

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

PUBLIC HEARING
concerning

**MODIFYING WASTE DISCHARGE REQUIREMENTS ORDER R5-2005-0023
FOR
CITY OF AVENAL
AND
MADERA DISPOSAL SYSTEMS, INC.
FOR
CONSTRUCTION AND OPERATION
CITY OF AVENAL MUNICIPAL SOLID WASTE LANDFILL
KINGS COUNTY**

The City of Avenal owns a municipal solid waste landfill northeast of the intersection of State Road 269 and Hydril Road within the incorporated limits of the City of Avenal in Section 15, T22S, MDB&M. The waste management facility (facility) is operated by Madera Disposal Systems, Inc., a California corporation and subsidiary of Waste Connections, Inc. Current discharges are to cells within the expansion unit which are lined with an engineered alternative liner system (composite liner system with a leachate collection and removal system).

The Discharger proposes to discharge up to approximately 300 tons per month of treated wood waste (TWW) to the composite-lined cells of the facility. Treated wood waste may contain chemical preservatives such as chromated copper arsenate, pentachlorophenol, creosote, acid copper chromate, ammoniacal copper arsenate, ammoniacal copper zinc arsenate, and chromated zinc chloride. Treated wood waste is allowed at municipal solid waste landfills provided the TWW is discharged to a Unit that is composite-lined, regulated by waste discharge requirements, managed in accordance with Section 67386.3 of Title 22, and the Unit where TWW is discharged is not leaking.

The proposed order modifies Order R5-2005-0023 to include discharge specifications regulating disposal of TWW pursuant to Section 67386.3 of Title 22 and the California Occupational Safety and Health Act of 1973 for the discharge of TWW.

A public hearing concerning this matter will be held during the Central Valley Regional Water Quality Control Board (Central Valley Water Board) meeting, which is scheduled for:

DATE: December 6 and 7, 2012
TIME: 8:30 a.m.
PLACE: Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

The designated parties for this hearing are as follows:

- City of Avenal
- Madera Disposal Systems, Inc.

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 **6 November 2012**. 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 Waste Discharge Requirements were issued on 5 October 2012. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than noon on **6 November 2012**. Written materials submitted after noon on the above date will not be accepted and will not be incorporated into the administrative record absent a ruling by the Central Valley Water Board Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Central Valley Water 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 meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Central Valley Water Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Central Valley Water Board members, counsel staff or others, at the discretion of the Central Valley Water Board.

Anyone having questions on tentative waste discharge requirements should contact Scott Moore at (559) 445-5170 or by email at vmoore@waterboards.ca.gov. Interested parties may download the proposed Order and related documents from the Central Valley Water Board's Internet website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the office of the Central Valley Water Board at 1685 E Street, Fresno, California, 93706, weekdays between 8:00 a.m. and 5:00 p.m. by appointment.

The final meeting agenda will be available at http://www.waterboards.ca.gov/board_info/agendas/ at least ten days before the meeting. The agenda will provide the dates the Central Valley Water Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed order(s).

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-Rizzardi 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-Rizzardi 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.

Original signed by:

DOUGLAS PATTESON, Supervising Engineer

10/5/2012