

California Regional Water Quality Control Board
Santa Ana Region

Minutes of April 15, 2005
City Council Chambers
25541 Barton Road
Loma Linda

1. Chair Beswick called the meeting to order at 9:10 a.m.

Board Members Present

Board Members Absent

Carole Beswick, Chair
Fred Ameri, Vice-Chair
William Ruh
Jose Solorio
Seymour Van Gundy
John Withers – Via teleconference for Consent Calendar

Staff Members Present

Gerard J. Thibeault, Executive Officer
Jorge León, Office of Chief Counsel
Kurt V. Berchtold, Assistant Executive Officer
Joanne E. Schneider, Environmental Program Manager
Michael J. Adackapara, Supervising Water Resource Control Engineer
Hope Smythe, Chief of Basin Planning (Inland Waters)
Jun Martirez, Chief of Regulations
Milasol Gaslan, Chief of Storm Water (Inland Waters)
Mary Bartholomew, Environmental Scientist
Susan Beeson, Sanitary Engineering Associate
Kathy Rose, Environmental Scientist
Cindy Li, Engineering Geologist
Ann Iaali, Environmental Scientist
Patrice Copeland, Engineering Geologist
Kevin Heinemann, Staff Information Systems Analyst
Catherine A. Ehrenfeld, Staff Services Analyst

State Board Representative

None present

Public Attendance

James Donich, Orange County Transportation Authority
Rick Grebner, Orange County Transportation Authority
Ralph E. Kersey, Downtown Auto Wrecking
Greg Woodside, Orange County Water District
Eric Wanh, Sunkist Growers, Inc.
Eddie L. Catoe, Senator Nell Soto's Office
James Walker, Tetra Tech

Public Forum

There were no speakers.

2. Approval of Minutes

Action: It was moved by Member Solorio, seconded by Member Ruh and unanimously approved that the Minutes of March 4, 2005 be approved as presented.

3. Consent Calendar

Member Withers participated in consideration of the Consent Calendar by telephone. Member Solorio did not participate in consideration of the Consent Calendar. It was noted that Items No. 9, 14 and 15 had errata.

- *5. Salt Management Plan – Monitoring Program – Resolution No. R8-2005-0063
- *6. Chino Basin and Cucamonga Basin Maximum Benefit Monitoring Program – Resolution No. R8-2005-0064.
- *7. SanTimoteo and Yucaipa Management Zones Maximum Benefit Monitoring Program – Resolution No. R8-2005-0065.
- *8. San Timoteo and Beaumont Management Zones Maximum Benefit Monitoring Program – Resolution No. R8-2005-0066
- *9. Waste Discharge Requirements for Sunkist Growers, Inc. Order No. R8-2005-0034. (NPDES No. CA 80000364)
- *10. Water Recycling Requirements, Inland Empire Utilities Agency and Chino Basin Watermaster, San Bernardino County – Order No. R8-2005-0033.
- *11. Waste Discharge Requirements for Orange County Transportation Agency – Order No. R8-2005-0055.
- *12. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement– Lisa Abdi, 19990 Rockwell Road, Corona, Riverside County
- *13. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement– Mr. and Mrs. Seiler, 16133 Saddle Crest Place, Riverside County.
- *14. Appeal to the Regional Board for an Exemption from the Minimum Lot Size Requirement based on the use of an Alternative Disposal System – David and Roberta Velasquez.
- *15. Resolution Regarding Funding from the State Water Resources Control Board (SWRCB) Emergency, Abandoned and Recalcitrant Site Account – Resolution No. R8-2005-0067.

Action: It was moved by Member Ruh, and seconded by Member Van Gundy that the Board adopt Resolutions No. R8-2005-0063, R8-2005-0064, R8-2005-0065, R8-2005-0066, and R8-2005 (with errata), adopt Orders No. R8-2005-0034 (with errata), R8-2005-0033, and R8-2005-0055) and approve the exemptions from minimum lot size requirements requested by Lisa Abdi, Mr. and Mrs. Seiler and David and Roberta Velasquez (with errata), as presented. A roll call vote was taken, and the motion was approved with a 5-0 vote.

16. Administrative Civil Liability Complaint, Joe Borba, San Bernardino County — Order No. R8-2005-0056.

This item has been settled and no Board action was necessary.

17. Administrative Civil Liability Complaint, I.D.I., San Bernardino County — Order No. R8-2005-0057.

This item has been settled and no Board action was necessary.

18. Administrative Civil Liability Complaint, Johnson Bateman Company, Inc., San Bernardino County — Order No. R8-2005-0014.

This item has been settled and no Board action was necessary.

19. Administrative Civil Liability Complaint, Altawood, Inc., San Bernardino County — Order No. R8-2005-0016.

Information pertaining to this item is contained in a verbatim transcript.

Mary Bartholomew, Environmental Scientist, reviewed the General Industrial Permit and Annual Report requirements. A non-compliance summary for Altawood and staff recommended penalty structure was also reviewed. Staff recommended that the \$3,000 penalty proposed in the complaint be increased to \$5,000. The basis for the recommended change is that Altawood still has not submitted their annual report. As long as the report continues not to be submitted, they continue to be in violation and can be subject to further Administrative Civil Liability action. There being no representatives or interested parties for Altawood, Board Chair Beswick closed the hearing. Jorge León, Board Legal Counsel, suggested that staff replace the name on the Attention line in the order from Mr. Jeff Baerenwald to Herbert Gleicke, the owner, in addition adding "to date, Altawood has failed to submit the Annual Report, which was due July 1, 2004", to paragraph number 2 on Order No. R8-2005-0016.

Action: It was moved by Member Ruh, seconded by Member Solorio and unanimously approved that the Board adopt Order No R8-2005-0016, revised to include a penalty of \$5,000 and the additional amendments proposed by Legal Counsel.

This item has additional information concerning Altawood following Item No. 30, the Executive Officer's Report.

23. Administrative Civil Liability Complaint, Downtown Auto Wrecking, San Bernardino County. Order No. R8-2005-0062.

Information pertaining to this item is contained in a verbatim transcript.

Mary Bartholomew, Environmental Scientist, reviewed the General Industrial Permit and Annual Report requirements. A non-compliance summary for Downtown Auto Wrecking and staff recommended penalty structure was also reviewed.

Speaker on the item:

Ralph Kersey, representing owner Steve Reich and Downtown Auto Wrecking.

Action: It was moved by Member Solorio, seconded by Member Ruh and unanimously approved that the Board adopt Order No. R8-2005-0062.

20. Administrative Civil Liability Complaint, E L Yeager Construction Company, Riverside County — Order No. R8-2005-0022.

This item has been settled and no Board action was necessary.

21. Administrative Civil Liability Complaint, E L Yeager Construction Company, Riverside County — Order No. R8-2005-0024.

This item has been settled and no Board action was necessary.

22. Administrative Civil Liability Complaint, United Warehouse & Distribution Corporation, Riverside County — Order No. R8-2005-0060.

This item has been settled and no Board action was necessary.

24. Mandatory Penalty Complaint, Johnston Sweeper Company, San Bernardino County — Order No. R8-2005-0018.

This item has been settled and no Board action was necessary.

25. Mandatory Penalty Complaint, 220 Laboratories, Inc., Riverside County — Order No. R8-2005-0058.

This item has been settled and no Board action was necessary.

26. Mandatory Penalty Complaint, South Gate Engineering, LLC, San Bernardino County — Order No. R8-2005-0020.

This item has been settled and no Board action was necessary.

27. Mandatory Penalty Complaint, Newark Paperboard Products, Riverside County — Order No. R8-2005-0059.

This item has been settled and no Board action was necessary.

28. Mandatory Penalty Complaint, RSI Home Products, Riverside County — Order No. R8-2005-0061.

This item has been settled and no Board action was necessary.

29. Status Report on Rialto-Colton-Fontana Perchlorate Investigation

This item contained a written report. Robert Holub, Supervising Water Resources Control Engineer, updated the Board on recent events concerning the Rialto/Colton investigation. Regarding the County of San Bernardino's Cleanup and Abatement Order, in late March, staff was notified by the City of Rialto that they had sampled Rialto Well No. 3 and perchlorate was detected at 7.4 ppb. The CAO requires the County to immediately replace the water being provided by Well No. 3 if perchlorate is detected above 4.0 ppb. It also requires the County to provide replacement water for Well No. 3 by April 1st. Currently, Well No. 3 is not operating, which is a normal practice for this time of year. If the City of Rialto needs water prior to completion of the County's new treatment plant, expected by the end of July, the County has agreed to replace the water that would normally come from that well. It is staff's opinion that the County is meeting the intent of the CAO right now, since the City does not currently need the water. The County will provide replacement water to the City when it is needed. If they do not, then we would recommend enforcement action. The County continues to perform field activities. They have installed 1 of 4 groundwater monitoring wells and are in the process of drilling the

second monitoring well. Six extraction wells, to contain the perchlorate plume upgradient of Well No. 3, are expected to be completed by January 2006.

Regarding the Pyro Spectaculars/Thomas Peters/Whittaker CAO, Pyro and Peters have completed soil investigations and have requested two extensions to the deadline for submitting a work plan for installing monitoring wells. Recently the AEO extended the deadline to May 10th. Whittaker is currently performing their soil investigation.

Emhart/Black & Decker submitted petitions to the State Board for review of the CAO that the EO issued in late February and Emhart/Black & Decker requested that those petitions be held in abeyance.

Board staff met with Goodrich the week following the last board meeting. Goodrich has acknowledged additional work needs to be done and they are preparing a work plan.

Pyro Spectaculars' report on their former burnpit is expected to be submitted on Monday, April 18, 2005.

30. Executive Officer's Report

Joanne Schneider, Environmental Program Manager, advised the Board that staff had been asked by a consultant for the Monte Vista Water Company whether waste discharge requirements would be necessary for a project by the Water Company to inject State Project Water in the Chino Basin using aquifer storage wells. Ms. Schneider indicated that staff believed that it would be appropriate to issue waste discharge requirements, in part to confirm the amount, quality and location of imported water and storm water recharge that is part of the Chino Basin Watermaster and Inland Empire Utilities Agency nitrogen and TDS maximum benefit commitments. She also indicated that consideration of a general permit might be appropriate for other, similar recharge projects. However, the issuance of a general permit would require that the Board complete the CEQA process. Depending on the timing of the Monte Vista project, an individual permit may need to be proposed.

Ann Iaali, Environmental Scientist, followed up with the Board on the septic tank failure problems in Quail Valley and Canyon Lake, discussed in a written report at last month's Board Meeting. Canyon Lake is included on the 303d list of impaired waters. In March 2004, investigating a complaint, and working with staff from Canyon Lake Code Enforcement, it was discovered that septic tank waste waters were flowing down the gutters into storm drains and to Canyon Lake. Samples were taken by Board staff, Canyon Lake staff and Elsinore Valley Municipal Water District and all samples revealed elevated levels of bacteria. Working with Elsinore Valley Municipal Water District, Canyon Lake and the POA of Canyon Lake, a short-term solution of installing a storm drain diversion, which would divert these waters to the sewer system when it's not raining, was constructed. A survey conducted in March 2005 revealed that 134 homes in the area are having severe septic tank problems. 84% of these homeowners want to be connected to a sewer system. Next steps include involving the sewer agencies, water agencies, County and City agencies, to come up with short-term and long-term solutions. One solution would be a prohibition of septic system use and a requirement that residences connect to the sewer. This would require a Basin Plan Amendment, which would involve public workshops, town hall meetings and Board presentations. Board staff is working with the Riverside County Public Health Officer to deal with this issue as well.

19. Administrative Civil Liability Complaint, Altawood, Inc., San Bernardino County — Order No. R8-2005-0016.

Information pertaining to this item is contained in a verbatim transcript.

Representatives from Altawood arrived at the Board Meeting late (approximately 10:10 am) and after the Board acted on the above Order. Jorge León, Board Legal Counsel, recommended to

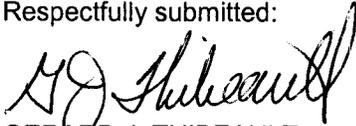
the Board that they consider Mr. Gleicke's reason for his lateness. If Mr. Gleicke can present good cause to re-open the matter, it is within the Boards discretion to re-open the matter and hear the merits of his case. Mr. Gleicke addressed the Board to explain the lateness of their arrival and requested re-opening the hearing.

Action: It was moved by Member Ameri, seconded by Member Ruh and unanimously approved that the Board not re-open the hearing based on the fact that Mr. Gleicke did not present good cause to re-open the hearing.

29. Adjournment

The Board was adjourned to the regular meeting of May 27, 2005 at 9:00 a.m., at Regional Water Quality Control Board, 3737 Main St., Riverside.

Respectfully submitted:



GERARD J. THIBEAULT
Executive Officer

/cae