



Central Valley Regional Water Quality Control Board

24 February 2025

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NOTICE OF APPLICABILITY (NOA); GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2022-0006-03 FOR LIMITED THREAT DISCHARGES TO SURFACE WATER; CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, DEUEL VOCATIONAL INSTITUTION WARM SHUTDOWN FACILITY, SAN JOAQUIN COUNTY

Our office received a partially completed Report of Waste Discharge (ROWD) on 21 June 2021 from the California Department of Corrections and Rehabilitation (hereinafter Discharger), for discharge of flows from pipeline flushing, infiltration, and runoff to surface water, for enrollment under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order) R5-2022-0006-03. Based on information submitted by the Discharger, staff have determined that the project meets the required conditions for approval under the Limited Threat General Order, as potable or other low-threat wastewaters. This project is hereby assigned Limited Threat General Order R5-2022-0006-036 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2022-0006-036**, in your correspondence and submitted documents.

The Discharger is currently covered under individual Order R5-2019-0047, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0078093. The Limited Threat General Order was renewed in 2022 and amended in 2023 and 2024, as current Order R5-2022-0006-03. This NOA providing coverage under the Limited Threat General Order shall become effective on **1 March 2025**, at which time the terms and conditions in Order R5-2019-0047 will cease to be effective except for enforcement purposes. To meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements contained in the Limited Threat General Order R5-2022-0006-03 and as specified in this NOA.

The project activities shall be operated in accordance with the requirements contained in the Limited Threat General Order and as specified in this NOA. You are urged to

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

familiarize yourself with the entire contents of the enclosed [Limited Threat General Order](#)

(https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2022-0006-03_amended.pdf)

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Limited 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 and other constituents of concern are found in Attachment I of the Limited Threat General Order. Review of your water quality data in comparison to the screening values, showed no reasonable potential for the discharge to cause or contribute to an exceedance of water quality objectives in the Deuel Drain, which is tributary to the San Joaquin River, a water of the United States.

PROJECT DESCRIPTION

The Discharger previously provided sewerage service for the Deuel Vocational Institution (DVI), a correctional facility, located east of Tracy, California, which served a population of approximately 2,500, including inmates and staff. The DVI facility was serviced by an onsite sanitary wastewater treatment plant (WWTP) that discharged tertiary treated effluent to Deuel Drain, a water of the United States and tributary to the San Joaquin River.

In August 2021, the Discharger initiated the Deuel Vocational Institution Warm Shutdown, during which no inmates and staff are housed at the DVI site, and no municipal wastewater is conveyed, treated, or discharged. All support activities such as kitchen, laundry, and dining, have also ceased. The DVI site is now maintained by a staff of 20 or less and domestic waste is handled by portable facilities. Existing buildings and facilities at the DVI site are maintained in a ready state, and facilities such as the water system and plumbing, sewer system, storm drainage facilities, and building structures and functional elements, are maintained in an operational state. The DVI site will continue to maintain the wastewater treatment components no longer in use and flush the sewer system once a month with potable effluent from the onsite drinking water treatment system. The sewer system and wastewater treatment plant components have been drained and cleaned of all municipal waste. Now the sewer system only collects water for flushing the cold and hot water piping and other incidental flows and conveys those flows to limited parts of the WWTP. Due to the drastic change in the operation of the WWTP and character of the effluent, this site is considered a new discharge.

In addition to the flushing stream, other influent flows to the WWTP will consist of basement drainage, groundwater inflow and infiltration, and rainwater runoff. Wastewater treatment components still in use include bar screening, grit removal, and

drum screens, and the aeration basins will be used for equalization and settling during storm events. All other treatment components are maintained in a ready state should the DVI site re-commence standard operations. To accommodate for variable flow and variable water quality, treated effluent is stored in the clay-lined facultative ponds for disposal. Treated effluent may be discharged to the Deuel Drain if needed and ponds are at capacity. The maximum effluent flow is expected to be approximately 0.06 million gallons per day (MGD).

The Limited Threat General Order and this NOA do not allow the discharge of wastewater that contains sewage of human origin. Therefore, prior to re-instituting discharge of domestic sewage from the Facility, the Discharger must submit a Report of Waste Discharge and receive an individual NPDES permit from the Central Valley Water Board.

DISCHARGE PROHIBITIONS

Discharge prohibitions are specified in Section IV Discharge Prohibitions of the Limited Threat General Order. Based on the information available, the following discharge prohibitions are applicable to this discharge:

- Prohibition IV.A
- Prohibition IV.B
- Prohibition IV.C
- Prohibition IV.D. The flow rate shall not exceed 0.06 MGD

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. Effluent Limitations and Discharge Specifications of the Limited Threat General Order. Based on the information available, effluent limitations are only required for the parameter identified in items 1-7, below:

1. **pH (Section V.A.1.b.i).** The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Lake in Modoc County) shall at all times be within the range of 6.5 and 8.5.
2. **Whole Effluent Toxicity, Chronic (Section V.A.2.a).** There shall be no chronic toxicity in the discharge.
3. **Whole Effluent Toxicity, Acute (Section V.A.3.a).** Survival of aquatic organisms in 96-hour bioassays of undiluted waste for all limited threat discharges shall be no less than:
 - i. 70%, minimum for any one bioassay; and
 - ii. 90%, median for any three consecutive bioassays.
4. **Temperature (Section V.A.5.d).** For discharges within the legal boundaries of the Sacramento-San Joaquin Delta, if specified in the NOA, the maximum

temperature of the discharge shall not exceed the natural receiving water temperature by more than 20°Fahrenheit (°F).

5. Diazinon and Chlorpyrifos (Section V.A.5.e). For water bodies as specified in Table 3-4 of the Basin Plan for the Sacramento and San Joaquin River Basin, effluent diazinon and chlorpyrifos concentrations shall not exceed the sum of one (1.0) as identified below:

- i. Average Monthly Effluent Limitation (AMEL)
 $SAMEL = CD\ M\text{-avg}/0.079 + CC\ M\text{-avg}/0.012 \leq 1.0$
 CD M-AVG = average monthly diazinon effluent concentration in µg/L
 CC M-AVG = average monthly chlorpyrifos effluent concentration in µg/L
- ii. Maximum Daily Effluent Limitation (MDEL)
 $SAWEL = CD\ W\text{-avg}/0.16 + CC\ W\text{-avg}/0.025 \leq 1.0$
 CD W-AVG = average weekly diazinon effluent concentration in µg/L
 CC W-AVG = average weekly chlorpyrifos effluent concentration in µg/L

6. Electrical Conductivity (Section V.A.1.d). The monthly average effluent electrical conductivity shall not exceed 700 µmhos/cm.

7. Constituents and Parameters of Concern (Section V.A.1.e). The following constituents and parameters in Table 1 below have been identified as having reasonable potential to cause or contribute to an in-stream excursion from water quality objectives and shall not exceed the effluent limitations as listed.

Table 1. Effluent Limitations for Constituents and Parameters of Concern

Parameter	Units	Average Monthly Effluent Limitations	Maximum Daily Effluent Limitations	Annual Average Effluent Limitation	Section Reference
Total Residual Chlorine	mg/L	0.01	0.02	--	V.A.1.e
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	10	20	--	V.B.1.a
Total Suspended Solids	mg/L	10	20	--	V.B.1.a
Settleable Solids	mL/L	--	0.1	--	V.B.1.a

The San Joaquin River (in Delta Waterways, southern portion), which includes Deuel Drain, is listed for temperature and the Sacramento-San Joaquin Delta (southern portion), is listed for chlorpyrifos, DDT (dichlorodiphenyltrichloroethane), diazinon, electrical conductivity, group A pesticides, invasive species, mercury, and toxicity on the

Clean Water Act 303(d) List of impaired water bodies. Total Maximum Daily Loads (TMDL) have been established for chlorpyrifos, diazinon, and mercury; thus, effluent limitations and monitoring are included in this NOA. TMDLs have not yet been established for DDT, electrical conductivity, group A pesticides, invasive species, temperature, and toxicity for the Deuel Drain; therefore, no additional 303(d) based effluent limitations or monitoring requirements are included in this NOA for these constituents.

RECEIVING WATER LIMITATIONS

The Limited Threat General Order includes receiving surface water limitations in Section VIII.A. Based on the information available, the following receiving surface water limitations are applicable to this discharge:

- Bacteria (VIII.A.2);
- Biostimulatory substances (VIII.A.3);
- Chemical constituents (VIII.A.4);
- Color (VIII.A.5);
- Dissolved oxygen (VIII.A.6.b.iii);
- Floating material (VIII.A.7);
- Oil and grease (VIII.A.8);
- pH (VIII.A.9.a);
- Pesticides ((VIII.A.10);
- Radioactivity (VIII.A.11);
- Suspended sediments (VIII.A.12);
- Settleable substances (VIII.A.13);
- Suspended material (VIII.A.14);
- Taste and odors (VIII.A.15);
- Temperature (VIII.A.16.b);
- Toxicity (VIII.A.17); and
- Turbidity (VIII.A.18.a).

SPECIAL PROVISIONS

The Limited Threat General Order contains Provisions in Section IX.C. Based on the information available, the following site-specific special provisions are applicable to the discharge.

Chronic Whole Effluent Toxicity Requirements. The Basin Plan contains a narrative toxicity objective that states, "All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life." (Basin Plan for the Sacramento and San Joaquin River Basins at page III-8.00 and Basin Plan for the Tulare Lake Basin at page III-6.) If through chronic WET testing it is demonstrated that the discharge exceeds the numeric toxicity trigger, the Discharger is required to submit a ROWD for application of an individual NPDES permit. The Monitoring and Reporting Program of this Order requires chronic WET monitoring for demonstration of compliance with the narrative toxicity objective. In

addition to WET monitoring, this provision includes a numeric toxicity monitoring trigger, requirements for accelerated monitoring, and instructions if a pattern of toxicity is demonstrated.

Monitoring Trigger. The numeric toxicity monitoring trigger is >1 TUc (where TUc = $100/\text{NOEC}$). The monitoring trigger is not an effluent limitation; it is the toxicity threshold at which the Discharger is required to initiate additional actions to evaluate effluent toxicity, as specified below.

Accelerated Monitoring. The provision requires accelerated WET testing when a regular WET test result exceeds the monitoring trigger. The purpose of accelerated monitoring is to determine, in an expedient manner, whether there is toxicity before proceeding with further requirements. Due to possible seasonality of the toxicity, the accelerated monitoring should be performed in a timely manner, preferably taking no more than 2 to 3 months to complete. The provision requires accelerated monitoring consisting of two additional chronic toxicity tests in a six-week period (i.e., one test every two weeks) using the species that exhibited toxicity to determine if the Discharger is eligible for coverage under this Order. To continue coverage under this Order, the Discharger must demonstrate to the satisfaction of the Executive Officer that the discharge is not causing chronic toxicity in the receiving water.

MONITORING AND REPORTING

Monitoring and reporting requirements are contained in Attachment C of the Limited Threat General Order. The Discharger is required to comply with the following specific monitoring and reporting requirements for the effluent and receiving water in accordance with Attachment C of the Limited Threat General Order.

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

Table 2. 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 the Deuel Drain.
--	RSW-001	Deuel Drain, approximately 200 feet upstream from the point of discharge.
--	RSW-002	Deuel Drain, approximately 200 feet downstream from the point of discharge.

Effluent Monitoring – When discharging to surface water, the Discharger shall monitor the effluent at EFF-001 in accordance with Table C-3 of the Limited Threat General

Order and this NOA. The applicable monitoring requirements are as follows in Table 3 and subsequent Table 3 Notes:

Table 3. Effluent Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Discharge Flow Rate	MGD	Calculated	1/Day
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	Grab	1/Month
Chlorine, Total Residual	mg/L	Grab	1/Month
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Month
pH	standard units	Grab	1/Month
Settleable Solids	mL/L	Grab	1/Month
Temperature	°F	Grab	1/Month
Total Suspended Solids	mg/L	Grab	1/Month
Turbidity	NTU	Grab	1/Month
Chronic Toxicity	TUc	Grab	1/Year

Table 3 Notes

- Electrical conductivity, pH, turbidity, and temperature.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-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.
- All parameters, except flow.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
- Chronic toxicity.** See the Monitoring and Reporting Program (Limited Threat General Order Attachment C, Section V) for toxicity monitoring requirements.

Section II.B.2 of the Limitations and Discharge Requirements section of the Limited Threat General Order requires that dischargers submit new analytical results every 5 years for pollutants specified in Table I-1 of Attachment I. The Project is considered a potable or other chlorinated wastewaters and groundwater source discharge. Therefore, the Discharger shall submit monitoring results by **1 March 2030** for the following constituents shown in Table 4 and subsequent Table 4 Notes, below:

Table 4. Effluent Characterization Monitoring

Parameter	Units	Sample Type
Dissolved Oxygen (DO)	mg/L	Grab
Dissolved Organic Carbon	mg/L	Grab
Hardness	mg/l	Grab
pH	standard units	Grab

Parameter	Units	Sample Type
Temperature	°F	Grab
Electrical Conductivity @ 25°C	µmhos/cm	Grab
Chlorine, Total Residual	mg/L	Grab
Biochemical Oxygen Demand (BOD)	mg/L	Grab
Total Suspended Solids (TSS)	mg/L	Grab
Turbidity	NTU	Grab
Aluminum, Total	ug/L	Grab
Iron, Total	ug/L	Grab
Manganese, Total	ug/L	Grab
CTR Priority Pollutants	See Attachment I, Table I-3 of the Limited Threat General Order	See Attachment I, Table I-3 of the Limited Threat General Order

Table 4 Notes

- For all parameters.** The Discharger is not required to conduct effluent monitoring for constituents that have already been sampled in a given month, as required in Table 3, except for hardness, pH, and temperature, which shall be conducted concurrently with the effluent sampling.
- For all parameters.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
- For DO, pH, temperature, and electrical conductivity.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-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.
- For CTR Priority Pollutants.** See Attachment I, Table I-3 of the Limited Threat General Order.

Receiving Water Monitoring - When discharging to surface water, the Discharger shall monitor the receiving water at RSW-001 and RSW-002, in accordance with Table C-5 of the Limited Threat General Order and this NOA. The applicable monitoring requirements are as follows in Table 5 and subsequent Table 5 Notes:

Table 5. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Monitoring Frequency
Dissolved Oxygen	mg/L	Grab	1/Month
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Month
Hardness, Total (as CaCO3)	mg/L	Grab	1/Month
pH	standard units	Grab	1/Month

Parameter	Units	Sample Type	Monitoring Frequency
Temperature	°F	Grab	1/Month
Turbidity	NTU	Grab	1/Month

Table 5 Notes

1. **All parameters.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
2. **All parameters except for hardness.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-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 by the Discharger.

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.

Monitoring Report Submittals - Monitoring in accordance with the Limited Threat General Order shall begin upon initiation of discharge. Monitoring Reports shall be submitted to the Central Valley Water Board on a quarterly basis, beginning with the **First Quarter 2025**. This report shall be submitted on **1 May 2025**. All Monitoring Reports shall specify the dates during the monitoring period the discharge did or did not occur. If monitoring samples were not obtained within 24 hours of initiation of the discharge, the Discharger must document the reasons in the corresponding Monitoring Report. If discharge has not begun there is no need to monitor. However, a certified Monitoring Report must be submitted stating that there has been no discharge. Table 6, below, summarizes the Monitoring Report due dates required under the Limited Threat General Order. Quarterly Monitoring Reports must be submitted until your coverage is formally terminated in accordance with the Limited Threat General Order, even if there is no discharge during the reporting quarter.

Table 6. Monitoring Periods and Reporting Schedule

Monitoring Period for All Sampling Frequencies	Quarterly Report Due Date
First Quarter (1 January through 31 March)	1 May
Second Quarter (1 April through 30 June)	1 August
Third Quarter (1 July through 30 September)	1 November
Fourth Quarter (1 October through 31 December)	1 February of the following year

GENERAL INFORMATION AND REQUIREMENTS

The Discharger must notify Central Valley Water Board staff within 24 hours of having knowledge of 1) the start of each new discharge, 2) noncompliance, and 3) when the discharge ceases. The Central Valley Water Board shall be notified immediately if any effluent limit violation is observed during implementation of the project.

Discharge of material other than what is described in the application is prohibited. The required annual fee (as specified in the annual invoice you will receive from the State Water Resources Control Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing when the discharge regulated by the Limited Threat General Order is no longer necessary by submitting the Request for Termination of Coverage (Attachment E). If a timely written request is not received, 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 Limited 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. In addition, late Monitoring Reports may be subject to MMPs or discretionary penalties of up to \$1,000 per day late. When discharges do not occur during a quarterly monitoring period, the Discharger must still submit a quarterly certified Monitoring Report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

We have transitioned to a paperless office; therefore, please convert all documents to a searchable Portable Document Format (pdf). All documents, including Monitoring Reports, written notifications, and documents submitted to comply with this NOA and the Limited Threat General Order, should be submitted to the NPDES Compliance and Enforcement Unit, Attention: Paul Wadding at centralvalleysacramento@waterboards.ca.gov and paul.wadding@waterboards.ca.gov. Mr. Wadding may also be reached by phone at (916) 464-4826.

Please include the following information in the body of the email:

- Attention: NPDES Compliance Unit
- Discharger: California Department of Corrections and Rehabilitation
- Facility: Deuel Vocational Institution
- County: San Joaquin County
- CIWQS place ID: 219701

Documents that are 50 megabytes or larger must be transferred to a DVD, or flash drive and mailed to our office, attention "ECM Mailroom-NPDES".

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. Links to the law and regulations applicable to filing petitions may be found on the [Petitions Home Page](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

Patrick Pulupa, Executive Officer

Enclosures (2): Attachment A - Project Location Map
 Attachment B – Flow Schematic
 General Order R5-2022-0006-03 (Discharger only)
 Monitoring Report Transmittal Form (Discharger only)

cc: Peter Kozelka, U.S. EPA, Region IX, San Francisco (email only)
 Prasad Gullapalli, U.S. EPA Region IX, San Francisco (email only)
 Division of Water Quality, State Water Board, Sacramento (email only)
 Alejandro Guajardo, California Department of Corrections and Rehabilitation
 (email only)

ATTACHMENT A – PROJECT LOCATION MAPS

Figure A-1. Deuel Vocational Institution Topographic Site Map

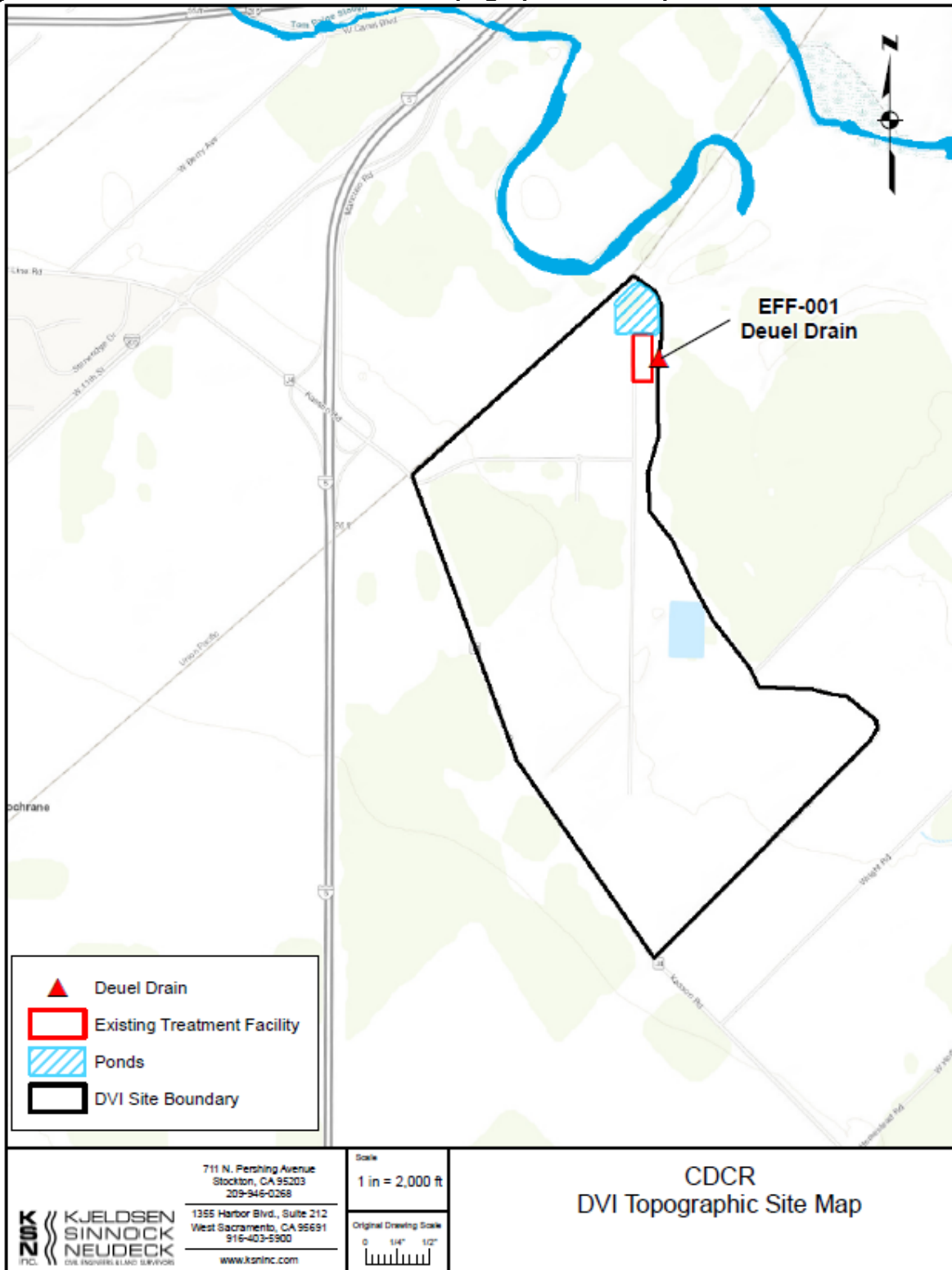
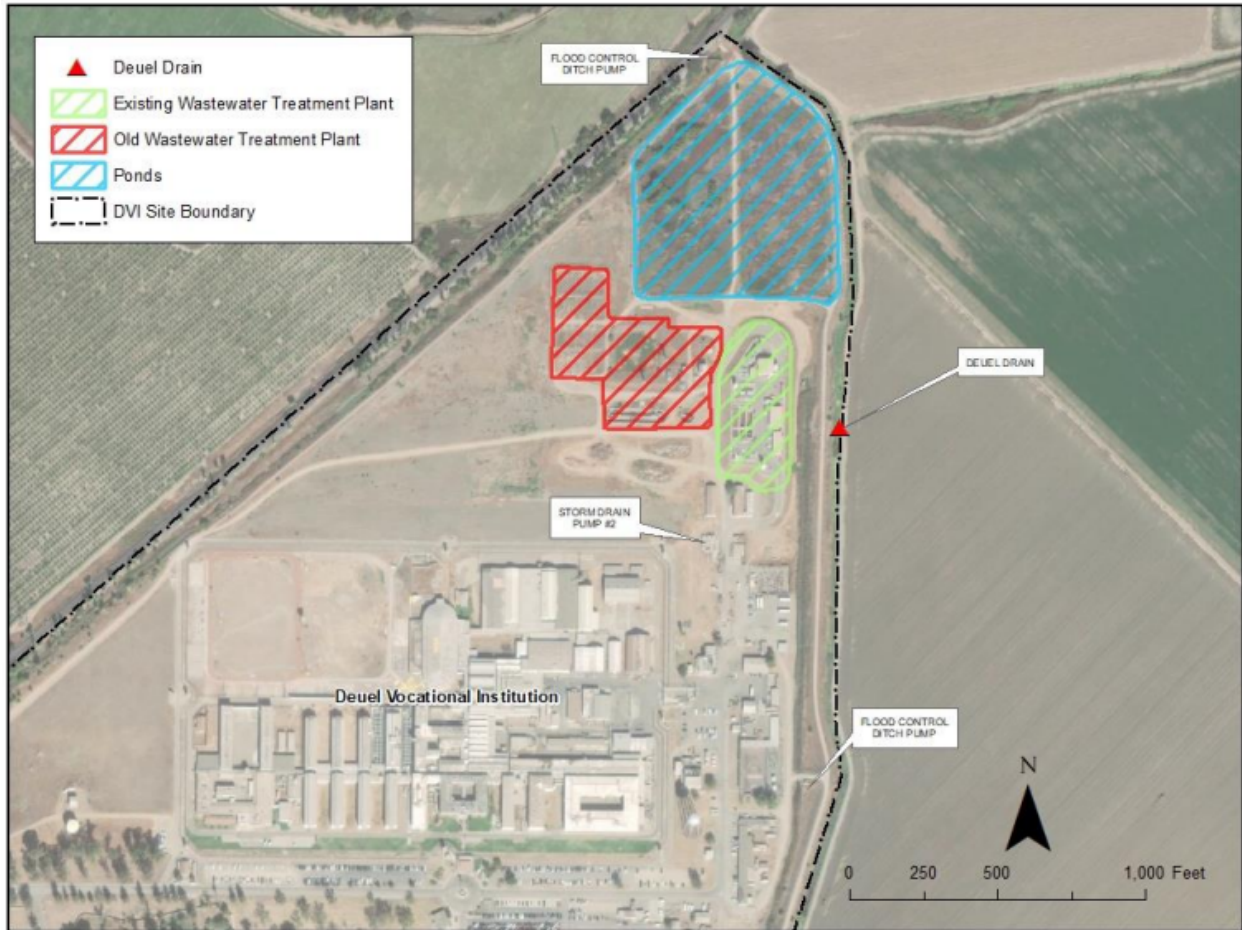
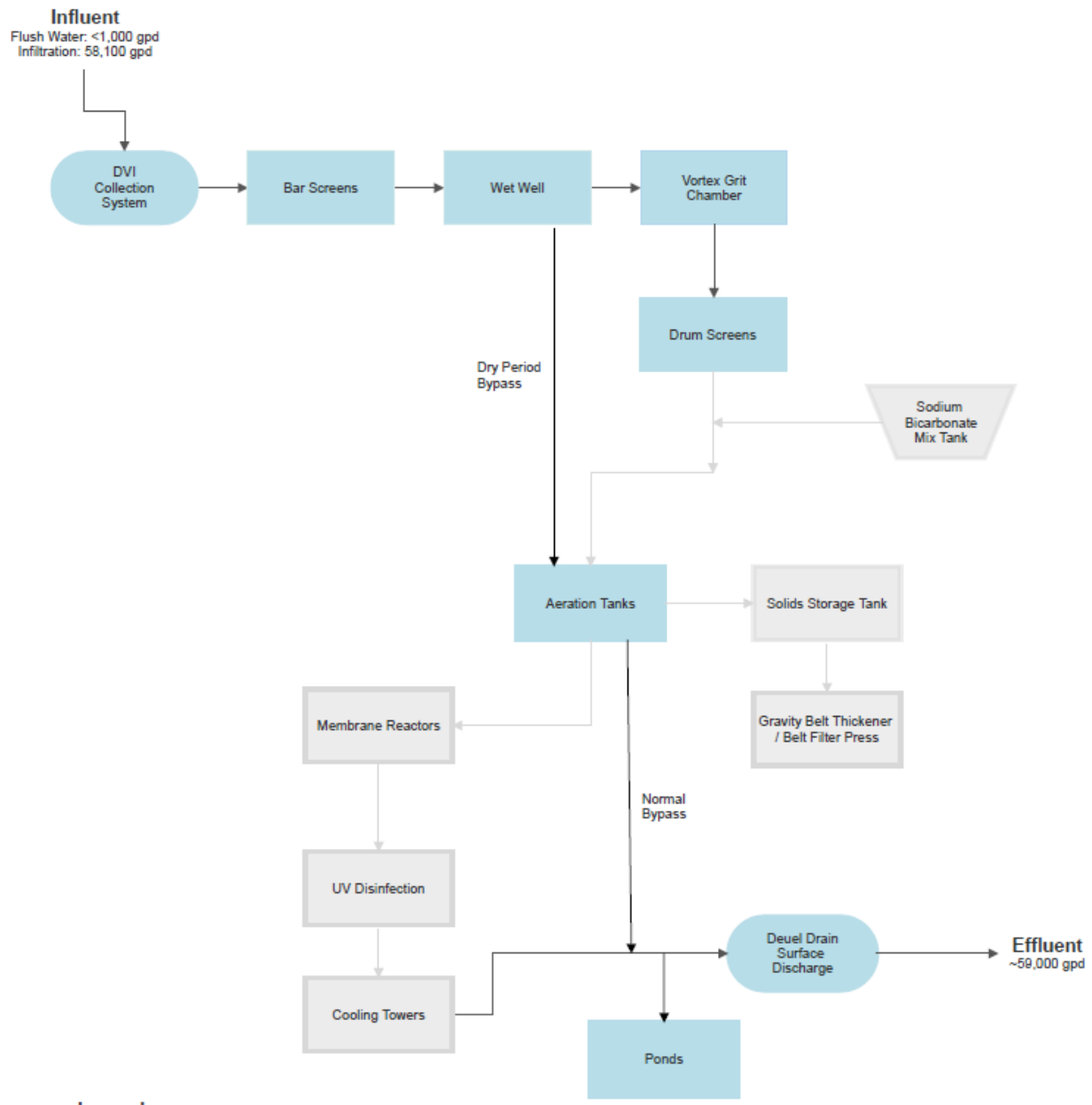


Figure A-2. Deuel Vocational Institution Site Boundaries Map



ATTACHMENT B – FLOW SCHEMATIC



Legend
 [Grey Box] Normally Bypassed Process
 [Blue Box] Active Process

PROCESS FLOW DIAGRAM
 DEUEL VOCATIONAL INSTITUTION (DVI) WWTP FACILITY
 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION