
North Coast Regional Water Quality Control Board

California Regional Water Quality Control Board
North Coast Region

Order No. R1-2017-0003

Rescinding Waste Discharge Requirements and Cease and Desist Order

For

Talmage Readymix
(former Ford Gravel Co., Inc.)
Order No. 83-076, WDID No. 1B83076OMEN
Mendocino County

Baxman Gravel Co. Inc.
Order No. 82-001, WDID No. 1B82001OMEN
Mendocino County

Canevari Timber Co., Inc.
Order No. 92-064, WDID No. 1B92006RHUM
Humboldt County

Eagle Rock, Inc.
Order No. 80-169, WDID No. 1A80169OTRI
Trinity County

Fisher Vineyards
Order No. 79-130, WDID No. 1B79130OSON
Sonoma County

California Department of Forestry
Parlin Fork Conservation Camp
Order No. 97-52, WDID No. 1B771080MEN
Mendocino County

Mendocino Forest Products, LLC
Ukiah Sawmill
Order No. R1-2014-0003, WDID No. 1B80051OMEN
Mendocino County

Ecodyne Corporation
Order No. R1-2007-0006, WDID No. 1B820500SON
Sonoma County

Hi-Ridge Lumber Co., Yreka
Order No. 90-31, WDID No. 1A83014OSIS
Siskiyou County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. Since the promulgation of the Porter-Cologne Act in 1970, the Regional Water Board has prescribed many Waste Discharge Requirements (WDRs), some of which are no longer applicable, relevant or necessary. The Regional Water Board has the authority to rescind orders where such action is not against the public interest and promotes efficiency in administration of the law.
2. On June 19, 2012, the State Water Resources Control Board (State Water Board) adopted the Onsite Wastewater Treatment Systems (OWTS) Policy (OWTS Policy). The OWTS Policy took effect on May 13, 2013, following the Office of Administrative Law approval. The purpose of the OWTS Policy is to allow the continued use of OWTS, while protecting water quality and public health. The OWTS Policy recognizes that responsible local agencies can provide the most effective means to manage OWTS on a routine basis. It establishes a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements and sets the level of performance and protection expected from OWTS. The OWTS Policy also conditionally waives the requirement for owners of OWTS to apply for and receive WDRs in order to operate their systems when they meet the conditions set forth in the Policy.
3. On, April 1, 2014, the State Water Board adopted the National Pollutant Discharge Elimination System Permit (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities, Order 2014-0057-DWQ (Industrial General Permit). The Industrial General Permit authorizes discharges of industrial storm water to waters of the United States, so long as those discharges comply with all requirements, provisions, limitations, and prohibitions in the Industrial General Permit. The Industrial General Permit regulates industrial storm water discharges and authorized non-storm water discharges (NSWDs) from specific categories of industrial facilities, and from facilities designated by the Regional Water Boards to obtain coverage under the Industrial General Permit. The Industrial General Permit does not apply to industrial storm water discharges and NSWDs that are regulated by other individual or general NPDES permits.

4. On June 28, 2016, the Regional Water Board adopted the Conditional Waiver of Waste Discharges Requirements for Discharges of Wine, Beverage, and Food Processor Waste to Land, Order No. R1-2016-0003 (WBFP Conditional Waiver). The WBFP Conditional Waiver authorizes discharges of processing waste to land for the purpose of disposal or reuse so long as those discharges comply with all requirements, provisions, limitations, and prohibitions in the WBFP Conditional Waiver. Wine, beverage and food processing facilities eligible to apply for enrollment under the WBFP Conditional Waiver include: facilities that produce 1,500 gallons per day (gpd) or less of process wastewater; or wineries that produce 3,000 gpd of process wastewater and produce no more than five gallons of wastewater for every gallon of wine produced annually.
5. On, September 23, 2014, the State Water Board adopted the General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems, Order WQ 2014-0153-DWQ (Small Domestic Systems General Permit). The Small Domestic Systems General Permit authorizes discharges of treated domestic wastewater to land from systems with a monthly average flow rate of 100,000 gallons per day or less, so long as those discharges comply with all requirements, provisions, limitations, and prohibitions in the Small Domestic Systems General Permit.
6. Regional Water Board staff has determined that Order Numbers 83-076, 82-001, 92-064, 80-169, 79-130, 97-52, R1-2014-0003, R1-2007-0006, and 90-31, are no longer applicable, relevant, or necessary and should be rescinded. Discharges and active remediation regulated under these orders have either ceased or are now covered under one of the following general orders: the Industrial General Permit, the WBFP Conditional Waiver, the Small Domestic Systems General Permit, or a conditional waiver pursuant to the OWTS Policy. Details of the discharges regulated under the above referenced orders are provided below in the Discharge Specific Findings Section.

Discharge Specific Findings

Talmage Readymix (former Ford Gravel Co., Inc.)

7. The Talmage Readymix Facility is an aggregate extraction and processing operation located adjacent to the Russian River at 900 Talmage Road in Ukiah. The Talmage Readymix Facility is currently owned and operated by Norcal Recycled Rock Aggregates.
8. The Regional Water Board adopted WDRs Order No. 83-076 for Ford Gravel Company, Inc. on July 28, 1983. WDRs Order No. 83-076 authorized discharges of rock processing washwater to an evaporation/percolation pond.

9. On July 1, 2015, Regional Water Board staff received a technical report describing the industrial activities taking place at the Talmage Readymix Facility. The report described how Talmage Readymix Facility no longer discharges washwater from rock processing operations to the evaporation/percolation pond for disposal. The Facility now uses a closed-loop water recycling system where the washwater is contained in an onsite basin, filtered, reused, and captured for future treatment and reuse.
10. The discharge of washwater waste has ceased and the requirements contained in WDRs Order No. 83-076 for the discharge of washwater to the evaporation/percolation pond are no longer needed for the protection of water quality.

Baxman Gravel Company, Inc.

11. The Baxman Gravel Company, Inc. Facility is an aggregate extraction and processing operation located adjacent to the Ten Mile River northeast of Fort Bragg on the Georgia Pacific Industrial Haul Road. The Baxman Gravel Co Inc. Facility is currently owned by the Parker Ten Mile Ranch Partnership and is operated by Geo Aggregates, Inc.
12. The Regional Water Board adopted WDRs Order No. 82-001 for Baxman Gravel Company, Inc. on January 28, 1982. WDRs Order No. 82-001 authorized discharges of rock processing washwater to an evaporation/percolation pond and reuse of the pond water as pasture irrigation on an adjacent field. WDRs Order No. 82-001 additionally authorized the construction of protective dikes and other water quality control facilities along the Ten Mile River for the purpose of in-stream sand and gravel extraction.
13. On August 13, 2015, Regional Water Board staff received a technical report describing the industrial activities taking place at the Baxman Gravel Company, Inc. Facility. The report described how rock processing washwater and industrial stormwater runoff are discharged to the sediment retention pond which is then periodically pumped to a drainage ditch and allowed to gravity flow to an adjacent bermed field. The discharged water percolates into the field soils and does not result in a discharge to surface waters. Laboratory analytical data for rock washwater indicates that the combined discharge of stormwater and rock washwater will not result in an impact to groundwater quality and waste discharge requirements are not required. All future proposals for in-stream sand and gravel extraction activities shall require submittal of an application for a Clean Water Action section 401 permit and waste discharge requirements coverage.
14. The combined stormwater and non-stormwater discharge and its potential impact to surface waters are managed and authorized through coverage under the Industrial General Permit.

15. Regional Water Board staff received confirmation that the Baxman Gravel Company, Inc. Facility is enrolled under the Industrial General Permit as of July 1, 2015. The requirements contained in WDRs Order 82-001 for the discharge of washwater to the adjacent field are no longer needed for the protection of water quality as the discharge is now authorized under and must comply with the requirements of the Industrial General Permit.

Canevari Timber Company, Inc.

16. The Canevari Timber Company, Inc. Facility is an aggregate processing, and asphalt and concrete ready-mix supply operation located at 200 Dinsmore Drive in the City of Fortuna. The Canevari Timber Company, Inc. Facility is currently owned and operated by the Mercer Fraser Company.
17. The Regional Water Board adopted WDRs Order No. 92-064 for Canevari Timber Company, Inc. on May 28, 1992. WDRs Order No. 92-064 authorized discharges of rock processing washwater to an evaporation/percolation pond.
18. On April 6, 2016, Regional Water Board staff received a technical report describing the industrial activities taking place at the Canevari Timber Company, Inc. Facility. The report described how rock processing washwater and industrial stormwater runoff are discharged to the onsite evaporation/percolation pond. Laboratory analytical data submitted to and reviewed by Regional Water Board staff for rock washwater indicates that the rock washwater does not contain constituents of concern at concentrations that would result in an impact to groundwater quality. The technical report described how the combined stormwater and non-stormwater washwater discharge to the pond is managed and authorized through coverage under the Industrial General Permit.
19. Regional Water Board staff received confirmation that the Canevari Timber Company, Inc. Facility is enrolled under the Industrial General Permit as of July 1, 2015. The requirements contained in WDRs Order 92-064 for the discharge of washwater to the evaporation/percolation pond are no longer needed for the protection of water quality as the discharge is now authorized under and must comply with the requirements of the Industrial General Permit.

Eagle Rock, Inc.,

20. The Eagle Rock, Inc. Facility is an aggregate mining and processing and asphalt ready-mix supply operation located on State Route 299 w in Weaverville. The Eagle Rock, Inc., Facility is currently owned and operated by Eagle Rock Inc.

21. The Regional Water Board adopted WDRs Order No. 80-169 for Eagle Rock, Inc., on September 25, 1980. WDRs Order No. 80-169 authorized discharges of wastewater resulting from the aggregates operations to an evaporation/percolation pond.
22. On July 1, 2015, Regional Water Board staff received a technical report describing the industrial activities taking place at the Eagle Rock, Inc. Facility. The report described how rock processing washwater and industrial stormwater runoff are discharged to the onsite evaporation/percolation pond. Laboratory analytical data submitted to and reviewed by Regional Water Board staff for rock washwater indicates that the rock washwater does not contain constituents of concern at concentrations that would result in an impact to groundwater quality. The technical report described how the combined stormwater and non-stormwater washwater discharge to the pond is managed and authorized through coverage under the Industrial General Permit.
23. Regional Water Board staff received confirmation that the Eagle Rock, Inc. Facility is enrolled under the Industrial General Permit as of July 1, 2015. The requirements contained in Order 80-169 for the discharge of washwater to the evaporation/percolation pond are no longer needed for the protection of water quality as the discharge is now authorized under and must comply with the requirements of the Industrial General Permit.

Fisher Vineyards

24. The Fisher Vineyards winery is located at 6200 St. Helena Road, approximately 4 miles northeast of Santa Rosa. The winery is owned and operated by Fisher Vineyards.
25. The Regional Water Board adopted WDRs Order No. 79-130 for Fisher Vineyards on July 26, 1979. WDRs Order No. 79-130 authorized a combined discharge of process wastewater and domestic wastewater resulting from the operations of the winery to an evaporation/percolation pond.
26. In February 2006, Fisher Vineyards contacted Regional Water Board staff about upgrading the evaporation/percolation pond wastewater system. Regional Water Board staff was told that the pond system received only process wastewater and that domestic wastewater was conveyed to an OWTS that consists of a septic tank followed by a leachfield effluent dispersal system.
27. On May 31, 2016, Regional Water Board staff received as-built layout plans and notes signed by a licensed engineer, documenting the location and layout of the OWTS serving the Fisher Vineyards winery. Regional Water Board staff confirmed the existence and use of the OWTS during a site inspection on June 3, 2016.

28. In October 2016, Fisher Vineyards applied for enrollment of the process wastewater system under the WBFP Conditional Waiver. Regional Water Board staff has confirmed that the discharge is eligible for enrollment under the WBFP Conditional Waiver. The Regional Water Board Executive Officer will issue a Notice of Applicability letter for enrollment under the WBFP Conditional Waiver to Fisher Vineyard Winery prior to the January 26, 2017 Regional Water Board meeting.
29. The requirements contained in Order 79-130 for the discharge of process winery wastewater and domestic wastewater to the evaporation/percolation pond are no longer needed for the protection of water quality as the process wastewater discharge is now authorized under the WBFP Conditional Waiver and the OWTS is effectively regulated under a conditional waiver of waste discharge requirements pursuant to the OWTS Policy.

California Department of Forestry, Parlin Fork Conservation Camp

30. The California Department of Forestry (CDF), Parlin Fork Conservation Camp is located at 2300 Highway 20 in the City of Fort Bragg. The California Department of Forestry and Fire Protection (CAL FIRE) is the owner and operator of the Parlin Fork Conservation Camp.
31. The Regional Water Board adopted WDRs Order No. 97-52 for the CDF, Parlin Fork Conservation Camp on June 26, 1997. WDRs Order No. 97-52 authorized discharges of domestic wastewater to a percolation/evaporation pond and a lower elevation leachfield receiving overflow from the pond.
32. Since the adoption of WDRs Order No. 97-52, CDF has made many upgrades to the domestic wastewater system, including but not limited to, the installation of a new leachfield and the decommissioning of the percolation/evaporation pond. Regulation of the upgraded wastewater system will be in accordance with the Small Domestic Systems General Permit, and Monitoring and Reporting Program Order No. R1-2016-0044 as approved by the Executive Officer.
33. The requirements contained in Order 97-52 for the discharge of domestic wastewater to the evaporation/percolation pond and lower leachfield are no longer needed for the protection of water quality as the domestic wastewater discharge is now authorized under the Small Domestic Systems General Permit.

Mendocino Forest Products, LLC, Ukiah Sawmill

34. The Mendocino Forest Products, LLC, Ukiah Sawmill is located at 850 Kunzler Ranch Road in the City of Ukiah. The Mendocino Forest Products Company, LLC is the owner and operator of the Ukiah Sawmill complex.

35. The Regional Water Board adopted WDRs Order No. R1-2014-0003 for Mendocino Forest Products, LLC on June 19, 2014. WDRs Order No. R1-2014-0003 authorized discharges of log sprinkler water and stormwater to an unlined recirculation pond and boiler blow down water to an OWTS that consists of a septic tank followed by a leachfield effluent dispersal system.
36. On March 7, 2016, Regional Water Board staff received a technical report describing the conversion of the sprinkler water pond system to a closed-loop water recycling system where sprinkler water is contained in a lined recirculation pond, reused, and captured for future sprinkle water reuse. Regional Water Board staff concurred with the implementation of the technical report and the lining of the recirculation pond and water return channel on October 7, 2015. An addendum to the technical report was received in October 2016, which proposed elimination of the boiler blow down water to the OWTS. Boiler blow down water would instead be sent to the closed-loop recycling system for reuse as log sprinkler water. The technical report and addendum work was implemented prior to January 27, 2017.
37. The requirements contained in Order No. R1-2014-0003 are no longer needed for the protection of water quality as the discharge of sprinkler water and stormwater to an unlined recirculation pond and the discharge of boiler blown down water to the OWTS ceased.

Ecodyne Corporation

38. The Ecodyne Corporation facility (EC Site) is located at 930 Shiloh Road in the City of Windsor. The EC Site was owned and operated by the Ecodyne Corporation from July 1965 to January 1984 as a wood treatment facility. The Ecodyne Corporation manufactured evaporative cooling towers at this property. Lumber used in the towers were treated on site to minimize decay. A chromate copper arsenate was used as a wood preservative. Elevated levels of chromium were first discovered at the EC Site in 1982.
39. Remediation of the property started in 1983 and included removal of buildings and subsurface structures, installation of an asphalt cap, electrochemical treatment of extracted groundwater and in-situ treatment of soil and groundwater. In-Situ treatment of soil and groundwater by injecting calcium polysulfide using a direct push drilling rig was conducted under WDRs Order No. R1-2007-0006 that was adopted by the Regional Water Board on February 7, 2007.
40. In January 15, 2016 Regional Water Board staff concurred with "Final Remedial Action Plan" dated September 2015, which includes a land use covenant and long term storm water and groundwater monitoring. Active remediation at the site has been discontinued and therefore WDRs Order No. R1-2007-0006 is no longer needed for the protection of water quality.

Hi-Ridge Lumber Company

41. The Hi-Ridge Lumber Company facility (HLC Site) is located at 329 Phillipe Lane in the City of Yreka. The HLC Site was formerly owned and operated by Hi-Ridge Lumber Company as a saw and planing mill facility. The Hi-Ridge Lumber Company was issued Cease and Desist Order No. 90-31 requiring compliance with WDRs Order No. 88-05. WDRs Order No. 88-05 prohibited the discharge of wood treatment chemicals or stain control fungicides to surface water or to groundwater at the Hi-Ridge Lumber mill in Yreka.

42. The Hi-Ridge Lumber mill in Yreka shut down in 1999. Remediation of the site has been completed. On May 10, 2016, Regional Water Board concurred no further action is required. Cease and Desist Order No. 90-31 is no longer needed for the protection of water quality.

THEREFORE, IT IS HEREBY ORDERED that Waste Discharge Requirements Orders No. 83-076, 82-001, 92-064, 80-169, 79-130, 97-52, R1-2014-0003, R1-2007-0006, Cease and Desist Order No. 90-31 and associated Monitoring and Reporting Programs are rescinded.

CERTIFICATION

I, Matthias St. John, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on January 26, 2017.

Matthias St. John
Executive Officer

January 26, 2017