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Central Valley Regional Water Quality Control Board

16 January 2025

Lindsey Nichols  
Corporate Environmental Manager  
Ballantyne Holdings, LLC  
6325 Ardrey Kell Road, Suite 400  
Charlotte, NC 28277

VIA EMAIL  
lindsey.nichols@spx.com  
CERTIFIED MAIL  
7022 2410 0002 2881 6306

**NOTICE OF PUBLIC HEARING  
AND  
TENTATIVE TIME SCHEDULE ORDER R5-2025-XXXX  
TO COMPLY WITH WASTE DISCHARGE REQUIREMENTS PRESCRIBED IN  
ORDER R5-2022-0006-03  
(NPDES PERMIT NO. CAG995002)  
FOR  
BALLANTYNE HOLDINGS, LLC  
FORMER MARLEY COOLING TOWER COMPANY  
SAN JOAQUIN COUNTY**

**TO ALL CONCERNED PERSONS AND AGENCIES:**

Enclosed is a tentative Time Schedule Order for Ballantyne Holdings, LLC (Discharger) Former Marley Cooling Tower Company (Facility). Any comments or recommendations you may have concerning the tentative Time Schedule Order should be submitted to this office via email to **RB5S-NPDES-Comments@waterboards.ca.gov**, no later than 5:00 p.m. on **17 February 2025** in order for us to give them full consideration prior to the meeting of the Central Valley Regional Water Quality Control Board (Central Valley Water Board). Written material submitted after 5:00 p.m. on **17 February 2025** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. Any party requesting to submit late materials must demonstrate good cause for the late submission, and the Board Chair must find that accepting the late submission will not prejudice the Central Valley Water Board or any Designated Party.

Any person may request an oral hearing before the Executive Officer. If no oral hearing is requested during the comment period, the public comment period and the Executive Officer's review of the administrative record, including any written comments, shall constitute the public hearing. Based on comments received, the Executive Officer may

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

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decide to hold an oral hearing or the matter will be considered at the Central Valley Water Board meeting scheduled for **24/25 April 2025**. A Notice of Public Hearing (Notice) concerning the tentative Order is also enclosed. Regulations require that the Discharger post one (1) copy of the Notice at the nearest city hall or county courthouse, one (1) copy at the post office nearest to the Facility (if allowed), and one (1) copy at the public entrance to the Facility. Please post the Notice as soon as possible and submit to this office proof of posting, using the enclosed form by **30 January 2025**.

To conserve resources, this letter transmits a paper copy of the tentative Order package to the Discharger only. Interested persons may download the document from the [Central Valley Water Board's Internet website](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders) at: ([http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders)). Copies of the documents may also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, Suite 200, Rancho Cordova, California 95670, weekdays between 8:00 a.m. and 5:00 p.m.

If you have any questions, please contact Walter Mobley at (916) 464-4805 or at [Walter.Mobley@waterboards.ca.gov](mailto:Walter.Mobley@waterboards.ca.gov).

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Josh Palmer, P.E.  
Senior WRC Engineer

Enclosures (3):  
Tentative Time Schedule Order (Discharger Only)  
Notice of Public Hearing (Discharger Only)  
Proof of Posting Form (Discharger Only)

cc:  
Peter Kozelka, U.S. EPA Region IX, San Francisco (via email only)  
Prasad Gullapalli, U.S. EPA Region IX, San Francisco (via email only)  
Afrooz Farsimadan, State Water Resources Control Board, Sacramento (via email only)  
Xuan Luo, Central Valley Water Board, Rancho Cordova (email only)  
Chron File (RB5S-chron@waterboards.ca.gov)  
U.S. Army Corp of Engineers, Sacramento  
U.S. Fish and Wildlife Service, Sacramento  
U.S. National Marine Fisheries Service, Santa Rosa  
Department of Water Resources, Central District, Sacramento  
State Office of Historic Preservation, Sacramento  
State Department of Public Health, Environmental Management Branch, Sacramento  
Regional Manager, Department of Fish & Wildlife, Region II, Rancho Cordova  
Department of Environmental Health, San Joaquin County, Stockton  
Bhupinder Sahota, Division of Drinking Water, District 10, Stockton

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Richard McHenry, California Sportfishing Protection Alliance (via email only)  
Yvonne Miller, Chairperson, Lone Band of Miwok Indians  
Silvia Burley, California Valley Miwok Tribe (aka Sheep Ranch Rancheria of Me-wuk)  
Gene Whitehouse, Chairperson, United Auburn Indian Community of the Auburn  
Rancheria  
Chayenne Gould, Tribal Cultural Resource Manager, Confederated Villages of Lisjan  
Nation  
Kenneth Woodrow, Chairperson, Wuksachi Indian Tribe/Eshom Valley Band  
Mike DeSPain, Natural Resources & Grants Director/THPO, Buena Vista Rancheria of  
Me-Wuk Indians  
Mildred Burley, Certified Indian Artisan, California Valley Miwok Tribe  
Monica Arellano, Vice Chairwoman, Muwekma Ohlone Indian Tribe of the SF Bay Area  
Sara Dutschke, Chairperson, Lone Band of Miwok Indians  
Dahlton Brown, Executive Director of Administration, Wilton Rancheria  
Lloyd Mathiesen, Chairperson, Chicken Ranch Rancheria of Me-Wuk Indians  
Timothy Perez, Tribal Compliance Officer, Northern Valley Yokut/Ohlone Tribe  
Bunny Tarin, Tribal Administrator, Guidiville Rancheria of California  
Cosme Valdez, Chairperson, Nashville Enterprise Miwok-Maidu-Nishinam Tribe  
Kerri Vera, Environmental Department, Tule River Indian Tribe