

**State of California
California Regional Water Quality Control Board
Santa Ana Region**

**Minutes of September 16, 2011 Board Meeting
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine, CA 92618**

1. Chair Beswick called the meeting to order at 9:03 A.M.

Board Members Present

Carole Beswick, Chair
Steven PonTell, Vice-Chair
William Ruh
Richard Freschi
Mark Murai

Board Members Absent

Seymour Van Gundy
Fred Ameri
Linda Ackerman

Staff Members Present

Kurt V. Berchtold, Executive Officer
David Rice, Regional Board Counsel
Michael J. Adackapara, Supervising Water Resource Control Engineer
Joanne Schneider, Environmental Program Manager
Mark Smythe, Chief of Coastal Stormwater
Hope Smythe, Chief of Basin Planning – Inland
Mary Bartholomew, Environmental Scientist
Michelle Beckwith, Environmental Scientist
Felipa Carrillo, Executive Assistant
Kevin Heinemann, Staff Information Systems Analyst

Public Attendance

Anna LeMay, Castellon & Funderburk, LLP	Emilio Acosta, Bruce Metal
Mark Norton, SAWPA	Yogesh Gala, Continental Recycling
Garry Brown, OC Coastkeeper	Marsha Westropp, OCWD
Lindsay Maine, SA Recycling	Jayne Joy, EMWD
Terry Adams, SA Recycling	Debbie Burris, DDB Engineering, Inc.
Eric Sprege, Six Pac Recycling	Mario B. G.
Colin Kelly, OC Coastkeeper	Edward Filadelfia, City of Riverside
Ray Hiemstra, OC Coastkeeper	Tang Li, D&M Metals
Jake Yooh, A & M Metals	Andy Malone, Wildermuth Environmental
Mark Baker, Contech Const. Products	Jack Nelson, Yucaipa Valley Water District
Tom Bois, Bois & MacDonald	Kenneth J. Pretell, CRRC
Michael Wellborn, FHBP	George Camano, REA Stormwater Online
Scott Maloni, Poseidon Resources	Jesus Garcia, Garcia Recycling
Don Lee, Tetra Tech	Haplan Christianson, PES Engineering
Timothy Simpson, AMEC Geomatrix	Roger Griffin, Ecology Auto Parts
Tim Mares, Frog Environmental, Inc.	

2. **Public Forum**

None

3. State Water Resources Control Board (SWRCB) Liaison Report

Tam Doduc, State Water Board Member, thanked the EO, Kurt Berchtold for his participation in the stakeholder group to develop an underground storage tank policy. She is optimistic to be able to have the State Board consider a draft policy early next year.

Ms. Doduc indicated there are two bills on the Governor's desk regarding Underground Storage Tanks (USTs):

The first bill would extend, from January 1, 2012 until January 1, 2014, the sunset date of the \$0.006 per gallon fee that is deposited into the UST Cleanup Fund. The fee is used to reimburse eligible UST owners and operators for cleaning up soil and groundwater contamination resulting from the unauthorized release of petroleum from USTs, thereby protecting water quality and public health.

The second bill would require Regional Water Boards and all local agencies that oversee the cleanup of leaking USTs to electronically submit specified information on each UST site to the State Board and authorize the State Board to close UST sites that are under the jurisdiction of a local implementing agency (LIA), upon petition by a UST owner/operator.

Ms. Doduc said that Matt Rodriguez, the new CalEPA Secretary, may attend the next WQCC meeting, and has already attended the All-Staff meeting. The feedback from people about him is that he is experienced, knowledgeable and practical in his approach, and willing to help us achieve our goals. Ms. Doduc announced that the State Board is losing Reed Sato to DTSC as their new Chief Counsel.

Ms. Doduc announced that they are preparing to release a final draft version of the proposed regulations for onsite wastewater treatment systems. A workshop is being held to discuss and receive comments on October 19th, in Riverside.

Finally, a three-day State Board meeting/workshop/hearing is scheduled for next week to discuss proposed fees under the approved budget act for FY 11/12. A list of fee increases will be presented by staff.

Chair Beswick presented Steve PonTell with Resolution No. R8-2011-0084, recognizing his valuable participation as a Board Member, and as Vice-Chair in 2011. Steve PonTell was first appointed to the RWQCB in 2008 by Governor Schwarzenegger in the Recreation, Fish & Wildlife category.

She also noted that Member Seymour Van Gundy and Member Greg Morrison would no longer be serving on the Board and that their efforts on behalf of the Board and water quality would be recognized at a later date, when, hopefully, they could be present. They will all be missed.

4. Approval of the Minutes

Motion: It was moved by Member PonTell, seconded by Member Freschi, and unanimously approved that the Minutes of the July 15, 2011 Board Meeting be adopted as presented.

5. ***Consent Calendar**

*6. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement for Michael and Kaysie Smith**

Motion: It was moved by Member Ruh, seconded by Member Murai, and unanimously approved that the exemption From the minimum lot size requirements requested by Michael and Kaysie Smith be granted.

7. **Sector-Specific General Permit for Storm Water Runoff Associated with Industrial Activities From Scrap Metal Recycling Facilities within the Santa Ana Region (NPDES No. CAG618001) Order No. R8-2011-0011**

(Information pertaining to this item is contained in a verbatim transcript of the proceedings)

Mark Smythe, Chief of Storm Water (Coastal), presented the item. This was a public hearing on tentative Order No. R8-2011-0011, Sector-Specific General Permit for Storm Water Runoff Associated with Industrial Activities From Scrap Metal Recycling Facilities within the Santa Ana Region. The tentative Order was written based on a framework developed by a group of stakeholders and provides technology-based and water quality-based effluent limitations for approximately 50 scrap metal recycling facilities within Region 8, as well as an improved monitoring program.

Commenters:

Garry Brown, Coastkeeper; Lindsay Maine, SA Recycling; Terry Adams, SA Recycling; Timothy Simpson, AMEX Geomatrix; Anna LeMay, Castellón & Funderburk, LLP; Roger Griffin, Ecology Auto Parts; Tom Bois, Ecology Auto Parts; Kenneth Pretell, CRRC, and Tim Mares, Frog Environmental Inc.

Executive Officer Berchtold asked for the opportunity to consider the comments that were heard today and consider whether to propose any further revisions to the permit based on those comments. His recommendation to the Board is to close the hearing and direct staff to bring a permit back for consideration of adoption at a future meeting.

Motion: It was moved by Member Ruh, seconded by Member Freschi and unanimously agreed to close the hearing and continue this item to the October 28, 2011 Board Meeting.

8. **Basin Monitoring Program Task Force: Determination of Groundwater Management Zone Ambient Quality (information item).**

Mr. Berchtold provided introductory comments concerning the regulatory significance of the update of ambient water quality for the region's groundwater management zones. He explained how the 2004 Salt Management Plan requires determination of TDS and nitrate-nitrogen ambient water quality every three years. The resulting calculation is compared to TDS and nitrate-nitrogen basin plan objectives to determine if assimilative capacity exists. Assimilative capacity findings are used to specify appropriate waste discharge requirements.

Mark Norton, of SAWPA and the Basin Plan Monitoring Program Task Force administrator, provided an introduction to the Task Force's activities to calculate TDS and nitrate-nitrogen ambient quality.

Andy Malone, Senior Scientist for Wildermuth Environmental, presented a brief background of how the Basin Monitoring Program Task Force re-calculated ambient quality. He said the Task Force utilized data results for a 20-year period. He discussed some of the methods used to gather and evaluate that data. The re-calculation uses the same methodology as was done for the 2004 Salt Management Plan which is very important for data comparison purposes.

Mr. Malone discussed the analysis conducted to interpret the ambient water quality results using key well analysis. As an example of the interpretive analysis, Mr. Malone mentioned the Orange County management zone, which showed an increase of TDS ambient quality as a result of new wells that have been drilled to monitor water quality near the Orange County seawater intrusion barrier project. However, an analysis of key wells in the Orange County recharge area (outside of the influence of seawater intrusion) indicates water quality is improving.

9. Hazardous Waste Incident Report

Informational item.

10. Underground Storage Tanks Corrective Action Plans

Informational item

11. Underground Storage Tanks Site Closure Report

Informational item

12. Regional Board Member and Executive Officer Communications

None.

13. Closed Session

No closed session.

14. Adjournment

The meeting was adjourned at 11:55 A.M. to the next regular Board meeting of October 28, 2011 at 9:00 A.M., at the City of Loma Linda, 25541 Barton Road, Loma Linda, CA 92354.

Respectfully submitted:

KURT V. BERCHTOLD

Executive Officer

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