

ITEM NO. 7

October 23, 2009

ERRATA SHEET

Resolution No. R8-2009-0028
Conditional Waiver of Statutory Requirements
to File a Report of Waste Discharge and
to Adopt Waste Discharge Requirements for the Use of Compost Products
for Erosion Control Application on Fire- or Disaster-Impacted Lands
Within the Santa Ana Region

(Language added is underlined)

(Language deleted is ~~strike-out~~)

1. Resolution No. R8-2009-0028, Page 5 of 12, Attachment A, make the following changes:

“**Food waste** consists of or contains only pre-process and post-process waste derived from plants, or foods processed or produced at commercial or institutional food facilities such as restaurants, ~~food processors,~~ grocery stores; cafeterias (such as prisons, schools, and hospitals); and other facilities as defined in Health and Safety Code Section 113789 and its amendments thereafter; ~~grocery stores; institutional cafeterias (such as prisons, schools, and hospitals);~~ or residential food scrap collection.”

2. Resolution No. R8-2009-0028, Page 7 of 12, Item 6 of Attachment B, make the following changes:

"6. No raw organic materials (such as raw greenwaste and sewage sludge) shall be utilized in the disaster-impacted areas. Only fully-composted organic materials (mature compost) meeting the minimum required environmental health standards of Title 14, California Code of Regulations, Division 7, Chapter 3.1, Article 7, and the United States Composting Council's (USCC) Seal of Testing Assurance (STA) program shall be used for erosion control application in the fire-impacted or disaster-stricken areas. Stricter standards may be required by the RA."



California Regional Water Quality Control Board

Santa Ana Region



Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

September 23, 2009

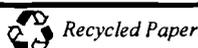
United States Environmental Protection Agency, Region 9 – Lauren Fondahl
State Water Resources Control Board, DCWP, Land Disposal – Leslie Graves
State Water Resources Control Board, Division of Water Quality – Liz Haven
State Water Resources Control Board, Office of Chief Counsel – David Rice
California Integrated Waste Management Board, Sacramento – Brenda Smyth
California Integrated Waste Management Board, Sacramento – Gerald Berumen
Caltrans, Sacramento – Gregory Balzer
Caltrans, District 8 – Cathy Jochai
State Department of Health Services, San Bernardino – Heather Collins
State Department of Toxic Substances Control, Cypress - Karen Baker
Orange County Waste & Recycling – Michael Giancola
Orange County Health Care Agency, Local Enforcement Agency – Kathy Cross
Riverside County Waste Management Department – Hans Kernkamp
Riverside County Department of EH Services, LEA – Sam Martinez
San Bernardino County Department of Public Works, SWMD – Peter Wulfman
San Bernardino County Department of Public Health, EHS, LEA – Paula Harold
University of California Riverside, Dept. of Environmental Sciences – Dr. David Crohn
Association of Compost Producers – Dan Noble
P. F. Ryan and Associates, Inc. – Paul Ryan
California Association of Sanitation Agencies – Greg Kester
Attached mailing list – Region 8 MS4 permittees

Ladies and Gentlemen:

Enclosed is a copy of tentative Resolution No. R8-2009-0028 for your review and comments. Resolution No. R8-2009-0028 conditionally waives the requirement to file a report of waste discharge and the issuance of waste discharge requirements for the application of compost products in disaster-impacted areas for which the Governor has proclaimed a state of emergency. The Regional Board supports the use of compost products for erosion and sediment control to protect life or property in disaster-impacted areas. A copy of the tentative Resolution is also available on our website at http://www.waterboards.ca.gov/santaana/board_decisions/tentative_orders/index.shtml on or after September 24, 2009.

This Resolution is scheduled for consideration by the Regional Board at the **October 23, 2009** regular Board meeting. The Board meeting will start at 9:00 a.m. and will be held at the City Council Chambers, 25541 Barton Road, Loma Linda. Although all comments that are provided up to and during the public hearing on this matter will be

California Environmental Protection Agency



September 23, 2009

considered, please provide your comments by **October 7, 2009**, so that they may be considered in any revision of the draft Resolution that will be presented to the Board at the hearing. The draft Resolution may contain changes resulting from comments received from you and others. To view and/or download a copy of the revised draft Resolution, please access our website at http://www.waterboards.ca.gov/santaana/board_info/agendas/2009_agendas.shtml on or after October 19, 2009.

If you have any questions, please contact Joanne Lee of my staff at (951) 782-3291 or you may contact me at (951) 782-3295.

Sincerely,

A handwritten signature in black ink that reads "Dixie B. Lass". The signature is written in a cursive, flowing style.

Dixie B. Lass, Chief
Land Disposal Section

Enclosure: Tentative Resolution No. R8-2009-0028 and Staff Report

D:\My Documents\Joanne Lee\DATA2\Composting\Biosolids\r8-2009-0028.letter.doc

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California Regional Water Quality Control Board
Santa Ana Region

Staff Report

October 23, 2009

ITEM:

SUBJECT: Conditional Waiver of statutory requirements to file a Report of Waste Discharge and to adopt Waste Discharge Requirements for the use of compost products for erosion control application on fire- and disaster-impacted lands within the Santa Ana Region, Resolution No. R8-2009-0028

DISCUSSION:

The Santa Ana Regional Water Quality Control Board (hereinafter Regional Board) prescribes Waste Discharges Requirements (WDRs) for waste discharges in accordance with California Water Code (CWC) §13263. Many types of discharges, however, do not contain a significant amount of pollutants, and have no significant effect on the quality and beneficial uses of the waters of the State if applicable laws, conditions, and regulations established by local and state agencies are complied with. It is in the best interest of the public and the Regional Board not to expend the limited resources that are available to regulate discharges that have an insignificant potential to affect water quality.

CWC §13269 allows the Regional Board to waive the Report of Waste Discharge (ROWD) and WDRs for specific types of discharges where such a waiver is not against the public interest. Such waivers are conditional and may be modified and terminated by the Regional Board at any time.

Disasters, especially those declared by the Governor as a state of emergency, such as wildfire, flood, storm, earthquake, land subsidence, and landslide, can result in mass destruction of private and public property, loss of vegetation in undeveloped open space habitats, and severe erosion potential in burned and unstable areas. Water quality impacts downgradient from disaster-impacted areas subject to severe erosion can be significant, and slope stability in residential areas may be significantly compromised without the implementation of emergency erosion control measures.

Compost derived from organic materials such as yard waste, animal manures, and biosolids, has been used in recent years for effective erosion control and for successful re-vegetation of potentially erodible and disturbed areas. Compost products, such as compost blankets, filter berms, and socks, are manufactured from compost that has undergone the composting processes required in Chapter 3.1, Division 7, Title 14, California Code of

Regulations (Title 14) to break down the organic materials, to create a stabilized product, and to kill pathogens and weed seeds. Compost and compost products, when applied as specified, have also demonstrated improvements in stormwater runoff quality.

To stabilize slopes and to protect water quality, the Regional Board supports the use of compost and compost products for effective erosion control and rapid vegetation reestablishment in disaster-impacted areas for which the Governor has proclaimed a state of emergency declaration.

This resolution requires that the Responsible Agencies with lands within the Santa Ana Region that have been impacted by disasters for which the Governor has proclaimed a state of emergency, notify the Regional Board by filing a Notice of Intent (Attachment C) prior to compost application, and a Notice of Termination (Attachment D) after project completion. It also requires compliance with the waiver conditions (Attachment B) for applying compost and compost products for erosion control on disaster-impacted lands.

A one-time application of compost for erosion control on disaster-impacted lands would not pose a significant threat to water quality, and would not be against the public interest, as long as the discharge complies with the conditions of this Resolution, and is consistent with the Santa Ana Water Quality Control Plan (Basin Plan) and the California's Strategic Directives for organic waste recycling.

This conditional waiver only applies to emergency projects undertaken to maintain, repair, or restore property damaged or destroyed as a result of a disaster in which a state of emergency has been proclaimed by the Governor. Therefore, the Regional Board's action to waive ROWDs and WDRs for these emergency projects are statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations §15269(a).

On October 10, 1999, Senate Bill 390 amended CWC §13269. As amended, CWC §13269 stipulates that all existing waivers must be reviewed every five years prior to renewal or termination. The Regional Board will conduct a review in five years to determine whether to renew or terminate this conditional waiver pursuant to CWC §13269. The Regional Board retains its authority to modify or terminate this conditional waiver at any time, to issue waste discharge requirements, and to administer enforcement remedies pursuant to CWC §13263(a) and §13300, et seq., respectively.

RECOMMENDATION:

Adopt Resolution No. R8-2009-0028 as presented.

Comments were solicited from the following agencies:

United States Environmental Protection Agency, Region 9 – Lauren Fondahl
State Water Resources Control Board, DCWP – Leslie Graves
State Water Resources Control Board, Division of Water Quality – Liz Haven
State Water Resources Control Board, Office of Chief Counsel – David Rice
California Integrated Waste Management Board, Sacramento – Brenda Smyth
California Integrated Waste Management Board, Sacramento – Gerald Berumen
Caltrans, Sacramento – Gregory Balzer
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San Bernardino County Department of Public Works, SWMD – Peter Wulfman
San Bernardino County Department of Public Health, EHS Div., LEA – Paula Harold
University of California Riverside, Dept. of Environmental Sciences – Dr. David Crohn
Association of Compost Producers – Dan Noble
P. F. Ryan and Associates, Inc. – Paul Ryan
California Association of Sanitation Agencies – Greg Kester
Santa Ana Region (8) MS4 Permittees

California Regional Water Quality Control Board
Santa Ana Region

Resolution No. R8-2009-0028

Conditional Waiver of Statutory Requirements
to File a Report of Waste Discharge and
to Adopt Waste Discharge Requirements for the Use of Compost Products
for Erosion Control Application on Fire- or Disaster-Impacted Lands
Within the Santa Ana Region

WHEREAS, the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board), finds that:

1. Devastating wild fires, especially those ultimately declared a State of Emergency by the Governor, can result in mass destruction of private and public property and undeveloped open space habitats. Many fire-ravaged areas are located in canyons and terrain where vegetation is perhaps the most important factor in controlling erosion during rainfall events. With the loss of vegetation in wildfires, the erosion potential in burned areas is likely to be severe, especially during the rainy season, which typically is from October 15th through April 15th.
2. Apart from wildfires, other disasters such as flood, storm, earthquake, land subsidence, and landslide can cause massive earth movement, and can create unstable slopes that necessitate earthwork construction and re-vegetation to stabilize slopes and to implement best management practices for erosion and sediment control in the disaster-impacted areas.
3. Water quality impacts downgradient from disaster-impacted areas subject to severe erosion can be significant, and slope stability in residential areas may be significantly compromised without the implementation of emergency erosion control measures.
4. In recent years, compost and compost-based products have been used for effective erosion control and for successful re-vegetation of potentially erodible and disturbed areas. Mature compost derived from organic materials such as yard waste, animal manures, and biosolids is used by some industries to make erosion control products such as compost blankets, filtration socks, and berms. Mature compost is a fully-composted product that has undergone composting processes as required in Chapter 3.1, Division 7, Title 14, California Code of Regulations (Title 14) to break down the organic materials, to create a stabilized product, and to kill pathogens and weed seeds. When compost and compost-based erosion control products are applied as specified, they can help reduce erosion by dissipating energy from falling rain; improve runoff quality by reducing soil erosion and pollutant runoff; promote vegetation growth by increasing the water holding capacity of the soil; and release healthy organic matter into the soil. Compost-based best management practices (BMPs) have been demonstrated to remove as much or more sediment and pollutants from stormwater as traditional perimeter controls, such as silt fences. The United States Environmental Protection Agency (U.S. EPA) has recommended the use of compost products for erosion and sediment control.

5. To stabilize slopes in impacted areas and to protect water quality, the Regional Board supports the use of appropriate compost products for effective erosion control and rapid reestablishment of vegetation in burned areas. Appropriate compost products consist of fully-composted organic materials derived from greenwaste, animal manures, food waste, and Class A or Exceptional Quality (EQ) biosolids. The compost products used must meet the composting standards of Title 14 and must be certified under the United States Composting Council's (USCC's) Seal of Testing Assurance (STA) program. A list of terms with definitions is provided in Attachment A of this Resolution.
6. California Water Code (CWC) §13260(a)(1) requires that any person, city, county, district, or other entity discharging, or proposing to discharge, wastes within the Santa Ana Region that could affect the quality of waters of the state, other than into a community sewer system, must file a report of waste discharge (ROWD) with the Regional Board.
7. CWC §13263(a) requires that the Regional Board prescribe waste discharge requirements (WDRs) for any existing or proposed waste discharges within its area of jurisdiction, except discharges into a community sewer system, even if no ROWD has been filed.
8. CWC §13269 authorizes Regional Boards to waive WDRs for a specific discharge or specific types of discharges where such a waiver is not against the public interest.
9. CWC §13269(c) gives the Regional Board the authority to conditionally waive the requirement to file an ROWD and the issuance of WDRs for immediate emergency work necessary to protect life or property in disaster-stricken areas for which the Governor has proclaimed a state of emergency, provided that certain conditions are met.
10. In recognition of a state of emergency declaration proclaimed by the Governor for a wildfire or other disaster, a conditional waiver of the requirements set forth in CWC §13260(a)(1) and §13263(a) for the one-time, limited use of compost products for emergency erosion control on disaster-impacted lands within the region would not be against the public interest as long as the discharge complies with the conditions of this Resolution, and is consistent with the Water Quality Control Plan, Santa Ana River Basin (Basin Plan). A one-time application of compost products for emergency erosion control on disaster-impacted lands in compliance with the waiver conditions and the Basin Plan do not pose a significant threat to water quality. As such, it is appropriate to waive the monitoring requirements for this type of discharge.
11. The waiver of WDRs for discharges that do not pose a significant threat to water quality, where such waiver is not against the public interest, would enable staff resources to be used effectively and avoid unnecessary expenditures of these limited resources.
12. The emergency nature of these disaster-related discharges precludes the lengthy process of applying for and receiving WDRs.

13. On October 10, 1999, Senate Bill (SB) 390 amended CWC §§13269 and 13350. SB 390 includes the following:
 - a. Requires the Regional Boards to review and renew or terminate all waivers every five years;
 - b. Requires the Regional Boards to conduct a public hearing prior to renewing any waiver for a specific type of discharge in order to determine whether the discharge should be subject to general or individual WDRs;
 - c. Imposes a duty on the Regional Boards and the State Water Resources Control Board to enforce the waiver conditions;
 - d. Expands the authority of the Regional Boards to take enforcement action for violations of waiver conditions and 401 certifications.
14. The waiver conditions specified in Attachment B of this Resolution include, but are not limited to:
 - a. The duration of applicability of this Resolution for erosion control application of the compost products on disaster-impacted lands;
 - b. Compost product and application specifications; and
 - c. Minimum setback requirements for compost-based erosion control application.
15. This waiver is conditional, may be modified or terminated at any time, and will expire in five years. Pursuant to CWC §13269(f), prior to renewing the waiver, the Regional Board will review the terms of the waiver policy at a public hearing and determine whether the discharge should be subject to general or individual WDRs.
16. Responsible Agencies (RAs), defined as the public entities who have control over the disaster-impacted lands and who seek to apply compost products for erosion control on disaster-impacted lands, are required to:
 - a. Notify the Regional Board by completing a Notice of Intent (Attachment C of this Resolution) prior to compost product application;
 - b. Comply with waiver conditions specified in Attachment B of this Resolution; and
 - c. File a Notice of Termination (Attachment D of this Resolution) with the Regional Board within thirty days after the completion of compost product application in the disaster-impacted areas.
17. This waiver of ROWDs and issuance of WDRs is statutorily exempt from the California Environmental Quality Act [Title 14, California Code of Regulations, §15269(a)] because the waiver would apply only to emergency projects undertaken to maintain, repair, or restore land damaged or destroyed as a result of a disaster where a state of emergency has been proclaimed by the Governor.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to CWC §13269, the Regional Board hereby waives the requirements to submit an ROWD and establish WDRs for the use of compost products for erosion control on lands within the Santa Ana Region impacted by wildfires or disasters where a state of emergency has been declared by the Governor, provided that the conditions set forth in Attachment B to this Resolution are met.
2. The conditions set forth in Attachment B of this Resolution are applicable to RAs who seek to apply compost products on lands impacted by wildfires or other disasters where a state of emergency has been declared by the Governor pursuant to Chapter 7, Division 1 of Title 2 of the Government Code.
3. This conditional waiver of the statutory requirements contained in CWC §§13260(a) and (c), 13263(a), and 13264(a) expires on **October 23, 2014**. The Regional Board shall conduct a review to renew or terminate this conditional waiver pursuant to CWC §13269.
4. Any waiver of waste discharge requirements is conditional; may be modified or terminated at any time; does not authorize or excuse an illegal discharge; does not preclude the need for any permits, licenses, or authorizations that may be required by other state or local governmental agencies or landowners; and does not preclude the Regional Board from issuing waste discharge requirements and administering enforcement remedies pursuant to CWC §13263(a) and §13300, et seq., respectively.
5. The Executive Officer is hereby directed to distribute this Resolution to interested agencies and parties.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Santa Ana Region, on October 23, 2009.

Gerard J. Thibeault
Executive Officer

ATTACHMENT A
RESOLUTION NO. R8-2009-0028

DEFINITIONS

Animal manures are agricultural materials, and refer to accumulated herbivore or avian excrement. This definition shall include feces and urine, and any bedding material, spilled feed, or soil that is mixed with feces or urine

Biosolids is sewage sludge that has been treated and tested, and shown to be capable of being beneficially and legally used as a soil amendment for agriculture, silviculture, horticulture, and land reclamation activities as specified under U.S. EPA 40 CFR Part 503. Sewage sludge is defined as the solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a municipal wastewater treatment facility. Sewage sludge includes solids removed or used during primary, secondary, or advanced wastewater treatment processes. Sewage sludge does not include grit or screening material generated during preliminary treatment of domestic sewage at a municipal wastewater treatment facility.

- **Class A biosolids** are biosolids that meet the vector attraction and pollution concentration limits specified in 40 CFR Part 503, and pathogen reduction standards specified in 40 CFR Part 503.32(a).
- **Exceptional Quality (EQ) biosolids** are biosolids that meet the metals standards, the Class A pathogen reduction standards, and the vector attraction reduction standards contained in 40 CFR Part 503.13 (Table 3), 40 CFR Part 503.32, and 40 CFR Part 503.33, respectively.

Food waste consists of or contains only pre-process and post-process waste derived from plants, or foods processed or produced at food facilities such as restaurants, food processors, and other facilities as defined in Health and Safety Code Section 113789 and its amendments thereafter; grocery stores; institutional cafeterias (such as prisons, schools, and hospitals); or residential food scrap collection.

Greenwaste means any plant material that is separated at the point of generation, contains no greater than 1.0 percent of physical contaminants by weight, and meets the requirements of Title 14, California Code of Regulations (Title 14), §17868.5. Greenwaste includes, but is not limited to, yard trimmings, untreated wood wastes, natural fiber products, and construction and demolition wood wastes. Greenwaste does not include food material, biosolids, mixed solid waste, material processed from commingled collection, wood containing lead-based paint or wood preservative, mixed construction or mixed demolition debris [Title 14, §17852(a)(22)]

Responsible Agency (RA) – A local, governmental agency responsible for compost product application in the fire- or disaster-impacted areas.

Seal of Testing Assurance (STA) program – The USCC’s STA program is a compost testing, labeling, and information disclosure program designed to provide information needed to get the maximum benefit from the use of compost products.

Test Methods for the Evaluation of Composting and Compost (TMECC) - Approved nationwide compost testing system developed and published by the USCC for the evaluation of composting and compost carry the Seal of Testing Assurance (STA).

United States Composting Council (USCC) is a national, non-profit trade and professional organization promoting the recycling of organic materials through composting (www.compostingcouncil.org).

Yard waste means any wastes generated from the maintenance or alteration of public, commercial or residential landscapes including, but not limited to, yard clippings, leaves, tree trimmings, prunings, brush, and weeds

ATTACHMENT B
RESOLUTION No. R8-2009-0028

WAIVER CONDITIONS

1. This conditional waiver does not become active and available until the following occurs:
 - a. The Governor of California issues a proclamation, pursuant to Government Code Sections 8625 and 8558(b), identifying a portion of the Santa Ana Region as being in a state of emergency.
2. For any given declared state of emergency, this conditional waiver is only in effect temporarily and shall expire under the following conditions:
 - a. The state of emergency declared by the Governor for a portion of the Santa Ana Region expires, or
 - b. The Regional Board takes action to terminate enrollment of individuals or all dischargers temporarily granted a waiver, or
 - c. Twelve (12) months has elapsed since the Governor issued a declaration of the state of emergency for a portion of the Santa Ana Region.
3. Prior to the use of compost products for erosion control within the fire- or other disaster-impacted areas, the Responsible Agency (RA) shall complete and file a Notice of Intent, Attachment C of this Resolution, with the Regional Board. Technical information submitted with the Notice of Intent shall demonstrate compliance with the compost specifications set forth in Table 1, below.
4. Land application of compost products for erosion control shall be limited to a one-time application on any disaster-impacted areas within the 12-month period after the Governor has declared a state of emergency for that portion of lands within the Santa Ana Region.
5. Land application of compost products for erosion control in the disaster-impacted areas shall not create or contribute to conditions of pollution or nuisance as defined by CWC §13050.
6. No raw organic materials (such as raw greenwaste and sewage sludge) shall be utilized in the disaster-impacted areas. Only fully-composted organic materials (mature compost) meeting the environmental health standards of Title 14, California Code of Regulations, Division 7, Chapter 3.1, Article 7, and the United States Composting Council's (USCC) Seal of Testing Assurance (STA) program shall be used for erosion control application in the fire-impacted or disaster-stricken areas.

7. Compost products shall be derived from any single, or mixture of, the following feedstock materials:
 - a. Greenwaste;
 - b. Class A and/or Exceptional Quality biosolids meeting the United States Environmental Protection Agency (USEPA) 40 CFR Part 503 rules;
 - c. Animal manures; and
 - d. Food waste.

8. Compost products for erosion control and vegetation re-establishment shall be applied in accordance with the following specifications:

Table 1

Parameter/ Test Method	Compost Blanket		Compost Filter Berm or Sock	
	Vegetated	Unvegetated	• Filter Berms	• Filter Socks
Particle size (% passing screen) TMECC 02.02-B	<ul style="list-style-type: none"> • 100% passing 3" • ≥ 90% passing 1" • ≥65 % passing ¾" • ≤75% passing ¼" • 6" max particle length 	<ul style="list-style-type: none"> • 100% passing 3" • ≥ 90% passing 1" • ≥65 % passing ¾" • ≤75 % passing ¼" • 6" max particle length 	<ul style="list-style-type: none"> • 100% passing 3" • ≥ 90% passing 1" • ≥70% passing ¾" • 30-60 % passing ¼" • 6" max particle length 	<ul style="list-style-type: none"> • 99 (100) % passing 2" • 10-30% passing 3/8" • 2" max particle length
Moisture content (% wet weight basis) TMECC 03.09-A	30-60 %	30-60 %	30-60 %	30-60 %
Soluble salt concentration (EC5) TMECC 04.10-A	< 10 dS/m	< 10 dS/m, less is preferred	≤ 10 dS/m	≤ 10 dS/m
Organic matter Content (dry weight basis) TMECC 05.07-A	25-65 %	25-100%	25-100 %	25-65 %
pH TMECC 04.11-A	6.0 - 8.5	6.0 – 8.5	6.0 - 8.5	6.0 – 8.5
Physical Contaminants (dry weight basis) TMECC 02.02-C	≤ 0.5% plastic; 1% total with no sharps	≤ 0.5 % plastic; 1% total with no sharps	≤ 0.5 % plastic; 1% total with no sharps	≤ 0.5 % plastic; 1% total with no sharps
Application	¾" - 1" depth	1½ - 2" depth	1 – 1½' high, 2 – 3' wide	Determined by sock dimensions

Stability (Carbon Dioxide Evolution Rate) TMECC 05.08-B	$\frac{< 8 \text{ mg CO}_2\text{-C}}{\text{g OM-day}}$	$\frac{< 8 \text{ mg CO}_2\text{-C}}{\text{g OM-day}}$	$\frac{< 8 \text{ mg CO}_2\text{-C}}{\text{g OM-day}}$	Not applicable
Maturity (% emergence) TMECC 05.05-A	$\geq 80\%$	$\geq 80\%$	$\geq 80\%$	Not applicable
Fecal coliform and Salmonella TMECC 07.01-B	Pass (Fecal Coliform <1,000 MPN/gram dry weight Salmonella <3 MPN/4 grams dry weight)	Pass	Pass	Pass

9. Compost staging and application areas shall be at least:

- a. 50 feet from occupied onsite residences;
- b. 100 feet from non-domestic water supply wells;
- c. 500 feet from domestic water supply wells or reservoirs;
- d. 100 feet from surface waters, including wetlands, creeks, ponds, lakes, underground aqueducts, and marshes, and
- e. 100 feet from occupied non-agricultural buildings and offsite residences.

10. The RA shall complete and file a Notice of Termination, Attachment D of this Resolution, within thirty (30) days after the completion of compost product application in the designated areas.

11. The RA shall notify the Executive Officer of the Regional Board of:

- a. Any changes to the information submitted in the NOI; and
- b. Any noncompliance with the waiver conditions.

The RA shall notify the Regional Board orally within 24 hours from the time it becomes aware of the circumstances, and shall submit the notification in writing within five working days from the date of discovery.

12. The RA shall comply with all waiver conditions of this Resolution for compost application for erosion control. Violations may result in enforcement action, including enforcement orders requiring corrective action or imposing civil monetary liability, or termination of applicability under this waiver.

CALIFORNIA RWQCB, SANTA ANA REGION
 3737 Main Street, Suite 500
 Riverside, California 92501-3348



ATTACHMENT C
NOTICE OF INTENT

TO APPLY COMPOST WITHIN FIRE- & DISASTER-IMPACTED AREAS
 IN COMPLIANCE WITH EMERGENCY RESOLUTION NO. R8-2009-0028

I. RESPONSIBLE AGENCY/PROPERTY OWNER INFORMATION

Name:			
Contact:			
Agency Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

II. COMPOST PRODUCER INFORMATION (Use additional pages as needed)

Name:			
Contact:			
Company Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

III. COMPOST APPLIER INFORMATION (Use separate application for each)

Name:			
Contact:			
Company Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

IV. COMPOST PRODUCT INFORMATION

Only compost products meeting the state (Title 14 CCR, Division 7, Chapter 3.1) composting regulations, and certified under the US Composting Council's (USCC) Seal of Testing Assurance (STA) Program shall be applied within the fire-impacted or disaster-impacted areas. Compost products shall be derived from any single type of source material, or from a mixture of Class A/EQ biosolids; greenwaste consisting of chipped, shredded vegetation and clean, untreated, recycled, processed wood products; animal manures; and mixed food waste.

Please attach a copy of the STA-certified Compost Technical Data Sheet for the compost products to demonstrate compliance with compost specifications listed in Table 1, Attachment B of Resolution No. R8-2009-0028.

V. COMPOST APPLICATION INFORMATION

Proposed date(s) compost application begins:
Proposed date(s) compost application ends:
Size of compost application areas (in acres):

Est. quantity of compost for application (in dry tons/acre & yd ³ /acre):
Proposed thickness of compost blankets (no more than 2 inches):
Coordinates (Lat./Long. from center) of proposed compost application areas:

Please provide a map, at least 1:24,000 (1" = 2,000"), showing the area (identified by latitude and longitude coordinates from center) and boundaries where compost products will be applied, where any other best management practices (BMPs, Part VI, below) will be implemented, and nearby surface water bodies, wells and residence, including any setbacks and buffer zones.

VI. DESCRIPTION OF BEST MANAGEMENT PRACTICES

Describe any other BMPS that will be implemented to stabilize the disaster-impacted areas, to control erosion, and to minimize the discharge of pollutants to waters of the state. Use additional pages as needed.

VII. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments 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 fine and imprisonment.

Signature (Authorized Representative of the Responsible Agency)	Date
Print Name	Title
Telephone Number	Email

FOR REGIONAL BOARD USE ONLY		
Receipt date:	Acceptable:	Yes No
Reviewed by:	Recommendation:	
Date:	Tracking ID: R8-2009-0028-_____	

CALIFORNIA RWQCB, SANTA ANA REGION
 3737 Main Street, Suite 500
 Riverside, California 92501-3348



**ATTACHMENT D
 NOTICE OF TERMINATION**

OF COMPOST APPLICATION WITHIN FIRE- & DISASTER-IMPACTED AREAS
 IN COMPLIANCE WITH RESOLUTION NO. R8-2009-0028

I. COMPOST APPLICATION INFORMATION

Responsible Agency/Property Owner Name:
Compost Producer Name(s):
Compost Applier Name:
Tracking ID: R8-2009-0028-_____
Date(s) compost application began:
Date(s) compost application completed:
Quantity of compost applied: (in dry tons/acre and cubic yards/acre)
Size of compost application areas (in acres):
Thickness of compost blankets applied:

Please provide a map, at least 1:24,000 (1" = 2,000"), showing the area (identified by latitude and longitude coordinates from center) and boundaries where compost products will be applied, where any other best management practices (BMPs, Part VI, below) will be implemented, and nearby surface water bodies, wells and residence, including any setbacks and buffer zones.

II. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments 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 fine and imprisonment.

Signature (Responsible Agency or Authorized Representative)	Date
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Print Name	Title
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FOR REGIONAL BOARD USE ONLY	
Receipt date:	Acceptable: Yes No
Reviewed by:	Recommendation:
Date:	