CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

INSPECTION REPORT

APPROVED
author SW
senior CWH 7/10/12

DATE: 9 July 2012

LOCATION & COUNTY: Reeve Road Heifer Ranch
21070 Reeve Road, Tracy
San Joaquin County

CONTACTS: Henry Tosta (operator)
Echeverria Brothers Dairy General Partnership (owners)

INSPECTION DATE: 3 July 2012

INSPECTED BY: Sean Walsh / Gilberto Corral (CVRWQCB)

OBSERVATIONS AND COMMENTS:

On 1 May 2012 Regional Water Quality Control Board staff conducted a routine compliance inspection at the Reeve Road Heifer Ranch located at 21070 Reeve Road in Tracy. The inspection revealed several serious violations of the General Order including a significant amount of manure and bones being stored on native soil immediately south of the wastewater storage lagoon. Additionally it was discovered that Mr. Tosta was burying his dead cows from the Henry Tosta Dairy on cropland owned by the Echeverria Brothers. On 11 June 2012 a Cleanup And Abatement Order (11 June 2012 CAO) was issued to the Reeve Road Heifer Ranch located at 21070 Reeve Road in Tracy.

On 3 July 2012 Water Board staff inspected the Reeve Road Heifer Ranch to confirm the items ordered in the 11 June 2012 CAO had been completed by the established deadlines; summarized below are the directives ordered by 11 June 2012 CAO with deadlines, and the status of each directive:

1) **DUE IMMEDIATELY**: Stop any further on-site burials of dead animals. Mr. Tosta has stated he no longer buries his dead animals; he is now utilizing a rendering service and/or a certified landfill. Mr. Tosta stated he is currently keeping detailed rendering records that are available for our review upon request.

2) **DUE 29 JUNE 2012**: Begin removal of dead animals buried on APN 209-300-016. An extension was requested to 29 June 2012. The extension was granted and the letter was signed by the Executive Officer on 25 June 2012. Removal began Saturday 23 July 2012.

3) **DUE 25 JUNE 2012**: Complete removal of dead animals. According to Henry Tosta and his environmental consultant David Avila, removal of all dead animals was completed on or before 25 June 2012. On 28 June 2012 staff inspected the site where the dead animals were buried; Staff verified that the mounds of dirt and pits with dead cows inside them that were observed on 1 May 2012 have been leveled. Additionally the smell of decaying flesh is not as strong. On 3 July 2012 staff

inspected the area south of the burial site and found a significant amount of bones spread over a 4-5 acre area located south of the original burial site and north of the Reeve Road Heifer Ranch wastewater storage lagoon.

Photo taken 7/3/12: Bones in the cropland south of the burial site and north of the Reeve Road Heifer Ranch wastewater storage lagoon.

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Photo taken 7/3/12: This is the approximate area where the bones area located. The brown weeds in the foreground is the north embankment of the Reeve Road Heifer Ranch wastewater lagoon.

4) **DUE 29 June 2012**: Remove all wastewater and manure solids from the wastewater lagoon, remove the manure and bones in the area south of the wastewater lagoons, and complete any additional actions required to remove the Heifer Ranch from coverage under the Dairy General Order. Bones must exported to a landfill and documentation of proper disposal must be provided to the Central Valley Water Board. The bones south of the wastewater lagoon have been removed. No manure has been removed from south of the lagoon, no solid or slurry manure has been removed from inside the wastewater storage lagoon. This facility is not ready to be removed from coverage under the General Order.

Photo taken 7/3/12: Significant amount of solid manure still located inside wastewater storage lagoon.

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Photo taken 7/3/12: Wastewater and slurry manure located in the west end of the Reeve Road Heifer Ranch wastewater lagoon.

Photo taken 7/3/12: Area south of the wastewater storage lagoon. Although the bones have been removed from the surface, a significant amount of solid manure is located in this area.

Photo taken 7/3/12: Area south of the wastewater storage lagoon. Although the bones have been removed from the surface, a significant amount of solid manure is located in this area.

5) **DUE 29 June 2012**: Fill holes underneath well-pad at Well #1, repair the cracked well-pad at Well #2, and clean the vegetation and dirt from the well-pad at Well #3. <u>All 3 wells have been repaired and are in good condition.</u>

Photo taken 7/3/12: All holes have been filled underneath the well-pad at Well #1.

Photo taken 7/3/12: Cracked well-pad has been repaired at Well #2.

Photo taken 7/3/12: Dirt and vegetation has been cleared from the well-pad at Well #3.

6) **DUE 2 July 2012**: Submit proof of legal disposal of the carcasses to the Central Valley Water Board. On 3 July 2012 David Avila submitted to staff a photo of a receipt from the Foothill Sanitary Landfill (see attachment).

SUMMARY:

° Mr. Tosta stated he no longer buries dead cows; he is keeping detailed rendering records which are available for our review upon request.

° According to Mr. Tosta and his environmental consultant David Avila, the dead animal removal operation has been completed. Additional bones were discovered south of the original burial site.

° All 3 wells have been repaired and are in good condition.

° Surface bones have been removed from the area south of the wastewater storage lagoon.

° No solid manure, slurry manure, and/or wastewater has been removed from the wastewater storage lagoon.

° No solid manure has been removed from the area south of the wastewater storage lagoon.

° A photo of a receipt from Foothill Sanitary Landfill was submitted as proof of legal disposal of the carcasses that were removed from the cropland.