice, and will consider adopting the tentative Order after a public hearing at its scheduled meeting on **22/23 June 2023**.

NOTICE IS HEREBY ADDITIONALLY GIVEN that, if the tentative Order is adopted by the Central Valley Water Board, the State Water Resources Control Board (State Water Board) will accept written comments on the proposed concurrence with the Central Valley Water Board's exception to the *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) for the Discharger. The State Water Board will accept written comments between **23 June and 24 July 2023**, in accordance with this notice, and will consider concurrence at its meeting on **17 October 2023**.

Background

1. Facility

The Mountain House Community Services District (Discharger) is the owner and operator of the Wastewater Treatment Plant (Facility), located at 17103 W. Bethany Road, Mountain House, California, 95391. The Facility provides sewerage service for the community of Mountain House and serves a population of approximately 21,750. The Facility provides tertiary treatment and ultraviolet light disinfection for up to 3.0 million gallons per day (MGD), with plans to expand the capacity up to 5.4 MGD to accommodate for planned growth within the service area. Construction is currently underway for the Facility expansion. Disinfected tertiary treated wastewater from the Facility is discharged to Old River, a water of the United States within the legal boundary of the Sacramento-San Joaquin Delta.

2. NPDES Permit

Discharges from the Facility are currently regulated by Waste Discharge Requirements Order R5-2017-0119, issued by the Central Valley Water Board on 8 December 2017. The NPDES Permit expired on 31 January 2023 and the Discharger submitted a Report of Waste Discharge for permit renewal on 21 January 2022. Per federal regulations, the NPDES Permit has been administratively extended and continues in effect until the permit renewal.

An Order is proposed to renew the NPDES permit. The tentative Order includes new or updated effluent limitations for ammonia, chlorodibromomethane, and dichlorobromomethane.

The tentative Order proposes effluent limitations and other requirements to implement the State Policy for Water Quality Control: Toxicity Provisions (as amended 5 October 2021) ("Toxicity Provisions"). The Toxicity Provisions will take effect upon approval by U.S. EPA. If U.S. EPA does not approve the Toxicity Provisions before the public hearing, Central Valley Water Board staff will propose revisions to the tentative Order to remove these requirements and include monitoring requirements, and, as appropriate, effluent or receiving water limitations for chronic and acute toxicity based on the Basin Plan's narrative toxicity objective and the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (2005).

Additionally, the tentative Order proposes an exception to temperature water quality objectives contained in the Thermal Plan and alternative temperature effluent limitations. State Water Board concurrence with the exception is needed before the exception and alternative less stringent limitations would go into effect. The State Water Board will be separately accepting comments on the proposed concurrence, following the Central Valley Water Board's consideration of the tentative Order. Details on the State Water Board public meeting and opportunity for public comment are below.

Central Valley Water Board Public Hearing

1. Date and Location

A public hearing concerning the tentative Order will be held during the Central Valley Water Board meeting scheduled for:

DATE: 22/23 June 2023
TIME: 8:30 a.m.
PLACE: Central Valley Water Board
11020 Sun Center Drive, Suite 200,
Rancho Cordova, California 95670
AND
Online Meeting

The [final meeting agenda](#) (https://www.waterboards.ca.gov/centralvalley/board_info/meetings/) will be available at least **10 days** before the meeting. The agenda will provide the anticipated date the hearing will be held for this item and anticipated order of all agenda items; however, the Board may consider agenda items out of their listed order. The agenda materials may also include staff revisions to the tentative Order.

2. Nature and Purpose of Public Hearing

At the hearing, the Central Valley Water Board will hear testimony and oral comments regarding the tentative Order. This proceeding will be a formal adjudicatory proceeding. The [procedures governing Central Valley Water Board adjudicatory hearings](#) (http://www.waterboards.ca.gov/laws_regulations/) may be found at California Code of Regulations, title 23, section 648 et seq. and are available upon request.

3. Prehearing Submission of Written Comments and Evidence

The **Discharger** is a party to this proceeding. As a party, the Discharger must submit written evidence or comments, if any, for the Board to consider no later than 5:00 p.m. on **1 June 2023** to the Central Valley Water Board email at RB5S-NPDES-Comments@waterboards.ca.gov.

Interested persons include any non-party that is interested in the outcome of the hearing. Interested persons wishing to comment, in writing, on the tentative Order shall submit comments no later than 5:00 p.m. on **1 June 2023** to the Central Valley Water Board email at RB5S-NPDES-Comments@waterboards.ca.gov.

Pursuant to California Code of Regulations, title 23, section 648.4, the Board Chair may refuse to admit written evidence or comments that are not submitted in accordance with this Notice and shall refuse to do so when there is a showing of prejudice to the Discharger or the Board. Excluded material will not be considered by the Board.

4. Visual Presentations

Hearing participants may use PowerPoint or other visual presentations at the hearing, but the presentation content shall not exceed the scope of previously submitted written material. Presentations, if any, must be provided to the below Central Valley Water Board Contact by 12:00 p.m. on **19 June 2023**.

5. Hearing Procedure and Time Limits

The hearing on the tentative Order will be conducted in the general order listed under California Code of Regulations, title 23, section 648.5, except that the Board Chair may modify the order for good cause.

The **Discharger** will be advised in advance of the hearing of the total amount of time allocated for its presentation and closing statement. The Discharger is invited to contact staff in advance of the hearing to discuss how much time it believes is necessary.

Interested persons may speak at the hearing and are expected to orally summarize their written submittals, if any. Each interested person will have 3 minutes to present oral comments. Additional time may be provided, upon request, at the discretion of the Board Chair.

6. Hearing Accommodations

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to send an e-mail to agenda5@waterboards.ca.gov or call 916-464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

7. Availability of Documents

The tentative Order and related documents may be found on the Central Valley Water Board's [Tentative Orders Page](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/) (http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/). Copies of these documents may also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California, 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m. Scheduling an appointment to review the file by contacting the below Central Valley Water Board Contact in advance is not required but calling ahead will help ensure timely access to these documents.

8. Central Valley Water Board Contact

Anyone having questions regarding the Central Valley Water Board portion of this notice should contact Saranya Elankovan at (916) 464-4742 or Saranya.Elankovan@waterboards.ca.gov.

State Water Board Concurrence in Thermal Plan Exception

1. Submission of Written Comments

The State Water Board will accept written comments on the proposed concurrence with the Thermal Plan exception for the Discharger from **23 June to 24 July 2023**. Written comments must be received by **12:00 pm noon on 24 July 2023**, and should be submitted to the attention of:

Courtney Tyler, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor, Sacramento, CA 95814-0100 (hand delivery)
P.O. Box 100, Sacramento, CA 95812-2000 (mail)

Couriers delivering written comments must check in with lobby security personnel, who can contact Courtney Tyler at (916) 341-5600.

Comment letters may be submitted to Clerk to the Board via email (if less than 15 megabytes) at commentletters@waterboards.ca.gov. If the electronic comment letter is greater than 15 megabytes, it may be submitted by fax at (916) 341-5620. Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Ms. Tyler at (916) 341-5611.

2. Date and Location of State Water Board Meeting

If the Central Valley Water Board acts to approve the tentative Order including the proposed exception to temperature water quality objectives contained in the Thermal Plan and alternative limitations, the State Water Board will consider a proposed resolution on concurrence with the Central Valley Water Board's exception to the Thermal Plan for the Discharger at its **17 October 2023** meeting. The anticipated date, time, and location of the meeting are provided below:

17 October 2023 – 9:30 a.m.
Coastal Hearing Room, Second Floor
Joe Serna Jr. – CalEPA Building
1001 I Street, Sacramento
And via Video and Teleconference

The agenda for the 17 October 2023 State Water Board meeting and instructions for participating the meeting will be posted at least 10 days before the meeting at https://www.waterboards.ca.gov/board_info/calendar.

Video and Teleconference Option: This meeting will occur with both a physical meeting location and an option for the public to participate from a remote location.

- For those who only wish to watch the meeting, the webcast remains available at either <https://www.youtube.com/user/BoardWebSupport/> or <https://video.calepa.ca.gov/> (closed captioning available) and should be used

UNLESS you intend to comment.

- For members of the public who wish to comment on an agenda item or are presenting to the Board, additional information about participating telephonically or via the remote meeting solution is available here:
https://www.waterboards.ca.gov/board_info/remote_meeting/

3. Procedural Matters

At its 17 October 2023 meeting, the State Water Board will consider concurrence with the Central Valley Water Board's exception to the Thermal Plan for the Discharger. Participants may summarize and supplement written materials with oral presentations during the meeting. There will be no sworn testimony or cross-examination of participants. However, State Water Board members and staff may ask clarifying questions. To ensure a productive and efficient Board Meeting, a time limit may be imposed for oral comments. For recommendations regarding presentations to the Board, please go to:

https://www.waterboards.ca.gov/board_info/meetings/board_presentations.html.

4. Future Notices

Any change to the public comment period or the meeting date for the State Water Board to consider concurrence with the Central Valley Water Board's exception to the Thermal Plan will be provided via the State Water Board's email distribution list. Any person desiring notice of any changes must be subscribed to the State Water Board's email list.

The subscription form is located at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html.

To subscribe, select the "General Interests" category, then check the box for "Board Meetings," and provide the required information.

5. Parking and Accessibility

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map on the State Water Board website:

<http://www.calepa.ca.gov/headquarters-sacramento/location/>.

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5254 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

6. State Water Board Contact

Please direct questions regarding the State Water Board's portion of this notice to Zane Poulson at (916) 341-5488 or Zane.Poulson@waterboards.ca.gov.

*Original Digitally Signed by Adam Laputz on
Date: 2023.05.02 14:28:48 -07'00'*

Adam Laputz, Assistant Executive Officer,
Central Valley Water Board

*Original Digitally Signed by Courtney Tyler on
Date: 2023.05.02 11:19:09 -07'00'*

Courtney Tyler, Clerk to the State Water Board