

Lahontan Regional Water Quality Control Board

July 1, 2016

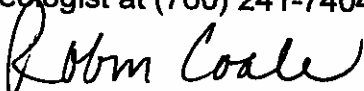
TO: ATTACHED MAILING LIST

**Rescission of Waste Discharge Requirements, Board Order No. R6V-2010-0010 - Board Order No. R6V-2016-(Tentative) for Nursery Products, Hawes Composting Facility, San Bernardino County, 6B360903006**

Enclosed is the Tentative Rescission of Waste Discharge Requirements for the above subject. The California Regional Water Quality Control Board (Water Board) requests that you review the enclosed documents and provide us with your written comments no than **August 5, 2016**. Please send your comments to the Water Board's email address at [Lahontan@waterboards.ca.gov](mailto:Lahontan@waterboards.ca.gov) and include **Nursery Products WDID No. 6B360903006 comments** in the subject line. If you do not have access to the internet, you may mail your comments to the Water Board's Victorville office at the address shown on this letter, to the attention of Brianna St. Pierre.

The Water Board will consider adopting the rescission of Waste Discharge Requirements at its regular meeting scheduled for September 14-15, 2016 in Apple Valley, California. As required by California Code of Regulations, title 27, section 21730, notice of the meeting and the enclosed documents are being circulated not less than 45 days before the scheduled meeting. You can view the Water Board's meeting agenda 10 days before the meeting on our web site at: [www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan) (click on Agenda). If you need further information regarding this meeting, please contact our office at (760) 241-7306.

If you have any questions regarding this letter or the enclosed documents, please contact Brianna St. Pierre, Engineering Geologist at (760) 241-7305, email [brianna.st.pierre@waterboards.ca.gov](mailto:brianna.st.pierre@waterboards.ca.gov) or Patrice Copeland, Senior Engineering Geologist at (760) 241-7404, email [Patrice.copeland@waterboards.ca.gov](mailto:Patrice.copeland@waterboards.ca.gov).



Robin Coale  
Staff Services Analyst

cc: mailing list

Enclosure: Tentative Rescission of Waste Discharge Requirements  
(Board Order No. R6V-2016-TENTATIVE)

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**BOARD ORDER NO. R6V-2016-TENT  
WDID NO. 6B360903006**

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS  
BOARD ORDER NO. R6V-2010-0010**

**FOR**

**NURSERY PRODUCTS  
HAWES COMPOSTING FACILITY**

\_\_\_\_\_ San Bernardino County \_\_\_\_\_

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. Discharger

Nursery Products (hereinafter referred to as “Discharger”) owns and operates a green material and treated biosolids composting facility (Facility) 8 miles west of the town of Hinkley.

2. Facility

The Facility is a green material and treated biosolids composting facility on an 80-acre parcel of land. The Facility was constructed to contain the volume of runoff from a 1,000-year, 24-hour storm. The Facility has a waste pile constructed over an engineered fill and two surface impoundments with leak detection monitoring sumps, all of which were constructed in accordance with the requirements of California Code of Regulations (CCR), title 27. The Facility also has financial assurance mechanisms for closure and corrective action activities for a known or reasonably foreseeable release from the Facility.

3. Order History

The Water Board adopted Waste Discharge Requirements (WDRs), Board Order No. R6V-2010-0010 on March 10, 2010, for the construction and operation of the Facility in accordance with the requirements of CCR, title 27.

4. Basis for Rescission

- a. On August 4, 2015, State Water Resources Control Board (State Water Board) adopted Order WQ 2015-0121-DWQ, General WDRs for Composting Operations (General Order). The General Order prescribes construction and monitoring requirements for discharges associated with composting activities. The General

Order was not available as a permitting option when the Discharger submitted a Report of Waste Discharge for the current Facility.

- b. The Discharger submitted a Notice of Intent on June 15, 2016, describing the intent to comply with the General Order. As the Facility was constructed in accordance with the requirements of California Code of Regulations (CCR), title 27, the construction of the Facility meets or exceeds the requirements of the General Order. Rescission of Board Order No. R6V-2010-0010 will require a refund of financial assurance mechanisms for closure and corrective actions for a known or reasonably foreseeable release, as there are no financial assurance requirements in the General Order.
- c. The General Order, Finding No. 13, states that "it is the intent of the State Water Board that Regional Water Boards will enroll all eligible composting operations under this General Order," and allows a Regional Water Board to issue individual WDRs should it be determined that, due to site-specific conditions, coverage under the General Order would not be protective of water quality. However, at this Facility, the depth to groundwater is over 300 feet below ground surface, no surface water bodies occur on the site, and the Facility was constructed in accordance with CCR, title 27 requirements, which meets or exceeds the requirements of the General Order. Therefore, site-specific conditions do not exist that necessitates more protective measures than those specified in the General Order, and regulation under the General Order is protective of water quality for this Facility.
- d. The Discharger submitted an Annual Monitoring Report on May 5, 2016, demonstrating compliance with WDRs, Board Order No. R6V-2010-0010. To date, groundwater and vadose zone sampling data results show no indication of a release from the Facility. However, monitoring of the vadose zone and groundwater will continue pursuant to the requirements of the General Order.

5. Conclusion

It is in the public interest to rescind Waste Discharge Requirements, Board Order No. R6V-2010-0010 and regulate the discharge under requirements contained in the General Order.

6. California Environmental Quality Act

Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, section 21000, et seq.), in accordance with CCR, title 14, section 15321.

7. Notification of Interested Parties

The Water Board has notified the Discharger and interested persons of its intent to rescind WDRs, Board Order No. R6V-2010-0010.

8. Public Meeting

The Water Board, in a public hearing, heard and considered all comments pertaining to this Rescission Order.

**IT IS HEREBY ORDERED** that Waste Discharge Requirements, Board Order No. R6V-2010-0010 is hereby rescinded.

I, Patty Z. Kouyoumdjian, 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, Lahontan Region, on September 14, 2016.

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PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER