
Central Valley Regional Water Quality Control Board

14 March 2025

Ginny Heldebrant
Marc Levin
Fairgrounds Industrial Park, LLC
P. O. Box 60967
Sunnyvale, CA 94088

NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. 2004-0004-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, MARTIN METALS FINISHING INC. SITE SOIL REMEDIATION PROJECT (WDID#5B39CR00420), SAN JOAQUIN COUNTY

On 10 February 2025, the Fairgrounds Industrial Park, LLC submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the United States Army Corps of Engineers to be Outside of Federal Jurisdiction.

The Central Valley Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds the Martin Metals Finishing, Inc. Site Soil Remediation Project (Project) meets the requirements of, and is hereby enrolled under, Order No. 2004-0004-DWQ. You may proceed with your Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) can be found on the State Water Resources Control Board's Adopted Orders webpage and is enclosed.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. You are responsible for complying with all applicable Order requirements. Failure to comply with Order No. 2004-0004-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The 3.4-acre Project consists of excavating approximately 750 cubic yards of soil containing elevated concentrations of lead and hexavalent chromium. The excavation will be completed to two feet below ground surface from the former Martin Metals

NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

Finishing, Inc. discharge site. The Project will result in 0.03 acres of excavation within a seasonal wetland. The material will be hauled off site to an appropriate disposal facility in coordination with the California Department of Toxic Substances control (DTSC). Clean imported fill will be imported to backfill the excavation. Excavation and fill will occur when the wetland is seasonally dry.

Project elements that affect aquatic resources include the removal and fill of soil in a seasonal wetland. The Project will temporarily impact 0.03 acre/150 linear feet of wetland habitat. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT LOCATION:

The Project is located at 120 South Wilson Way in Stockton, San Joaquin County. The approximate center of the Project area is located at latitude 37.943571° and longitude -121.264873°.

PROJECT SCHEDULE:

The proposed project start date is 15 April 2025 and ends by 1 November 2025.

APPLICATION FEE RECEIVED:

\$4,212.00 was received on 13 February 2025.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3) and was calculated as category E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

MITIGATION AND MINIMIZATION MEASURES:

Avoidance and minimization measures that will be implemented during the Project are outlined below:

- Erosion control measures will be utilized throughout the Project where sediment runoff may potentially enter waters. Erosion control structures will be monitored for effectiveness and will be repaired or replaced as needed. Appropriate erosion control measures will be installed around any stockpiles of soil or other materials which could be mobilized by rainfall or runoff. All erosion control materials will utilize natural biodegradable materials and shall not contain plastic monofilament that may entangle wildlife.
- No fueling, cleaning, or maintenance of vehicles or equipment will take place within any areas where an accidental discharge may cause hazardous materials to enter waterways.
- All refueling and maintenance of equipment shall occur outside of aquatic features.
- Any equipment or vehicles used for the Project will be checked and maintained daily to prevent leaks of fluids that could be deleterious to aquatic habitats.
- All equipment will be cleaned before arriving on the site and before removal from the site to prevent the spread of invasive plants.

- Construction disturbance or removal of vegetation will be restricted to the minimum footprint necessary to complete the work. The work area will be delineated where necessary to minimize impacts to vegetated habitats beyond the work limit, or to protected vegetation within the work area.
- Staging and storage areas for equipment, materials, fuels, lubricants and solvents will be located outside of aquatic habitats.
- Stationary equipment such as motors, pumps, and generators, located adjacent to aquatic features will be positioned over secondary containment sufficient to arrest a catastrophic failure.
- All activities performed near aquatic features will have absorbent materials designed for spill containment and cleanup activities on-site for use in an accidental spill.
- Stockpiles of excavated soil will be covered when not in active use or placed into Depart approved containers.
- No construction debris of any type will be allowed to enter or be placed where they may be washed into any aquatic features.
- At the end of the project all temporary flagging, fencing, or other materials will be removed from the project site and vicinity of the channel.
- No equipment shall be washed down where runoff could enter aquatic habitats.
- No motorized equipment shall be left within the aquatic habitats overnight.

Temporal loss to the seasonal wetland is expected to be minimal as cattails are expected to return and revegetate those areas within one growing season. To prevent erosion, excavated areas will be hydroseeded following placement of backfill material. Hydroseed will consist of native species, regionally appropriate for the area.

TERMINATION OF COVERAGE:

Upon completion of the Project, you shall submit a complete Notice of Termination (NOT) requesting to be un-enrolled under Order No. 2004-0004-DWQ. Attachment 2 to the Order contains the NOT form.

If you have questions concerning this matter, please contact Peter Minkel by phone at (916) 464-4684 or by email at Peter.Minkel2@waterboards.ca.gov.

Original Signed by Anne Walters for:
Patrick Pulupa
Executive Officer

Enclosure: State Water Resources Control Board Water Quality Order No.
2004-0004-DWQ

Attachments: Figure 1 – Site Location Map
Figure 2 – Extent of Excavation

cc: [Via email only]

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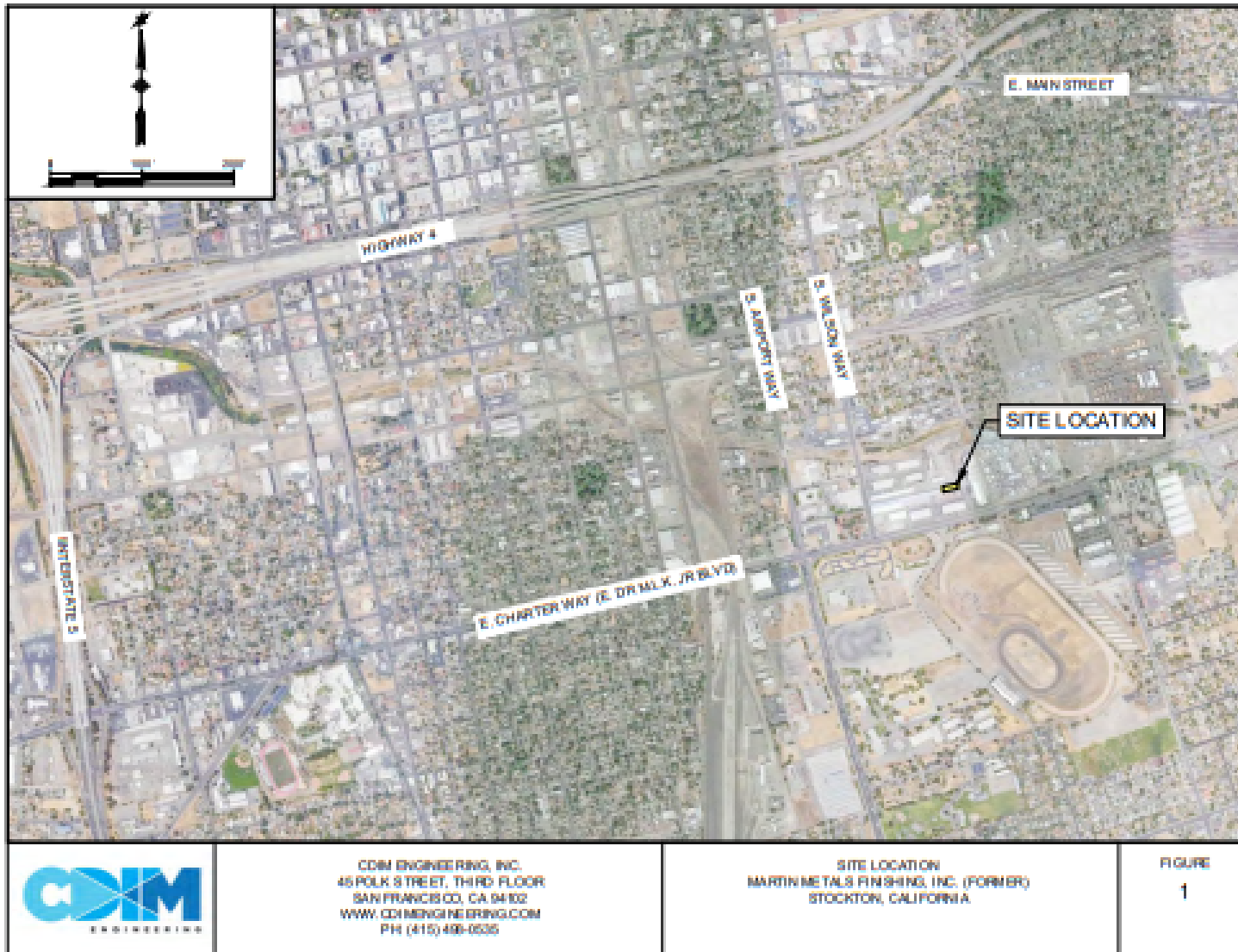


Figure 1 – Site Location Map

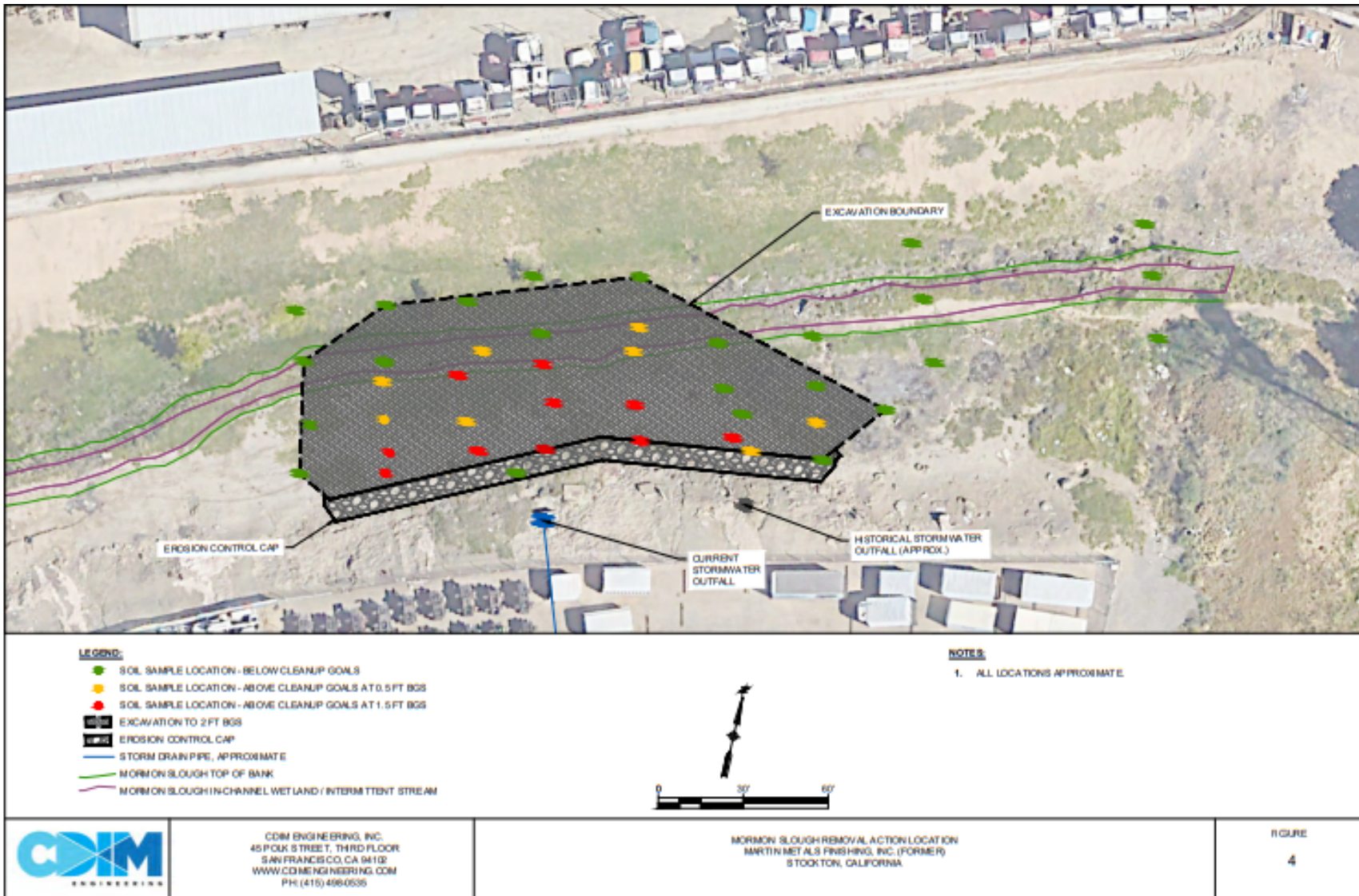


Figure 2 – Extent of Excavation