

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E Street, Fresno, CA 93706

NOTICE OF PUBLIC HEARING
concerning

**RENEWAL OF WASTE DISCHARGE REQUIREMENTS
(NPDES NO. CA0082708)
AND
ADOPTION OF A TIME SCHEDULE ORDER
FOR
ROCKWELL AUTOMATION, INC. AND
PORTERVILLE UNIFIED SCHOOL DISTRICT
GROUNDWATER CLEANUP SYSTEM
TULARE COUNTY**

Rockwell Automation, Inc. owns a Groundwater Cleanup System (Facility) near Porterville. Porterville Unified School District owns the land upon which the Facility sits. Rockwell Automation, Inc. and Porterville Unified School District are jointly named as Discharger. The Facility consists of an air stripper and granular activated carbon vessel used to treat groundwater contaminated with volatile organic compounds. Treated groundwater is discharged to the Pioneer Ditch Pipeline. The discharge is regulated by Waste Discharge Requirements (WDRs) Order No. R5-2005-0092, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0082708.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) will consider adoption of WDRs renewing the NPDES permit and a Time Schedule Order (TSO). The proposed WDRs include new effluent limitations for un-ionized ammonia (as N), total recoverable mercury, total recoverable selenium, and pH. The Discharger is unable to immediately comply with these new effluent limitations. A tentative TSO is also included to provide a time schedule for compliance with the new effluent limitations.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting which is scheduled for:

DATE: 2, 3, or 4 February 2011
TIME: 9:00 a.m.
PLACE: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Rockwell Automation, Inc.
- Porterville Unified School District

Designated parties, but not interested persons, will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record and may present evidence, make an oral presentation, and cross-examine opposing witnesses.

Interested persons may not cross examine witnesses and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **3 January 2011**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

The tentative WDRs and tentative TSO were issued on 29 November 2010. Persons wishing to comment on these items must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than by **5 p.m. on 3 January 2011**. Written materials submitted after **5 p.m. on 3 January 2011** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Board Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Central Valley Water Board hearing and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Board members, counsel staff or others, at the discretion of the Central Valley Water Board.

Anyone having questions on the tentative WDRs or tentative TSO should contact Aide Ortiz at (559) 445-6083 or at aortiz@waterboards.ca.gov. Interested parties may download these items and related documents from the Central Valley Water Board's Internet web site at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 1685 "E" Street, Fresno, California 93706 weekdays between 8:00 a.m. and 5:00 p.m.

The final Central Valley Water Board meeting agenda will be available at http://www.waterboards.ca.gov/centralvalley/board_info/meetings at least ten days before the meeting. The agenda will provide the dates the hearing will be held, indicate the anticipated order of agenda items, and may include staff revisions to the tentative WDRs and tentative TSO.

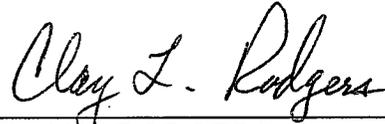
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The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/laws_regulations/. Information on meeting and hearing procedures is also available on the Central Valley Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzarda at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzarda at (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.

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



CLAY L. RODGERS, Assistant Executive Officer

29 November 2010