

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF JANUARY 31-FEBRUARY 1, 2013
(Prepared on December 18, 2012)

ITEM NUMBER: 15

SUBJECT: Rescission of Waste Discharge Requirements for NH3 Service Company, Inc. - Hollister (Order No. 97-40) and enrollment in the *General Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities* (Order No. R3-2005-0001)

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KEY INFORMATION

Discharger: NH3 Service Company - Hollister
Location: 2790 Buena Vista Road, Hollister, San Benito County
Discharge Type: Fertilizer and pesticide residues and stormwater mixture
Design: None
Disposal: Farm application and hauling for off-site disposal
Capacity: None
Recycling: None
Existing Orders: Individual WDR Order No. 97-40
This Action: Rescind Individual Order and enroll in Regionwide General Order

SUMMARY / DISCUSSION

Order No. 97-40, Waste Discharge Requirements for Cal-Agra, Inc. (now NH3 Service Company) was adopted by the Central Coast Water Board on September 9, 1997, and regulates wastewater discharges from the NH3 Service Company facility at 2790 Buena Vista Road in Hollister, San Benito County. At the NH3 Service Company - Hollister facility, all fertilizers and pesticides are contained in storage vessels or buildings providing protection from storm runoff, drainage to waterways, or percolation to underlying groundwater. Fertilizer and pesticide-containing rinse water is applied with product to agricultural land. After review of the historical and current discharge data, Water Board staff determined that the wastewater discharge meets all the requirements for enrollment under the General Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities, Order No. R3-2005-0001. Therefore, Order No. 97-40 is no longer necessary and can be rescinded.

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 Central Coast Water Board rescind Order No. 97-40.

COMPLIANCE HISTORY / STATUS

The Discharger has chronically failed to submit annual self-monitoring reports. Data has not been submitted from 2009 through 2012. The Discharger claims that the facility changed ownership in 2008 and compliance staff were not aware of their reporting requirements.

POTENTIAL PROBLEMS

Fertilizer and pesticide retail facilities are a potential risk to groundwater contamination due to the concentration of product stored and common mismanagement of product spills. This Discharger has historically failed to submit reports; therefore, Water Board staff does not have sufficient data to determine potential impacts to groundwater. The Discharger's enrollment under the General Order clarifies its monitoring requirements and staff will verify compliance and take or recommend appropriate enforcement if non-compliance continues.

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 AND RESPONSES

By letter dated November 15, 2012, staff notified the Discharger of its recommendation to rescind Waste Discharge Requirements Order No. 97-40 and approved enrollment of the Discharger under the General Order. No comments have been received regarding this proposed action.

RECOMMENDATION

Rescind Waste Discharge Requirements Order No. 97-40.

ATTACHMENTS

None