

## State Water Resources Control Board

# NOTICE OF PUBLIC HEARING AND OPPORTUNITY FOR PUBLIC COMMENT

## DRAFT STATEWIDE GENERAL PERMIT FOR UTILITY VAULT AND UNDERGROUND STRUCTURE DISCHARGES TO WATERS OF THE UNITED STATES (UTILITY VAULTS PERMIT)

**NOTICE IS HEREBY GIVEN THAT** the State Water Resources Control Board (State Water Board) will accept written comments and hold a public hearing to consider adoption of the Draft Utility Vaults Permit. The proposed Draft Utility Vaults Permit will update [Water Quality Order 2006-0008-DWQ](#), General National Pollutant Discharge Elimination System Permit for Discharges from Utility Vaults and Underground Structures to Surface Waters, which has expired. The public hearing to consider adoption of the draft permit will be on:

**September 23, 2014 – 9:00 a.m.**

Joe Serna Jr. - Cal/EPA Headquarters Building  
Coastal Hearing Room  
1001 I Street, 2nd Floor  
Sacramento, CA 95814

### BACKGROUND

On July 19, 2006, the State Water Board adopted Water Quality Order 2006-0008-DWQ. The permit covers short-term intermittent discharges from utility vaults and underground structures to waters of the United States that do not cause, have the reasonable potential to cause, or contribute to an in-stream excursion above any applicable State or federal water quality objectives/criteria or cause acute or chronic toxicity in the receiving water. Dischargers eligible to obtain coverage under this permit include, but are not limited to, suppliers of cable television, electricity, internet, natural gas, and telephone services; however, water, sewer, and storm drainage utilities are not eligible for coverage under this permit.

The proposed major changes to the existing permit include:

- **Numeric Action Levels:** Numeric action levels (NALs) for pollutants of concern (oil and grease, pH, total petroleum hydrocarbons—diesel range organics, total petroleum hydrocarbons—gasoline range organics, total suspended solids) have been added which, when exceeded, will serve as a quantitative indicator that the discharger's best management practices may not in all cases be adequately controlling the quality of utility vault and underground structure discharges. The discharger's BMPs must be revised when an NAL is exceeded until the NAL is within the water quality limit specified in the permit.

- Special Studies: Currently available data are insufficient to fully characterize discharges from utility vaults and underground structures, and to determine if reasonable potential exists for these discharges to cause or contribute to exceedances of water quality standards for priority pollutants. Thus, the proposed permit requires each discharger to conduct a characterization study to collect sufficient data to evaluate these discharges. In addition, the proposed permit requires each discharger discharging to a separate storm sewer system (MS4) with a direct discharge to an area of special biological significance (ASBS) to conduct a study to determine if a specific discharge from a utility vault or underground structure alters the natural ocean water quality in the ASBS.

#### **DOCUMENT AVAILABILITY**

The draft permit and related documents are available to view or download on the State Water Board's Web site at [http://www.waterboards.ca.gov/water\\_issues/programs/npdes/utilityvaults.shtml](http://www.waterboards.ca.gov/water_issues/programs/npdes/utilityvaults.shtml). You may request a paper copy by contacting Victor Lopez at (916) 323-5511 or [victor.lopez@waterboards.ca.gov](mailto:victor.lopez@waterboards.ca.gov).

#### **SUBMISSION OF WRITTEN COMMENTS**

The State Water Board will accept written comments on the draft permit, which must be received by **12:00 noon on August 1, 2014** and addressed to:

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

Comment letters may be submitted electronically, in PDF text format (if less than 15 megabytes in total size), to the Clerk to the Board via e-mail at [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov). If the file is greater than 15 megabytes in total size, then the comment letter may be submitted by fax at (916) 341-5620. Please indicate the subject line: "**Comment Letter – Draft Utility Vaults Permit.**"

Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Ms. Townsend at (916) 341-5600.

#### **PROCEDURAL MATTERS**

At the meeting, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient meeting in which all participants have an opportunity to participate; oral presentations may be time-limited.

For other presentation recommendations, go to: [http://www.waterboards.ca.gov/board\\_info/meetings/board\\_presentations.shtml](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml) at the State Water Board's Web site. Questions concerning the meeting may also be directed to Mr. Victor Lopez at (916) 323-5511 or [victor.lopez@waterboards.ca.gov](mailto:victor.lopez@waterboards.ca.gov).

#### **EX PARTE DISCLOSURE REQUIREMENTS FOR PENDING GENERAL ORDERS**

This item is subject to the ex parte communication disclosure requirements of Water Code section 13287, as explained in [http://www.waterboards.ca.gov/laws\\_regulations/docs/exparte.pdf](http://www.waterboards.ca.gov/laws_regulations/docs/exparte.pdf). Any communications between interested persons and board members (other than at a noticed board meeting or submitted as a comment letter in compliance with the public notice) must be disclosed by the

interested person within seven days of the communication. Sample disclosure forms are available at: [http://www.waterboards.ca.gov/laws\\_regulations/docs/swrcb\\_godf\\_fillin.pdf](http://www.waterboards.ca.gov/laws_regulations/docs/swrcb_godf_fillin.pdf).

Beginning **September 9, 2014**, ex parte communications between interested persons and board members concerning this item are prohibited.

**PARKING AND ACCESSIBILITY**

For directions to the Joe Serna, Jr (Cal/EPA) Building and public parking information, please refer to the map on the State Water Board's Web site at:

<http://www.calepa.ca.gov/EPAbldg/location.htm>.

The Cal/EPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least five 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.

A broadcast of the meeting will be available via the Internet and can be accessed at:

<http://www.calepa.ca.gov/broadcast/>.

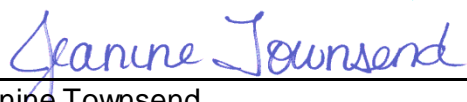
All visitors to the Cal/EPA Building are required to sign in and obtain a badge at the Visitor Services Center located inside the main entrance. Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

**ADDITIONAL INFORMATION**

Please direct questions about this notice to Mr. Victor Lopez at (916) 323-5511 or

[victor.lopez@waterboards.ca.gov](mailto:victor.lopez@waterboards.ca.gov).

July 2, 2013  
Date

  
Jeanine Townsend  
Clerk to the Board