



Enforcement News

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CENTRAL VALLEY REGION

<http://www.waterboards.ca.gov/centralvalley>

TRACY HEIFER RANCH FINED \$310,775 FOR WATER QUALITY VIOLATIONS

For Immediate Release

Contact: Robert Busby

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Phone: (916) 464-4666

SACRAMENTO – The Central Valley Regional Water Quality Control Board (Central Valley Water Board) has imposed a penalty of \$310,775 against the Reeve Road Heifer Ranch, located in Tracy, San Joaquin County, for water code violations found during a closure inspection.

The ranch operator, Henry J. Tosta, owns the nearby Henry Tosta Dairy, which was the subject of a \$685,000 penalty imposed by the Central Valley Water Board in July 2013 for the discharge of manure to groundwater and the failure to comply with a separate CAO.

“Henry Tosta has a history of operating his facilities with complete disregard for the protection of groundwater and surface water,” said Central Valley Water Board Executive Officer Pamela Creedon. “This operator has demonstrated a blatant refusal to comply with the law, the Dairy General Order, and the Cleanup and Abatement Order directing him to fix the problems at his heifer ranch.”

A May 2012 inspection identified numerous violations at the heifer ranch and, in June 2012, the Regional Water Board issued a CAO.

Inspectors found two dead cows in a groundwater-filled excavation in heifer ranch cropland. According to Tosta, the dead cows were from the Henry Tosta Dairy. Cow bones were strewn across the 30 acre field. Photos showing burials in progress were provided to the Central Valley Water Board by an informant after the CAO was issued. In addition, cows had been buried in manure south of the heifer ranch lagoon, and additional bones were found in manure removed from the lagoon. Groundwater is five to six feet below the surface.

The penalties were assessed for the burial of cows, causing the pollution of groundwater, failure to remove manure mixed with animal remains to a landfill, and late submittal of reports to document the removal of the buried cows and provide a plan to remediate the groundwater.

The Dairy General Order (Order), adopted by the Central Valley Water Board in 2007 and updated in 2013, requires dairies to manage their waste to reduce impacts to surface water and groundwater. The Order contains a number of requirements, including standards for manure storage, prohibitions against the on-site burial of dead animals, and the prohibition of the collection, treatment, storage, discharge, or disposal of waste that results in contamination or pollution of surface water or groundwater.

Central Valley Water Board inspectors found that the heifer ranch contributed to the pollution of groundwater. Additionally, despite repeated inspections and reminders, Tosta failed to comply with directives of the CAO, including requirements to remove the pile of manure and animal remains and haul it to a landfill.

Due to continued violations, the Central Valley Water Board's executive officer issued an Administrative Civil Liability Complaint in November 2013 proposing the fine of \$310,775, which was adopted by the Central Valley Water Board members on Feb. 6, 2014.

For more information please visit:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/san_joaquin/r5-2014-0009_aclo.pdf

The Central Valley Water Board is a California state agency responsible for the preservation and enhancement of water quality. For more information on the Central Valley Water Board, please visit the home page at: <http://www.waterboards.ca.gov/centralvalley/>