

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

BOARD ORDER R7-2014-0006

**WASTE DISCHARGE REQUIREMENTS
FOR
BULL HOLDINGS CORPORATION, OWNER/OPERATOR
MANURE COMPOSTING FACILITY
El Centro – Imperial County**

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) finds that:

1. Bull Holdings Corporation (Discharger), 1701 Bowker Road, El Centro, CA, 92243, owns and operates a Manure Composting Facility (Facility) located at the same address.
2. The Facility is located in Section 12, Township 16 South, Range 14 East, San Bernardino Base and Meridian, shown on the Location and Vicinity Map, Attachment A, made part of this Board Order by this reference.
3. The discharge is currently regulated under Board Order 97-108, adopted on September 24, 1997; a revised Monitoring and Reporting Program 97-108 was implemented effective March 19, 2009. The Colorado River Basin Water Board has determined that Waste Discharge Requirements (WDRs) for the discharge are in need of revision. There is no substantial change in the quality or quantity of discharge. The WDRs are being updated to implement the most current laws and regulations applicable to the discharge.
4. Definitions for terms and phrases having special meaning under this Board Order are listed in Attachment B, made part of this Board Order by this reference.
5. Title 14, Division 7, Chapter 3.1 (commencing with Section 17850) of the California Code of Regulations (Title 14) governs the composting of agricultural material, green material, biosolids, and mixed solid waste for environmental and health protection. The Discharger has submitted an Enforcement Agency Notification to California Department of Resource Recycling and Recovery (CalRecycle) and will comply with the composting standards in Title 14 for composting operations at the site.
6. The diversion of organic wastes, as mandated by Assembly Bill 939 and CalRecycle's Strategic Directive 6.1, away from disposal in landfills is a desirable goal, but only if such diversion does not result in pollution of surface or groundwater.
7. The discharge of waste to land is regulated by California Code of Regulations, Title 27, Division 2, Subdivision 1 (commencing with Section 20005), "Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste" (Title 27). Section 20164 of Title 27 defines "landfills," "waste management unit," and "waste piles."
8. In August 1997, the Office of Chief Counsel of the State Water Resources Control Board (State Board) rendered Opinion No. 97-705 in response to the following question from a California Legislator: "Is a compost Facility operation subject to regulation as a landfill?" A copy of the opinion can be viewed at:

http://water46.waterboards.ca.gov/ocfiles/Reading/1997_jul-aug/RF08061997_2.pdf.

In its analysis of this question, the Office of Chief Counsel concluded that discharges of compost feedstocks for storage and treatment are subject to the Title 27 regulations because a composting Facility involving the storage and treatment of compostable waste constituents would be classified as a "waste pile" facility under Title 27, and therefore would have to implement appropriate siting, design, construction, monitoring, and closure standards. The Office of Chief Counsel explained:

Waste treatment by composting involves a substantial risk that wastes, or leachate from the decomposition of organic wastes inherent in the composting process, will migrate from the area where the composting is taking place (i.e., the waste management unit) to waters of the state, and cause or threaten to cause conditions of pollution or nuisance. [¶] Accordingly, discharges of waste for composting are subject to regulation by the RWQCBs under the [Title 27] SWRCB regulations governing discharges of waste to land. Waste discharge requirements for composting would have to implement the appropriate siting, design, construction, monitoring, and closure standards for waste piles. Inasmuch as many of the wastes discharged for storage and treatment at a composting Facility would be classified as 'designated' wastes [footnote omitted], waste management units for storage or treatment of such wastes would have to satisfy relatively stringent containment requirements. These would include requirements for liners designed to prevent wastes or leachate from migrating from the waste management unit to waters of the state. Requirements for discharges of 'designated' waste also would entail comprehensive monitoring of ground water and the unsaturated vadose zone. (Opinion, pp. 4-5.)

The Office of Chief Counsel also noted, however, that if the waste feedstock (such as greenwaste from plant material) of a composting operation is inherently innocuous, regional water boards may prescribe less stringent requirements pursuant to Title 27, Section 20200(a)(1), or elect to waive regulations of the discharges, if it is not against the public interest to do so. It continued by noting that "[i]n the absence of such a waiver, discharges of decomposable wastes to land for composting are subject to the requirements for a report of waste discharge (Wat. Code, section 13260), and the issuance of waste discharge requirements (Wat. Code, section 13263). (Opinion, p. 6.)

Manure Compositing Facility and Discharge

9. These WDRs regulate the impacts to surface and groundwater quality that may result from the composting operation, and the discharge of stormwater and leachate, if any, to the stormwater retention area and stormwater retention basin. The Facility and these WDRs are identified in the California Integrated Water Quality System (CIWQS) by WDID No. 7A135003001.
10. The Facility is engaged in the composting and mixing of manure; the site wherein the Facility is located also contains a feedmill operation, owned and operated by the Discharger. The total area of the site is approximately 44 acres. The Discharger mixes and composts a maximum of 35,000 tons/year of raw steer manure and a maximum of 15,000 tons/year of chicken manure. Raw steer manure is obtained from lots within the Imperial Valley and chicken manure is supplied by ranches throughout southern California. The three freshwater storage ponds and a containment basin,

identified in Attachment C and made part of this Board Order by this reference. Ponds 1, 2 and 3, as identified in Attachment C, are used for storage of Acacia Canal water; the stormwater retention basin is used for the containment of stormwater and leachate, if any.

11. The composting process employs the aerated windrows system, wherein manure, green waste and various commercial fertilizers are blended in a predetermined formula and stacked in windrows. The windrows are irrigated, followed by periodic mechanical agitation, which creates conditions conducive to microbiological activity. As microbiological activity accelerates, the temperature in the windrows rises to 145-150°F. The material is periodically aerated to provide the necessary oxygen. The complete composting process takes from four to seven weeks.

Hydrogeologic Conditions

12. Annual precipitation averages approximately 3 inches per year. Annual evapotranspiration rate is approximately 70 inches.
13. The nearest surface waters in the vicinity of the Facility are a concrete-lined water conveyance canal identified as the Acacia Canal, located along the eastern boundary of the property, and the Acacia Lateral, running along the northern edge of the property. An agricultural drain identified as Acacia Drain runs approximately 150 feet east of the property.
14. There are no domestic wells within 1,000 feet of the Facility.
15. Regional groundwater can be assumed to flow generally in the direction of the Salton Sea, from the southeast to the northwest.
16. The site is located in the Salton Trough physiographic province, which is a geologic structural depression resulting from large-scale regional faulting; the trough is bounded on the northeast by the San Andreas Fault and the southwest by the faults of the San Jacinto Fault Zone [Phase I Environmental Site Assessment Report, Valley Dehydrating Company, 1994]. This is a seismically active region.
17. The valley floor in the region slopes less than 0.5 percent in the direction of the Salton Sea.
18. The land surrounding the site is dominated by sandy to clayey loams.
19. The Facility is located outside of the 100-year flood zone.

Basin Plan, Beneficial Uses, and Regulatory Considerations

20. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan), which was adopted on November 17, 1993, and amended on November 16, 2012, designates the beneficial uses of ground and surface waters in this Region, and contains implementation programs and policies to achieve objectives.
21. The discharge is within the Imperial Hydrologic Unit. Beneficial uses of groundwater in the Imperial Hydrologic Unit include:
 - a. Municipal supply (MUN), and

- b. Industrial supply (IND).
22. WDRs implement numeric and narrative water quality objectives for ground and surface waters established by the Basin Plan. The numeric objectives for groundwater designated for municipal and domestic supply are the maximum contaminant levels (MCLs) and bacteriological limits specified in Section 64421 et seq. of Title 22, California Code of Regulations (CCR). The narrative objectives are:
- a. Ground water for use as domestic or municipal water supply (MUN) shall not contain taste or odor-producing substances in concentrations that adversely affect beneficial uses as a result of human activity (Basin Plan, page 3-8).
 - b. Discharges of water softener regeneration brines, other mineralized wastes, and toxic wastes to disposal facilities which ultimately discharge in areas where such wastes can percolate to ground water usable for domestic and municipal purposes are prohibited (Basin Plan, page 3-8).
23. Section 13267 of the California Water Code (CWC) authorizes the Regional Water Boards to require technical and monitoring reports. The Monitoring and Reporting Program (MRP) R7-2014-0006, incorporated herein and made part of this Board Order, establishes monitoring and reporting requirements to implement federal and state requirements.
24. This Board Order establishes WDRs pursuant to Division 7, Chapter 4, Article 4, of the CWC for discharges that are not subject to regulation under Clean Water Act (CWA) Section 402 (33 U.S.C. Section 1342).
25. Pursuant to CWC section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Board Order does not create a vested right to continue the discharge.

Groundwater Degradation

26. State Water Board Resolution 68-16, "Policy with Respect to Maintaining High Quality Waters of the State" (Resolution 68-16), states:

"Whenever the existing quality of water is better than the quality established in policies as of the date on which such policies become effective, such existing high quality will be maintained until it has been demonstrated to the State that any change will be consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of such water and will not result in water quality less than that prescribed in the policies."

Resolution 68-16 further states:

"Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control [BPTC] of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained."

27. Groundwater in the vicinity of this discharge is too saline for municipal use. The Colorado

River Basin Water Board finds that groundwater near the site is not and cannot reasonably be expected to be a source of municipal or domestic supply. Consequently, discharge limitations that would be protective of a municipal beneficial use, as prescribed in Title 22, CCR, for nitrogen, pathogens and TDS, are not necessary for this discharge.

Stormwater

28. Federal regulations for stormwater discharges were promulgated by the U.S. Environmental Protection Agency on November 16, 1990, (40 CFR Parts 122, 123, and 124) to implement the Clean Water Act's stormwater program set forth in Clean Water Act section 402(p) (33 U.S.C. section 1342(p)). In part, the regulations require specific categories of facilities that discharge stormwater associated with industrial activity to "waters of the United States" to obtain NPDES permits requiring control of such pollutant discharges using Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to prevent and reduce pollutants and to implement any more stringent controls necessary to meet water quality standards. Facilities used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are within the confines of the Facility with a design flow of one million gallons a day or more or required to have an approved pretreatment program are under 40 CFR Part 403.
29. The Discharger submitted a survey report by a certified civil engineer dated September 27, 1995, certifying that a 1.5 foot earth berm is sufficient to retain the runoff from a 100-year, 24-hour storm within a retention area of 9.89 acres in the northwest corner of the property. The approximate footprint of the stormwater retention area is shown on the site map in Attachment C. Provided that the Discharger maintains the earth berm and is compliant with the conditions of this Board Order, stormwater generated at the Facility will be maintained on site.
30. This Board Order does not authorize the discharge of stormwater, process stormwater, or non-stormwater runoff from the composting Facility to surface waters. If the Discharger wishes to discharge runoff offsite, the Discharger must seek coverage under the Statewide General Permit for Discharges of Stormwater Associated with Industrial Activity or an individual NPDES permit for discharging runoff offsite.

CEQA and Public Participation

31. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these WDRs, which govern the operation of an existing Facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).
32. The Colorado River Basin Water Board has notified the Discharger and all known interested agencies and persons of its intent to draft WDRs for this discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
33. The Colorado River Basin Water Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order 97-108 is rescinded upon the effective date of this Board Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act, and regulations adopted thereunder, the Discharger shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastewater at a location other than the designated disposal areas is prohibited.
2. Composting, stockpiling or otherwise accepting the following materials is prohibited:
 - a. Demolition wastes,
 - b. Mixed construction debris,
 - c. Contaminated soils,
 - d. Sludges (including sewage sludge, water treatment sludge, and industrial sludge);
 - e. Septage;
 - f. Paper waste,
 - g. Liquid wastes other than those defined in Attachment B of this Board Order as leachate, wastewater, process stormwater, or washwater;
 - h. Animal carcasses, as defined in Attachment B of this Board Order.
 - i. Wastes classified as "hazardous" as defined in the CCR Title 22, Section 66261.3;
 - j. Wood containing lead-based paint or wood preservatives, or ash from such wood.
3. The discharge of any wastewater from the Facility to any surface waters or surface drainage courses is prohibited.
4. The discharge of waste to land not owned or authorized for such use by the Discharger is prohibited.
5. Surfacing or ponding of wastewater outside of the designated disposal locations is prohibited.
6. Discharge of stormwater, process stormwater, process water, or non-stormwater runoff from the composting Facility to surface waters of the State is prohibited.

B. Discharge Specifications

1. Transporting, stockpiling, compositing and processing operations shall not cause, or threaten to cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of CWC, respectively.
2. The total amount of raw material, in-process inventory and finished product stored at the site shall not exceed 50,000 tons at any given time.
3. Stormwater captured in the stormwater retention area must be transferred to the stormwater retention basin within 72 hours of the end of the storm event.

4. The Discharger shall reuse the water stored in the stormwater retention basin for dust control or windrow irrigation, or use an alternative disposal method, approved by the Colorado River Basin Water Board Executive Officer, to minimize the amount of water present in the stormwater retention basin by the beginning of the dry season.
5. If the stormwater retention basin is not dry on or after March 31 each year, the Discharger shall perform annual sampling of its contents, as required by the Monitoring and Reporting Program R7-2014-0006.
6. The Discharger shall minimize the potential for the piles of feedstocks, additives, amendments, or compost (active or stabilized) to become over saturated and generate leachate.
7. A minimum depth of two (2) feet of freeboard shall be maintained at all times in the stormwater retention basin.
8. The Facility shall be managed to retain all runoff from composting operation areas onsite as a result of precipitation from a 100-year, 24-hour storm event.
9. The stormwater retention basin shall have sufficient capacity to contain stormwater from a 100-year, 24-hour storm event.
10. Public contact with waste shall be precluded through such means as fences, signs, and other alternatives acceptable to the Colorado River Basin Water Board Executive Officer.
11. On-site wastes, including windblown spray from water application, shall be strictly confined to the lands specifically designated for the disposal operation, and on-site irrigation practices shall be managed so there is no runoff of process water from irrigated areas.

C. Groundwater Limitations

1. Discharge from the Facility shall not cause groundwater to:
 - a. Contain waste constituents in concentrations statistically greater than background water quality.
 - b. Contain constituents in excess of California Maximum Contaminant Levels (MCLs), as set forth in the California Code of Regulations, Title 22, Section 64426.1 for bacteriological constituents; Section 64431 for inorganic chemicals; Section 64432.1 for nitrates; and Section 64444 for organic chemicals.
 - c. Acquire taste, odor, toxicity, or color that creates nuisance or impairs beneficial use.

D. Provisions

Composting

1. Stockpiling and composting areas shall be at least:
 - a. 50 feet from property lines;
 - b. 500 feet from domestic supply wells;

- c. 100 feet from non-domestic supply wells;
 - d. 150 feet from any surface water bodies, excluding Imperial Valley Drains but including ephemeral streams;
 - e. 50 feet from Imperial Valley Drains.
2. The Discharger shall take adequate steps to ensure that there is no ponding of water at the site and that raw materials and/or compost are confined to storage and treatment areas.
 3. The Discharger shall immediately remove and relocate any wastes which are discharged at this site in violation of these requirements.
 4. The Discharger shall maintain on-site, in an orderly manner, trucking manifests (or their equivalent), for five years. These should clearly indicate the amounts, dates and sources/destinations of all incoming/outgoing material. These documents shall be available for Colorado River Basin Water Board staff review.
 5. One hundred eighty days prior to the cessation of the composting operations at the Facility, the Discharger shall submit a proposal for assessing the extent of contamination, if any, caused by the operations of the Facility; including, but not limited to assessing any contamination of soil, groundwater and on-site ponds. Within 90 days of approval of the proposal by the Colorado River Basin Water Board Executive Officer, the Discharger shall submit to the Colorado River Basin Water Board Executive Officer results of the contamination assessment and a closure plan for approval. The closure plan shall be implemented immediately after approval.

Stormwater

6. All stormwater discharges from this Facility must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies, regarding discharges of stormwater to stormwater drain systems or other courses under their jurisdiction.
7. Stormwater discharges from the Facility shall not cause or threaten to cause pollution or contamination.
8. Stormwater discharges from the Facility shall not contain hazardous substances equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.
9. The Discharger shall immediately notify Colorado River Basin Water Board staff of any flooding, slope failure or other change in site conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures.
10. The Discharger shall maintain a berm of a minimum height of 1.5 feet along the northern and western property boundaries within the stormwater retention area identified on the site map in Attachment C.
11. Annually, between July 1 and October 30 of each year, the Discharger shall conduct a comprehensive inspection of the drainage control and retention facilities, implement any necessary erosion control measures and complete any necessary construction, maintenance, and/or repairs to prevent erosion or flooding of the site and ensure compliance with WDRs prescribed under this Board Order.

12. Records of all inspections and maintenance activities associated with the waste containment facilities and precipitation and drainage control structures shall be retained and made available to the Colorado River Basin Water Board Executive Officer on request.

Standard Provisions

13. The Discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the Facility.
14. The Discharger shall comply with all of the conditions of this Board Order. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (CWC, section 13000 et seq.), and is grounds for enforcement action.
15. The Discharger shall comply with MRP R7-2014-0006, incorporated herein and made part of this Board Order by this reference, and future revisions thereto, as specified by the Colorado River Basin Water Board Executive Officer.
16. The Discharger shall not cause degradation of any water supply in accordance with State Water Board Resolution 68-16.
17. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
18. The Discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Colorado River Basin Water Board Executive Officer and in Monitoring and Reporting Program R7-2014-0006. Such specifications are subject to periodic revisions as may be warranted.
19. The Discharger shall at all times properly operate and maintain all facilities and structures installed or used by the Discharger to achieve compliance with this Board Order.
20. The Discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
21. The Discharger shall allow the Colorado River Basin Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter the premises regulated by this Board Order, or the place where records are kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, records kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by CWC, any substances or parameters at this location.
22. Ponds shall be managed to prevent breeding of mosquitoes. In particular,

- a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
23. Prior to implementing a modification that results in a material change in the quality or quantity of wastewater treated or discharged, or a material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Colorado River Basin Water Board, and obtain revised requirements.
24. Prior to a change in ownership or management of the Facility, the Discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Colorado River Basin Water Board.
25. The Discharger shall provide adequate notice to the Colorado River Basin Water Board Executive Officer of the following:
- a. The introduction of pollutants into any treatment Facility described in the Findings of this Board Order from an indirect Discharger which would be subject to Section 301 or 306 of the Clean Water Act, if the pollutants were discharged directly;
 - b. Any substantial change in the volume or character of pollutants introduced into any treatment Facility described in the Findings of this Board Order, by an existing or new source; and
 - c. Any planned physical alteration or addition to the facilities described in this Board Order, or change planned in the Discharger's sludge use or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order application process, or not reported pursuant to an approved land application plan.
26. The Discharger shall report orally, any noncompliance that may endanger human health or the environment. The noncompliance shall be reported immediately to the Colorado River Basin Water Board Executive Officer, and the Office of Emergency Services as soon as:
- a. The Discharger has knowledge of the discharge,
 - b. Notification is possible, and
 - c. Notification will not substantially impede cleanup or other emergency measures.

During non-business hours, the Discharger shall leave a message on the Colorado River Basin Water Board office voice recorder at (760) 346-7491. A written report shall also be provided within five (5) business days of the time the Discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The Discharger shall report all intentional or unintentional spills in excess of one thousand (1,000) gallons occurring within the Facility or collection system to the Colorado River Basin Water Board office in accordance with the above time limits.

27. The Discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the Discharger's next scheduled monitoring report required under

MRP R7-2014-0006, or earlier if requested by the Colorado River Basin Water Board Executive Officer, or if required by an applicable standard for sludge use and disposal.

28. The Discharger shall submit all documents required under this Board Order electronically in a searchable Portable Document Format (PDF) to the following email address: wdrs_paperless@waterboards.ca.gov. For documents that are 50 MB or larger, the Discharger shall mail an electronic copy of the document on a CD or other appropriate media, with a paper transmittal letter to the Colorado River Basin Water Board office in Palm Desert. For any figures that are larger than 8.5 inches by 14 inches (legal size), the Discharger shall transmit a paper copy as well as an electronic copy.
29. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
30. This Board Order does not convey property rights of any sort, or exclusive privileges, nor does it authorize injury to private property or invasion of personal rights, or infringement of federal, state, or local laws or regulations.
31. This Board Order may be modified, rescinded, or reissued, for cause. The filing of a request by the Discharger for a Board Order modification, rescission or reissuance, or notification of planned changes or anticipated noncompliance, does not stay any Board Order condition. Causes for modification include a change in land application plans, or sludge use or disposal practices, and adoption of new regulations by the State or Colorado River Basin Water Board (including revisions to the Basin Plan), or Federal government.

I, Robert Perdue, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on June 26, 2014.

Ordered By: _____
ROBERT PERDUE
Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

WASTE DISCHARGE REQUIREMENTS
FOR
BULL HOLDINGS CORPORATION, OWNER/OPERATOR
MANURE COMPOSTING FACILITY
El Centro – Imperial County

Location: Section 12, Township 16 South, Range 14 East, San Bernardino Baseline and
Meridian

A. General Monitoring

1. This Monitoring and Reporting Program (MRP) describes requirements for monitoring a wastewater system and groundwater quality (when needed). This MRP is issued pursuant to California Water Code (Water Code) section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.
2. Water Code section 13267 states, in part:

“In conducting an investigation specified in subdivision (a), the Colorado River Basin Water Board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the Colorado River Basin Water Board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the Colorado River Basin Water Board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”
3. Water Code section 13268 states, in part:

“(a) (1) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of Section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor, and may be liable civilly in accordance with subdivision (b). (b) (1) Civil liability may be administratively imposed by a Colorado River Basin Water Board in accordance with Article 2.5 (commencing with section 13323) of Chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”
4. The Discharger owns and operates the wastewater system that is subject to Board Order R7-2014-0006. The reports are necessary to ensure that the Discharger complies with the Board Order. Pursuant to Water Code section 13267, the Discharger shall implement the MRP and shall submit the monitoring reports described herein.

5. All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Colorado River Basin Water Board staff.
6. Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that:
 - a. The user is trained in proper use and maintenance of the instruments;
 - b. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
 - c. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
 - d. Field calibration reports are submitted as described in the "Reporting" section of this MRP.
7. The collection, preservation and holding times of all samples shall be in accordance with United States Environmental Protection Agency (USEPA) approved procedures. Unless otherwise approved by the Colorado River Basin Water Board Executive Officer, all analyses shall be conducted by a laboratory certified by the California Department of Public Health. All analyses shall be conducted in accordance with the latest edition of the "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136), promulgated by the USEPA.
8. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. In the event that continuous monitoring equipment is out of service for period greater than 24-hours, the Discharger shall obtain representative grab samples each day the equipment is out of service. The Discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. The Discharger shall report the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the Discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.
9. Samples shall be collected at the location specified in the WDRs. If no location is specified, sampling shall be conducted at the most representative sampling point available.
10. Given the monitoring frequency prescribed by MRP R7-2014-0006, if only one sample is available for a given reporting period, compliance with monthly average, or weekly average, Discharge Specifications will be determined from that sample.
11. The Discharger shall comply with the following:
 - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - b. The Discharger shall retain records of all monitoring information, copies of all reports required by this Board Order, and records of all data used to complete the

application for this Board Order, for a period of at least 5 years from the date of the sample, measurement, report or application.

- c. Records of monitoring information shall include:
 - i. The date, exact place, and time of sampling or measurements.
 - ii. The individual(s) who performed the sampling or measurements.
 - iii. The date(s) analyses were performed.
 - iv. The individual(s) who performed the analyses.
 - v. The analytical techniques or methods used; and
 - vi. The results of such analyses.

12. If the Facility is not in operation, or there is no discharge during a required reporting period, the Discharger shall forward a letter to the Colorado River Basin Water Board indicating that there has been no activity during the required reporting period.

Materials Monitoring

13. The materials monitoring program shall include the following information, submitted monthly:
- a. Quantity (cubic yards and wet tons) and description of manure received from each source;
 - b. Quantity (cubic yards and wet tons) and description of greenwaste received from each source;
 - c. Quantity (cubic yards and wet tons) and description of fertilizer received from each source;
 - d. Quantity of composted material (cubic yards and wet tons) shipped off-site on a monthly basis;
 - e. Estimated quantities of raw materials, in-process-inventory and finished products remaining on-site at the end of each month.

Operation and Maintenance

14. The discharger shall perform and report the following activities annually between July 1st and October 30th and report findings of the inspection with its annual report:

<u>Activity</u>	<u>Reporting Required</u>	<u>Reporting Period</u>
Conduct a comprehensive inspection of the drainage control and retention facilities and features (berms, stormwater retention area, stormwater retention basin), implement any necessary erosion control and vector control measures and complete any necessary construction, maintenance, and/or repairs to prevent erosion, flooding or other non-compliance with the Waste Discharge Requirements prescribed under Board Order R7-2014-0006	The findings of the inspection and corrective actions taken or scheduled, if any were found necessary	Annual

Stormwater Retention Basin Monitoring

15. Water in the stormwater retention basin shall be sampled annually during the month of April, if any water is present in the basin at that time. The samples shall be analyzed for the following:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>	<u>Reporting Period</u>
20°C BOD ₅	mg/L	Grab	Annually	Quarterly ¹
TDS	mg/L	Grab	Annually	Quarterly
Nitrate as N	mg/L	Grab	Annually	Quarterly
Total Nitrogen	mg/L	Grab	Annually	Quarterly
Phosphate	mg/L	Grab	Annually	Quarterly
Fecal coliform	MPN/100 mL ²	Grab	Annually	Quarterly

Flood Protection Monitoring

16. The Discharger shall inspect all internal and external flood protection facilities at least quarterly and following each storm which generates any stormwater flow through the drainage system. The results of these inspections shall be reported quarterly to the Colorado River Basin Water Board. If significant damage to the flood protection facilities is found, the Discharger shall report this information to the Colorado River Basin Water Board immediately by telephone at (760) 341-6829 and transmit by electronic mail within five business days of its occurrence the following information:

- a. Location and extent of damage
- b. Interim measures to be taken to assure that wastes are discharged from the Facility; and
- c. Time schedule for any necessary repairs.

17. The discharge of any wastes other than those allowed in Board Order R7-2014-0006 shall be reported to the Colorado River Basin Water Board immediately upon the Discharger becoming aware that non-compliance has occurred, along with details of the proposed cleanup measured and mitigation steps that will be taken in order to prevent future violations.

Daily Surveillance Monitoring

18. Any discharge, observed through daily surveillance monitoring, of raw or processed manure or other compost material to the Acacia Canal as a result of truck spillage, equipment use, runoff, wind transport, or other means, shall be reported to the Colorado

¹ Results of stormwater retention pond sampling shall be reported with the third Quarterly Report due on July 15th of every year.

² Most Probable Number per 100 milliliters

River Basin Water Board, Imperial County Environmental Health & Consumer Protection Services, and Meadows Elementary School within 24 hours of the observation.

19. The Discharger shall notify Colorado River Basin Water Board staff by telephone or email as soon as possible, but no later than within 24 hours, of any off-site discharge of any wastewater from the Facility, such as the wastewater from the stormwater retention basin or the stormwater retention area. Within five working days, this notification shall be followed by a written report including the following:
 - a. The approximate date and time of the discharge;
 - b. Flow rate and duration of the discharge;
 - c. Type and source of the discharge;
 - d. Location(S) where discharge(s) occurred;
 - e. Cause of the discharge;
 - f. Water sample collection point, with chain of custody records; and
 - g. Description of corrective actions implemented.

B. Reporting

1. The Discharger shall inspect and document any operation/maintenance problems by inspecting each unit process. Operation and Maintenance reports shall be submitted to the Colorado River Basin Water Board annually.
2. The Discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the Facility is operating in compliance with the WDRs. Where appropriate, the Discharger shall include supporting calculations (e.g., for monthly averages).
3. The results of any analysis taken, more frequently than required at the locations specified in this MRP, shall be reported to the Colorado River Basin Water Board.
4. Report by telephone or fax to the Colorado River Basin Water Board, Imperial County Environmental Health & Consumer Protection Services, and Meadows Elementary School, within 24 hours of receipt of sampling results, all downstream values of fecal coliform exceeding 400 MPN.
5. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this MRP.
6. Each Report shall contain the following statement:
 - a. "I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations".

7. Monitoring reports, and other information requested by the Colorado River Basin Water Board, shall be signed by a principal executive officer or ranking elected official.
8. A duly authorized representative of the Discharger may sign the documents if:
 - a. The authorization is made in writing by the person described above;
 - b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and
 - c. The written authorization is submitted to the Colorado River Basin Water Board's Executive Officer.
9. The Discharger shall report any failure in the Facility. The incident shall be reported immediately to the Colorado River Basin Water Board Executive Officer as soon as:
 - a. The Discharger has knowledge of the discharge,
 - b. Notification is possible, and
 - c. Notification will not substantially impede cleanup or other emergency measures.
10. Results of analyses performed shall be provided within 15 days of sample collection.
11. The Discharger shall attach a cover letter to each monitoring report. The information contained in the cover letter shall clearly identify violations of the WDRs, discuss corrective actions taken or planned, and the proposed time schedule of corrective actions. Identified violations should include a description of the requirement that was violated and a description of the violation.
12. Daily, weekly, and monthly monitoring shall be included in the monthly monitoring report. Monthly monitoring reports shall be submitted to the Colorado River Basin Water Board by the 15th day of the following month. Quarterly monitoring reports shall be submitted by January 15th, April 15th, July 15th and October 15th. Annual monitoring reports shall be submitted to the Colorado River Basin Water Board by January 15th of the following year.
13. The Discharger shall submit electronically all documents and correspondence required under this Board Order in a searchable Portable Document Format (PDF) to the following e-mail address:

RB-7wdrs_paperless@waterboards.ca.gov

All information required to be submitted to the Colorado River Basin Water Board in accordance with this Board Order must be emailed prior to the regulatory due date. For documents that are 50 MB or larger, the Discharger shall mail an electronic copy of the document on a CD or other appropriate media, with a paper transmittal letter. For any figures that are larger than 8.5 inches by 14 inches (legal size), the discharger shall transmit a paper copy as well as an electronic copy to the Colorado River Basin Water Board. All media and paper documents shall be mailed to:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring, Suite 100
Palm Desert, CA 92260

14. Other addresses and contact information necessary for compliance with this monitoring and reporting program are listed below:

Jeff Lamoure, Deputy Director, and
Roger Berger, Drinking Water Specialist
Environmental Health & Consumer Protection Services
797 W. Main Street, Ste. B
El Centro, CA 92243
Tel.: (760) 336-8530, Fax: (760) 352-1309

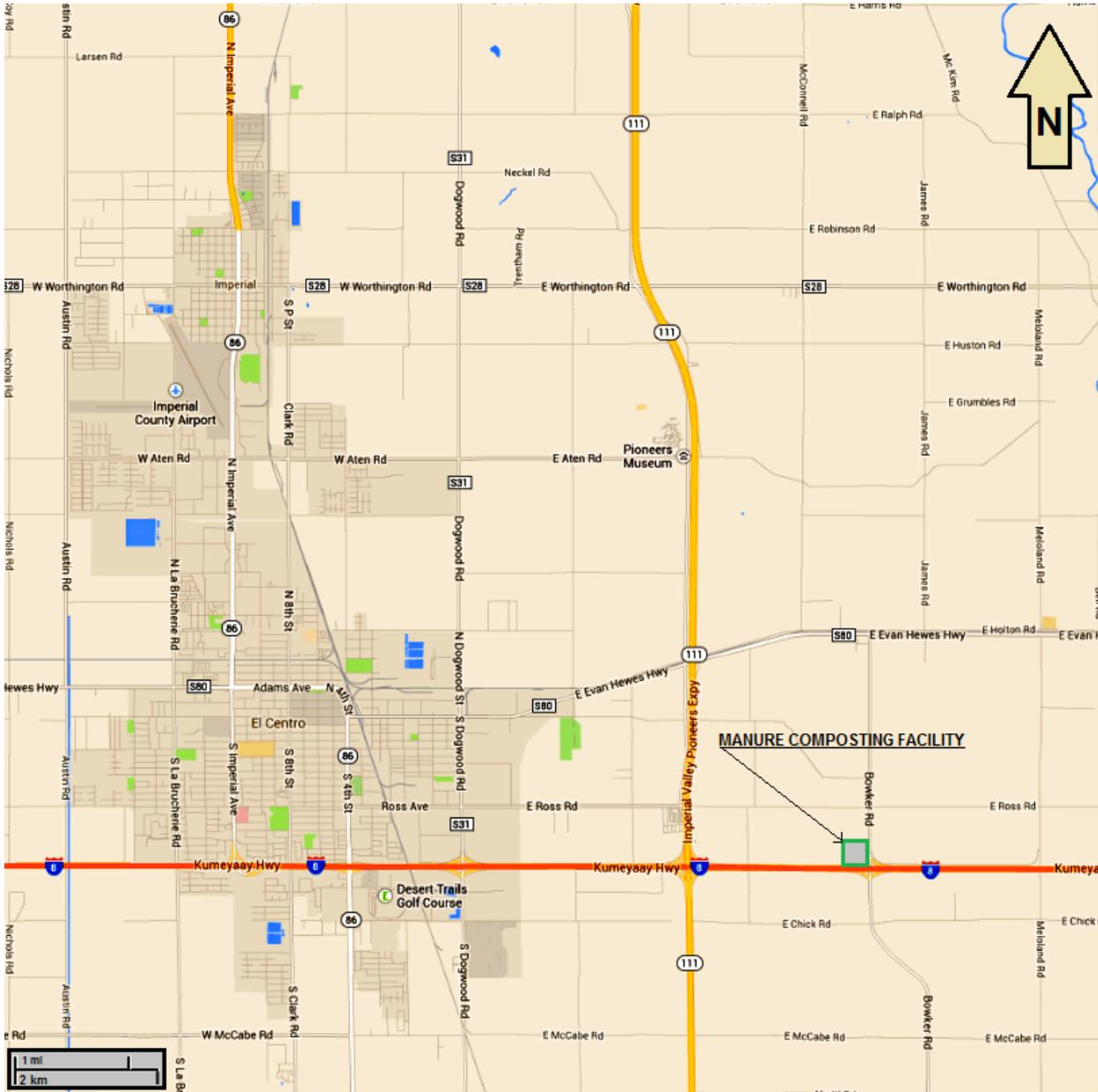
Ron Jesse, Operations and Maintenance
Meadows Elementary School
2059 Bowker Road
El Centro, CA 92243
Tel.: (760) 352-7512, Fax: (760) 337-1275

ROBERT PERDUE
Executive Officer

Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

Attachment "A"



VICINITY MAP
BULL HOLDINGS CORPORATION, OWNER/OPERATOR
MANURE COMPOSTING FACILITY
El Centro – Imperial County

Attachment "B"

DEFINITIONS

The following terms used in Waste Discharge Requirements for Bull Holdings Corporation, Owner/Operator, Manure Composting Facility, Board Order R7-2014-0006 have a narrow scope of meaning, for the purposes of this Board Order defined as follows:

amendments – materials added to stabilized compost to provide attributes for certain compost products, such as product bulk, product nutrient value, product pH, and soils blend. Amendments do not include substances prohibited from being composted, stockpiled or otherwise accepted at this Facility under Board Order R7-2014-0006.

animal carcass – any whole or part (including, but may not be limited to the flesh, organs, blood, bones, and marrow) of a carcass of a bird, fish, or mammal.

commercial fertilizer – those fertilizers which are traditionally used and accepted by the farming community; does not include experimental fertilizer or materials prohibited by the Board Order from being composted at this Facility.

compost – a product resulting from the controlled biological decomposition of chicken or steer manures or manures blended with greenwaste and/or commercial fertilizer.

feedstock – incoming raw waste materials approved for treatment and storage in the production of compost.

greenwaste – organic plant material including leaves, grass clippings, weeds, tree trimming, garden wastes, untreated wood wastes and shrubbery cuttings.

leachate – any liquid formed by the drainage of liquids from, or percolation/flow of liquids through any feedstock, additive, amendment, or active compost pile.

process water - liquid that is generated during (e.g., leachate) or used in (e.g., water) the production of compost.

process stormwater – any form of precipitation which either: (falls) into, or otherwise comes into contact with any feedstock, additive, amendment, and/or active compost pile, and runs off the aforementioned piles without flowing through the pile; or (2) comes into contact with either leachate or washwater.

washwater – refers collectively to a type of washwater generated from the washing of vehicles and/or equipment.

wastewater - refers collectively to, but may not be limited to any compost leachate, washwater, process stormwater, process water runoff, or any stormwater coming into contact with: any pile containing feedstocks, additives, amendments, compost (active or stabilized), or combinations thereof; any residual materials derived from feedstocks, additives, amendments, or compost (active or stabilized); or any other wastewaters at the Facility.

Attachment "C"



SITE LAYOUT
BULL HOLDINGS CORPORATION, OWNER/OPERATOR
MANURE COMPOSTING FACILITY
El Centro – Imperial County