

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Marcos De la Cruz
MEETING DATE: April 13, 2022

ITEM: 5C

County of Santa Clara, Oregon Expressway Underpass, Palo Alto, Santa Clara County – Issuance of NPDES Permit

DISCUSSION:

This Revised Tentative Order (Appendix A) would issue an individual NPDES permit for the County of Santa Clara's Oregon Expressway Underpass, which discharges treated groundwater containing volatile organic compounds, stormwater, and urban runoff to Matadero Creek.

This discharge has been enrolled under the Volatile Organic Compounds (VOCs) and Fuel General Permit since January 1, 2019. In May 2019, the Regional Water Board issued Time Schedule Order R2-2019-0016 ordering the County to comply with the VOC and Fuel General Permit within five years or apply for an individual NPDES permit that better accounts for site-specific issues. The County elected to apply for an individual permit, and this Revised Tentative Order would be that permit. It would rescind the Time Schedule Order and allow the County to terminate coverage under the VOC and Fuel General Permit.

The Revised Tentative Order contains technology-based effluent limitations that account for site-specific conditions that restrict available treatment options, and water quality-based effluent limits to ensure the protection of downstream beneficial uses. During dry weather, the Revised Tentative Order imposes numeric limits like most permits do. During wet weather, it relies on narrative requirements (i.e., maximizing treatment and wastewater diversions to the sanitary sewer system). Because wet weather discharges are mostly stormwater and, pursuant to the Municipal Regional Stormwater Permit, the County implements best management practices to reduce pollutants in stormwater, no additional requirements are needed.

We received comments (Appendix B) on the tentative order from the County of Santa Clara and the Guadalupe-Coyote Resource Conservation District, and we responded (Appendix C) to the comments. Our responses primarily reiterate that the permit requirements are technically and economically feasible and protective of water quality. We expect this item to remain uncontested.

APPENDICES:

- A. Revised Tentative Order
- B. Comments
- C. Response to Comments

Appendix A
Revised Tentative Order

Appendix B Comments

In accordance with Section 11546.7 of the California Government Code, an electronic version of the comments received has not been posted online as it does not meet specified accessibility standards. For an electronic copy of the comments, please see the contact information provided in Fact Sheet section 8.7 of the Revised Tentative Order.

Appendix C
Response to Comments