

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E Street, Fresno, California 93706-2007

NOTICE OF PUBLIC HEARING

concerning

TENTATIVE ORDERS
**WASTE DISCHARGE REQUIREMENTS ORDER R5 2024-XXXX
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT CA0085235
AND TIME SCHEDULE ORDER R5-2024-XXXX
FOR
CITY OF CLOVIS
SEWAGE TREATMENT AND WATER REUSE FACILITY
FRESNO COUNTY**

Discharger and Tentative Order Information

The City of Clovis (Discharger) is the owner and operator of the Sewage Treatment and Water Reuse Facility (Facility), a publicly owned treatment works located at 9700 East Ashlan Avenue, Clovis, California. The Facility provides sewerage services for a portion of the City of Clovis. The Facility provides tertiary treatment for an average monthly flow of up to 3.1 million gallons per day (MGD). Disinfected tertiary-treated wastewater from the Facility is discharged to any of the following sites: (1) Fancher Creek, a water of the United States; (2) the Diversion Channel, which flows to Little Dry Creek, a water of the United States; and/or (3) the City's recycled water distribution system for land application. Current and possible recycled water uses include, but are not limited to, irrigation at schools, parks, cemeteries, Fresno State agricultural fields, the Harlan Ranch development, public facilities, commercial facilities, pedestrian trails, and a portion of the Highway 168 corridor. Waste Discharge Requirements (WDRs) Order R5-2019-0021 (NPDES No. CA0085235) and the Master Recycling Permit currently regulate the discharge of disinfected tertiary-treated wastewater to the aforementioned sites.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) will consider the renewal of the Waste Discharge Requirements/NPDES Permit and the Master Recycling Permit for the discharge described above. In addition, the Central Valley Water Board will also consider the adoption of a new Time Schedule Order. Time Schedule Order R5-2019-0022 was adopted on 4 April 2019 and includes time schedules for the Discharger to meet final effluent limitations by 31 May 2024 for total recoverable copper, total recoverable zinc, and cyanide. The Discharger has addressed compliance for copper and zinc. However, the Discharger requested an extension for meeting the final effluent limitations for cyanide, provided information showing diligent progress towards achieving compliance, and demonstrated that additional time is needed to comply. Therefore,

the proposed Time Schedule Order provides an extension of the time schedule for compliance with the cyanide final effluent limitations until 31 July 2029. The proposed NPDES permit includes new or updated effluent limitations for ammonia and chronic whole effluent toxicity, and the proposed permit removes effluent limitations for copper and zinc based on updated water-effect ratios.

Public Hearing Date and Location

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

DATE: 20-21 June 2024
TIME: 8:30 a.m.
PLACE: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670
(Physical Meeting Location with Remote Meeting Option)

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 Orders.

Nature and Purpose of Hearing

At the hearing, the Central Valley Water Board will hear testimony and oral comments regarding the tentative Orders. 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.

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 **13 May 2024** to the Central Valley Water Board email at CentralValleyFresno@waterboards.ca.gov and copy Nicolette.Dentoni@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 Orders shall submit comments no later than 5:00 p.m. on **13 May 2024** to the Central Valley Water Board email at CentralValleyFresno@waterboards.ca.gov and copy Nicolette.Dentoni@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.

Requesting Party Status

Persons who wish to participate in the hearing as a party must submit a request in writing no later than 5:00 p.m. on **22 April 2024** to the Central Valley Water Board email at CentralValleyFresno@waterboards.ca.gov and copy Nicolette.Dentoni@waterboards.ca.gov. The request must include facts demonstrating how the person will be substantially affected by the proceeding.

The Board Chair will not designate a person as a party if the Board Chair determines the designation will impair the interests of justice and the orderly and prompt conduct of the proceeding. The Board Chair, when granting a request for party status, may impose restrictions on the requestor's hearing participation, including limiting or excluding the use of cross-examination and other procedures to promote the orderly and prompt conduct of the proceeding.

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 **18 June 2024**.

Hearing Procedure and Time Limits

The hearing on the tentative Orders 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.

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.

Availability of Documents

The tentative Orders 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 1685 E Street, Fresno, California 93706-2007 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.

Central Valley Water Board Contact

Anyone having questions regarding this hearing item should contact Nicolette Dentoni at (559) 444-2505 or at Nicolette.Dentoni@waterboards.ca.gov.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Alexander S. Mushegan
Supervising Water Resource Control Engineer

11 April 2024