

**MINUTES OF BOARD MEETING**

May 7, 2003  
City Council Chambers  
City of La Quinta  
78-495 Calle Tampico  
La Quinta, CA 92253

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The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Gary Johnson at 10:00 a.m. on May 7, 2003, in the City Council Chambers, City of La Quinta, California.

**1. Board Member Roll Call**

Present: John Benson, Gary Johnson, Leon Lesicka, Brenda Soulliere and Nancy Wright

Absent: None

**2. Staff Present**

Jeff Allred, Adnan Al-Sarabi, Jose Angel, Sheila Ault, John Carmona, Maria de la Paz Carpio – Obeso, Liann Chavez, Jose Cortez, Kristie Garcia, Teresa Gonzales, Phil Gruenberg, Abdi Haile, Chris Igbinedion, Neal Krull, Kirk Larkin, Alex McKay, Michele Ochs, Robert Perdue, Maribel Rodriguez, Jon Rokke, Jennie Snyder, Joan Stormo, David Virginia, Douglas Vu and Doug Wylie

**3. Others Present**

Greg O'Hara, Attorney for Operator of Meaders Cleaners  
Ron Helm, Consultant for Operator of Meaders Cleaners  
Lavelle Lesicka, Private Citizen  
Lori Okun, State Water Resources Control Board - OCC  
Murray Sinclair, Attorney  
Paul Tenner, Attorney  
J.E. Valls, MCAGCC – Twentynine Palms  
Steve Wade, Attorney  
Lori Gualco, Attorney for Meaders Cleaners Landowner  
Deems Padgett, TRC

**4. Minutes**

Meeting of January 15, 2003

MOTION: Mr. Lesicka moved, Ms. Wright seconded, and motion carried unanimously that the Minutes be approved as submitted.

**5. Public Forum**

No one from the public chose to speak.

## 6. Uncontested Waste Discharge Requirements

### NPDES Permits

JGC R7-2003-0053 Country Life R.R. And Mobile Home Park, Owner/Operator, Wastewater Treatment Plant – El Centro, Imperial County (Updated Order)

JGC R7-2003-0054 Peter M. Ormond, Owner, Rocky Vandergriff Water Treatment Services, Operator, Date Gardens Mobile Home Park, Wastewater Treatment Plant – West of El Centro, Imperial County (Updated Order)

MOTION: Mr. Benson moved, Ms. Soulliere seconded, and motion carried unanimously that Board Orders No. R7-2003-0053 and R7-2003-0054, including the errata, be adopted.

### Waste Discharge Requirements

JAS R7-2003-0003 Massey Sand and Rock Company, Owner/Operator, Indio Landfill, Class III Municipal Solid Waste Landfill - Indio, Riverside County (Updated Order)

JAS R7-2003-0004 Granite Construction Company, Owner/Operator, Granite Inert Waste Facility, Class III Inert Landfill – Indio, Riverside County (Updated Order)

DV R7-2003-0009 City of El Centro, Owner/Operator, Wastewater Standby Basins – El Centro, Imperial County (Updated Order)

DV R7-2003-0012 Riverside County Service Area No. 62, Owner, City of Ripley, Operator, Wastewater Standby Basins – Ripley, Riverside County (Updated Order)

DV R7-2003-0016 Imperial Sugar Company, Owner, Holly Sugar Corporation, dba Spreckles Sugar Company, Operator, Wastewater Cal Ash Holding Basins – Brawley, Imperial County (Updated Order)

DMV R7-2003-0019 United States Department of the Interior, Bureau of Land Management, Owner/Lessor, County of San Bernardino, Solid Waste Management Division, Operator/Lessee, Closure and Post-Closure Maintenance, Parker Dam Sanitary Landfill, Class III Landfill - Southwest of Parker Dam, San Bernardino County (Updated Order)

DMV R7-2003-0029 County of San Bernardino, Owner/Operator, Lucerne Valley Waste Management Facility, Class III Sanitary Landfill - Northeast of Lucerne Valley, San Bernardino County (Updated Order)

DMV R7-2003-0045 County of San Bernardino, Owner/Operator, Morongo Valley Waste Management Facility, Class III Landfill – South of Morongo Valley, San Bernardino County (Updated Order)

DMV R7-2003-0046 County of San Bernardino, Owner/Operator, Needles Waste Management Facility, Class III Landfill, Class II Surface Impoundment – South of Needles, San Bernardino County (Updated Order)

MO	R7-2003-0100	Imperial Landfill, Inc., Owner/Operator, Allied Imperial Landfill, Class III Municipal Solid Waste Management Facility – East of Imperial, Imperial County (Updated Order)		
	R7-2003-0020	Rescission/Termination of Waste Discharge Requirements		
		CS	89-031	Colorado River Indian Tribes, Aha Quin Park Blythe – Imperial County
		CS	89-050	Water Wheel Resort and Recreation Area Blythe – Imperial County
		CS	90-015	Quechan Indian Tribe, Quechan Sludge Basin Winterhaven – Imperial County
		JGC	91-042	J.R. Norton Company, Norton Farms Blythe – Imperial County
		CS	94-076	Bermuda Palms Mobile Home Park Earp – San Bernardino County
		JGC	98-057	IID, Rockwood Gas Turbine Imperial - Imperial County
		KL	99-055	U.S. Filter, Alamo River Reclamation Project Brawley – Imperial County
		CS	02-135	River View Trailer Park, Earp – San Bernardino County

NOTE: Proposed Orders No. R7-2003-0003 and R7-2003-0004 were removed from the consent calendar prior to voting.

MOTION: Mr. Lesicka moved, Mr. Benson seconded, and motion carried unanimously that Board Orders No. R7-2003-0009, R7-2003-0012, R7-2003-0016, R7-2003-0019, R7-2003-0020, R7-2003-0029, R7-2003-0045, R7-2003-0046 and R7-2003-0100, including the errata, be adopted.

**7. Consideration to Adopt Proposed Resolution No. R7-2003-0027: Emergency, Abandoned, Recalcitrant (EAR) Account Site List**

Mr. Gruenberg recommended adoption of Resolution No. R7-2003-0027.

MOTION: Ms. Wright moved, Mr. Benson seconded, and motion carried unanimously that Resolution No. R7-2003-0027 be adopted.

**8. Consideration to Adopt Proposed Resolution No. R7-2003-0031: Requesting the United States Government to Expedite Efforts to Abate New River Pollution from Mexico**

Jose Angel, Regional Board staff, discussed border activities and factors leading to the subject resolution.

MOTION: Ms. Wright moved, Mr. Lesicka seconded, and motion carried unanimously that Resolution No. R7-2003-0031, including the errata, be adopted.

#### **9. Meaders Cleaners**

Robert Perdue, Regional Board Assistant Executive Officer, introduced Lori Gualco, Attorney for Palm Springs Landscape Company.

Ms. Gualco stated that Regional Board staff had been helpful in the Meaders Cleaners remediation project. She added that consultant Deems Padgett would give a presentation on the progress at the site.

Mr. Padgett provided a progress report on remedial action being taken at the site.

#### **10. Update on California Toxics Rule and State Implementation Policy**

Kirk Larkin, Regional Board staff, gave a presentation on the California Toxics Rule and State Implementation Policy, including background information, options for compliance, impacts to dischargers and staff actions.

#### **11. Consideration to Adopt Proposed Resolution No. R7-2003-0062: Designating a Hearing Panel to Conduct Administrative Civil Liability Hearings**

Ms. Okun explained that if a Board Meeting were canceled due to a lack of a quorum, a hearing panel would have the option to conduct an ACLC hearing and write a recommendation.

Mr. Johnson stated it would be wise to adopt this resolution and nominated panel members.

MOTION: Mr. Johnson moved, Mr. Benson seconded, and motion carried unanimously that Resolution No. R7-2003-0062 be adopted, naming Mr. Johnson, Ms. Wright and Mr. Lesicka as the panel.

#### **12. Status Report on United States Marine Corp – Camp Wilson Wastewater Treatment Plant**

Jon Rokke, Regional Board staff, gave a presentation including the history, layout and current status of the USMC Camp Wilson WWTP.

#### **13. Information Update on State Board Activities**

Pete Silva was unable to attend the meeting.

Ms. Okun reported that Ms. Nancy Sutley had been appointed as a State Board Member. She added that there is now a full complement of five State Board Members.

Ms. Okun reported that, at the Governor's request, all Regional Board and State Board Departments drafted a plan for a ten percent reduction in staffing. A decision has not yet been made as to whether the plan will be implemented.

Ms. Okun added that an environmental organization named Our Children's Earth Foundation had threatened to bring lawsuits against several of the Regional Boards. The organization claimed there was a backlog of expired NPDES permits, which they argue violates a mandatory duty on the Boards' part under the Clean Water Act. She stated that Region 7 had only three backlogged NPDES permits, all of which should be updated by June 25, 2003. She added that a letter had been sent explaining this situation to Our Children's Earth Foundation, and she would contact them to confirm that they would take no further action.

#### **14. Regional Board Executive Officer's Report**

Mr. Gruenberg briefly discussed Salton Sea issues. He mentioned that U.S. Filter's suggestion to treat and reuse drainage water flowing into the Sea has triggered many new ideas for addressing the Sea's problems. He added that the Salton Sea Authority and many legislators have expressed enthusiasm toward some of these new ideas.

#### **15. Regional Board Staff Reports**

Sheila Ault, Regional Board staff, gave an update on TMDL development and implementation.

Ms. Ault reported that she and Mr. Angel recently attended a conference regarding tribal and state relationships. The conference focused on how the State of California and Indian Tribes can work more closely together to achieve environmental quality goals.

Ms. Ault also gave an update on the Regional Board's outreach and education program.

#### **16. Regional Board Member Comments**

Ms. Wright reported that she attends New River observation tours on a monthly basis.

Ms. Wright stated that she read of a court decision regarding a lack of environmental assessment for Mexicali power plants when it comes to water and air issues and asked if anyone had additional information on the subject.

Mr. Benson responded there was a groundbreaking decision that power plants in Mexico must comply with United States regulations.

Ms. Wright stated that this decision might aid in the cleanup of the New River.

Ms. Wright stated that she also read about the formation of the Southwest Regional Border Authority, which might also aid in the cleanup of the New River.

#### **17. Regional Board Chair's Report**

Mr. Johnson stated that he attended a Regional Chair's Meeting via videoconference in March. Items discussed at the conference included budget issues and appointment of new Regional Board Members. He stated that Art Baggett and Celeste Cantu promised to do their best to ensure that new Board Members are appointed. He added that there are bills pending which may reduce the size of a

Board to seven members, reduce the size of a quorum to four and reallocate Board Member designations.

Mr. Johnson stressed the need for the Regional Board to focus on major water issues such as the Salton Sea, New River, and Perchlorate issues.

Mr. Johnson stated that it has not been decided whether a WQCC will be held this fall.

Mr. Johnson added that the State Board is attempting to increase compensation levels for Executive Officers to aid in attracting applicants when positions become available.

## **18. Adjournment**

The meeting adjourned at 12:05 p.m.