

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
364 Knollcrest Drive, Suite 205, Redding, CA 96002

**NOTICE OF PUBLIC HEARING**  
concerning

**RENEWAL OF WASTE DISCHARGE REQUIREMENTS  
(NPDES NO. CA0082490)**

**BURNEY FOREST PRODUCTS, A JOINT VENTURE,  
SHASTA GREEN, INC.,  
AND  
FRUIT GROWERS SUPPLY COMPANY**

**BURNEY FOREST POWER**

**SHASTA COUNTY**

Burney Forest Products, a joint venture, dba Burney Forest Power (hereinafter Facility), owns and operates a biomass fired cogeneration power plant on property leased from Fruit Growers Supply Company (Property Owner). Burney Forest Power subleases a portion of the Facility site to Shasta Green, Inc. who owns and operates a sawmill/planning mill. The cogeneration power plant and sawmill/planning mill are hereinafter designated as the Facility. NAES provides operation and maintenance services for the cogeneration power plant under contract with the owners. Burney Forest Power, Shasta Green, Inc. and Fruit Growers Supply Company (collectively designated as the Discharger) discharges storm water into Canyon Creek, a tributary of the Pit River. Storm water passes through a settling pond prior to discharge. The Discharger's mailing address is 35586-B Hwy. 299 E., Burney, CA 96013. The discharge is regulated under an existing National Pollutant Discharge Elimination System (NPDES) permit. The Discharger submitted a Report of Waste Discharge and requested renewal of the existing NPDES permit. Staff recommends the Central Valley Water Board adopt the NPDES permit regulating the discharge from the facility. The Discharger is expected to be able to immediately comply with the tentative NPDES permit, if adopted.

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

DATE: 27, 28 March 2014  
TIME: 8:30 a.m.  
PLACE: Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive #200  
Rancho Cordova, CA

The designated party for this hearing is as follows:

- Burney Forest Power
- Shasta Green, Inc.
- Fruit Growers Supply Company

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 Regional Water Board no later than **5:00 p.m. on 10 February 2014**. 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 Order was issued on **10 January 2014**. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Regional Water Board no later than **5:00 p.m. on 10 February 2014**. Written materials submitted after this date and time will not be accepted and will not be incorporated into the administrative record absent a ruling by the Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Chair must find that the late submission would not prejudice the Regional Water Board or any designated party.

All designated parties and interested persons may speak at the Regional Water Board meeting, 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 Regional Water Board members, counsel staff or others, at the discretion of the Regional Water Board.

Anyone having questions on the proposed Orders should contact Dan Warner at (530) 224-4848. Interested parties may download the proposed Orders and related documents from the Central Valley Water Board's Internet website at

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/).

Copies of these documents can also be obtained by contacting or visiting the Regional Water Board's office at 364 Knollcrest Drive, Suite 205, Redding, CA 96002 weekdays between 8:00 a.m. and 5:00 p.m.

The final meeting agenda will be available at

[http://www.waterboards.ca.gov/board\\_info/agendas/](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 Regional 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 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/](http://www.waterboards.ca.gov/laws_regulations/)

Information on meeting and hearing procedures is also available on the Board's website at

[http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/mtgprocd.shtml](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml)

or by contacting any one of the 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*

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Bryan J. Smith, P.E.  
Supervising Water Resource Control Engineer