

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

STAFF REPORT FOR REGULAR MEETING OF DECEMBER 10, 2009

Prepared on November 9, 2009

ITEM NUMBER: 16

SUBJECT: **Rescission of Waste Discharge Requirements for J.R. Simplot Company dba Simplot Soilbuilders (Order No. 92-58) and enrollment in the *General Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities* (Order No. R3-2005-0001)**

KEY INFORMATION

Discharger: Simplot Grower Solutions
Location: 312 Guadalupe Street, Guadalupe, Santa Barbara County
Discharge Type: Fertilizer and pesticide residues
Treatment: None
Disposal: Farm application
Existing Order: Individual WDR Order No. 92-58
This Action: Rescind Individual Order and enroll in Regionwide General Order

SUMMARY

The Central Coast Regional Water Quality Control Board (Water Board) adopted Waste Discharge Requirements Order No. 92-58 to regulate discharge of fertilizer and pesticide residues from Simplot's Guadalupe Facility. Based upon information provided in a Notice of Intent and gained through Water Board staff inspections of the facility, Simplot qualifies for enrollment under the Central Coast Water Board's General Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities (General Order No. R3-2005-0001). Staff proposes that the Simplot Grower Solutions' Guadalupe Facility be enrolled under the General Order concurrent with rescission of its individual waste discharge requirements.

BACKGROUND

Section 13263(e) of the Porter-Cologne Water Quality Control Act authorizes Regional Water Quality Control Boards to review waste discharge requirements periodically. The State Legislature has found that many older Orders are out of date and therefore do not implement State laws, regulations, and revised Water Quality Control Plans. It is time to review Waste Discharge Requirements for Simplot Grower Solutions (formerly J.R. Simplot and hereafter Discharger).

The Central Coast Water Board last adopted Waste Discharge Requirements for these facilities in 1992. Water Board staff inspected the facilities and reviewed the Discharger's file for the following items:

- a. Compliance with the Water Quality Control Plan, statewide plans and policies, and federal and state laws and regulations;

- b. Correspondence;
- c. Compliance Inspection Reports;
- d. Self Monitoring Reports;
- e. Active enforcement orders; and
- f. Significant changes in discharge volume or characteristics or in the beneficial uses of receiving waters.

DISCUSSION

Simplot Grower Solutions is located at 312 Guadalupe Street, Guadalupe, Santa Barbara County. The facility receives, stores and supplies agricultural chemicals, such as fertilizers and pesticides. Fertilizers and pesticides are maintained under a roof or contained in storage vessels providing protection from storm runoff, drainage to waterways, or percolation to underlying groundwater. The Discharger's product spillage is promptly cleaned up and applied to fields, recovered for sale, or properly disposed of. Fertilizer- and/or pesticide-containing rinse water is added to applied product. Sanitary waste is discharged to the City of Guadalupe wastewater facility. Simplot Grower Solutions' Guadalupe Facility meets the conditions for enrollment under General Order No. R3-2005-0001. Rather than revise the existing order, staff recommends the Discharger be regulated by General Order No. R3-2005-0001, *Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities*, adopted by the Central Coast Water Board on March 25, 2005.

The General Order implements applicable Water Board prohibitions, discharge specifications, management practices, and provisions to protect water quality. When the discharge is regulated by the General Order, the individual Waste Discharge Requirements will not be necessary and; therefore, Water board staff recommends that the Water Board rescind Order No. 92-58.

ENVIRONMENTAL SUMMARY

Waste Discharge Requirements for existing facilities are exempt from provisions of the California Environmental Quality Act (Public Resource Code, Section 21100 et seq.) in accordance with Section 15301, Chapter 3, Title 14 of the California Administrative Code.

COMMENTS

By letter dated November 9, 2009, staff notified the Discharger of its recommendation to rescind Waste Discharge Requirements Order No. 92-58 and approved enrollment of the Discharger under the General Order. No comments or objections were received.

RECOMMENDATION

Rescind Waste Discharge Requirements Order No. 92-58 and enroll facility in the General Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities, Order No. R3-2005-0001.

ATTACHMENT

Existing Order No. 92-58

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