
Central Valley Regional Water Quality Control Board

30 October 2020

CERTIFIED MAIL
7019 2970 0001 5202 4184

Jerry Havens, Operator
Synagro West, LLC
13757 Harmon Road
Dos Palos, CA 93620

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Kent Hirdes, Owner
Hirdes Ranch
20751 Fowler Avenue
Turlock, CA 95380

NOTICE OF APPLICABILITY (NOA); STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2004-0012-DWQ-0029; GENERAL WASTE DISCHARGE REQUIREMENTS FOR THE DISCHARGE OF BIOSOLIDS TO LAND FOR USE AS A SOIL AMENDMENT IN AGRICULTURAL, SILVICULTURAL, HORTICULTURAL, AND LAND RECLAMATION ACTIVITIES; SYNAGRO WEST LLC AND KENT HIRDES; SYNAGRO-KENT HIRDES BIOSOLIDS RANCH; MERCED COUNTY

PLEASE READ CAREFULLY – THIS NOTICE OF APPLICABILITY (BEGINNING ON PAGE 3) INCLUDES LEGAL REQUIREMENTS FOR THE NITRATE CONTROL PROGRAM

On 5 August 2020, Synagro West LLC submitted a Notice of Intent (NOI) and application fee for coverage under the State Water Resources Control Board's Water Quality Order 2004-0012-DWQ, *General Waste Discharge Requirements for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities* (General Order). The NOI was signed by Michael Kotelec with Synagro West, LLC and Kent Hirdes owner of the Kent Hirdes Ranch.

According to the NOI, Synagro West LLC plans to apply biosolids from various municipal generators throughout California, to approximately 418 acres of agricultural land owned by Kent Hirdes in Merced County. Both Synagro West, LLC and Kent Hirdes are collectively and jointly referred to as "Discharger" for the purpose of this Notice of Applicability (NOA). Supplemental information to support the application was provided on 9 September, 14 September, and 30 September 2020.

Central Valley Water Board staff's review of the August 2020 NOI is discussed in more detailed in the attached staff memorandum. Based on the information provided in the NOI, and supplemental information, this project meets the conditions for enrollment under the enclosed General Order. All the requirements contained within the General Order described as applicable to Sewage Sludge – Class "B" biosolids apply to your application. The discharge is hereby covered under **enrollee number 2004-0012-DWQ-0029**. Please include this number on all correspondence related to this discharge.

PROJECT LOCATION

The proposed project includes applying between four to seven tons of biosolids per year on approximately 418 acres of agricultural land owned by Kent Hirdes in north eastern Merced County (biosolids application area). The Kent Hirdes Ranch is approximately five miles northwest of Snelling (37° 35' 25" N, 120° 28' 36" W), Assessor Parcel Numbers (APNs) 038-080-003 and 038-100-001, as shown in **Attachment A**.

This portion of Merced County is within the Sacramento and San Joaquin River Basins. The operative *Water Quality Control Plan for the Sacramento and San Joaquin River Basins* (hereafter Basin Plan), designates beneficial uses, establishes narratives and numerical water quality objectives, and contains implementation programs and policies to achieve water quality objectives for all waters within the basins.

MONITORING AND REPORTING PROGRAM

The General Order includes Monitoring and Reporting Program (MRP) 2004-0012-DWQ. MRP 2004-0012-DWQ requires the submittal of an annual monitoring report by **15th February** of each year identifying quantity of biosolids applied to the various fields and cumulative pollutant loading calculations. In addition, the General Order requires submittal of a **Pre-Application Report at least 30-days prior to the application of biosolids**. The Pre-Application Report shall include analytical data for the biosolids, a land productivity assessment, and specify loading that will be used to determine the rate at which biosolids will be applied.

SPECIFIC REQUIREMENTS

1. Application of biosolids at a location or in a manner different from that described in the NOI and this NOA is prohibited.
2. The application shall not cause or threaten to cause pollution as defined by California Water Code section 13050.
3. There shall be no discharge of biosolids from the storage or application areas to adjacent land areas not regulated by this General Order, to surface water, or to surface water drainage courses.
4. There shall be no application of biosolids on ground with greater than 25 percent slopes.

5. The staging and application of biosolids shall comply with all applicable setbacks contained in the General Order as specified in Discharge Specification B.11.
6. Biosolids with less than 75% moisture shall not be applied during periods when the surface wind speed exceeds 25 miles per hour as determined by the nearest calibrated regional weather station (e.g., airport, CIMIS).
7. The application of Class "B" biosolids containing a moisture content of less than 50% is prohibited.
8. The application of biosolids to water-saturated or frozen ground or during periods of precipitation that includes runoff from the permitted site is prohibited.
9. Application of biosolids at rates in excess of the nitrogen requirements of the crops or at rates that would degrade groundwater quality is prohibited.
10. In accordance with the General Order's Monitoring and Reporting Program, the Discharger shall submit the required annual monitoring report by **15th of February of each year.**
11. The Discharger shall submit the required annual fee (as specified in the annual billing statement issued by the State Water Resources Control Board) until this NOA is officially terminated.
12. Failure to abide by the conditions of General Order 2004-0012-DWQ, including its monitoring and reporting requirements, and this NOA could result in enforcement actions, as authorized by provisions of the California Water Code.

SALT AND NITRATE CONTROL PROGRAMS

THE FOLLOWING ARE LEGAL REQUIREMENTS PURSUANT TO WATER CODE SECTION 13260 THAT MUST BE FOLLOWED.

In May 2018, the Central Valley Water Board approved new Salt and Nitrate Control Programs. The Nitrate Control Program was developed to address widespread nitrate pollution in the Central Valley. Nitrate in drinking water can reduce the blood's ability to carry oxygen, which can result in brain damage and death. Infants and pregnant women are most at risk of nitrate toxicity. Nitrate is a risk when it is above 10 parts per million (ppm) of nitrate nitrogen, which is the Primary Maximum Contaminant Level (MCL), also known as the nitrate drinking water standard.

For the Nitrate Control Program, the Board identified areas, referred to as Priority 1 and Priority 2 basins, where nitrates in groundwater are more prevalent and therefore pose a higher risk to persons who rely on groundwater as a source of drinking water. Priority 1 and Priority 2 basins have timelines under which permittees, such as you, are required to

implement Nitrate Control Program requirements. The Synagro-Kent Hirdes Biosolids Ranch is within Priority 1 Groundwater Basin 5-22.03 (San Joaquin Valley – Turlock).

Notices to Comply for existing dischargers in Priority 1 Basins were mailed out on 29 May 2020. Since we did not receive an application for this Facility until 5 August 2020, **you are receiving a Notice to Comply as part of this NOA.** Therefore, you are required to select a pathway to comply with the new Nitrate Control Program either individually (Pathway A) or collectively as part of a Management Zone Group (Pathway B) and submit a Notice of Intent by **24 September 2021**. The Notice of Intent is required under Water Code section 13260. If you do not respond to this request by the 24 September 2021 deadline, you may be subject to enforcement actions, including actions under Water Code section 13261, which authorizes the Board to impose liability of up to \$1,000 per day for failure to submit a report. **After 24 September 2021, discharges of nitrate are prohibited unless you are implementing the Nitrate Control Program through either Pathway A (Individual Approach) or Pathway B (Management Zone Approach).**

Details on the two compliance pathways for the Nitrate Control Program (Pathway A and Pathway B) and information to be used when selecting a pathway are discussed in greater detail below:

Pathway A: New individual permitting options. The Board will set more stringent nitrate requirements in your permit to ensure that nitrate impacts will not cause a problem for drinking water users.

Pathway B: Form or Join a Local Management Zone with other Permittees. A Management Zone is an association of permittees that work together to reduce nitrate loading and to provide replacement water to communities and individuals whose wells are impacted by nitrates.

Pathway A offers several individual permitting options, all of which set stringent nitrate requirements on all dischargers that have nitrates in their wastewater. The Board expects that, for many permittees, Pathway A will require significant upgrades, extensive monitoring, and a rigorous technical justification that wastewater will not result in any exceedances of the nitrate standard over a 20-year planning horizon. Pathway B is a new permitting approach that allows multiple permittees to form or join in a Management Zone in order to comply with the Nitrate Control Program. Pathway B provides a collaborative, locally managed, cost-effective and flexible approach to program compliance.

In order to make an informed decision and meet critical program deadlines, it is important that you take action now.

A. Step 1 – Before You Decide on a Pathway

Before you decide on a permitting pathway, the Board recommends that you visit the website [cvsalts.info](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity) (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity) for more information on the Nitrate Control Program, including:

1. Nitrate Control Program requirements and timelines
2. Conducting an initial assessment (individually or collectively with other permittees) of your discharges and nearby groundwater conditions
3. Forming or participating in a Management Zone in your area
4. Requirements and templates for deliverables (e.g. Early Action Plans, Management Zone Proposals and Alternative Compliance Project proposals)
5. Answers to Frequently Asked Questions

The [cvsalts.info](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity) website will be updated regularly, so be sure to check back frequently for the latest information. You can also check the website for upcoming webinars that will provide guidance information. Questions and information requests can also be made by sending an email to: cvsalts@waterboards.ca.gov.

A [full copy of the Salt and Nitrate Control Program Basin Plan language \(Attachment 1 of Resolution R5-2018-0034\)](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2018-0034_res.pdf), can be found at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2018-0034_res.pdf.

B. Step 2 – Make a Pathway Choice and Begin Meeting Program Requirements

A. If you choose Pathway A

General Requirements for Pathway A (Individual Approach) are as follows:

1. Assess your nitrate impacts to shallow groundwater.
2. Prepare a Nitrate Assessment Report that categorizes the impact of your discharge over a 20-year horizon. There are five categories for permittees choosing to comply under Pathway A.
3. Complete the Notice of Intent (NOI) that indicates your election of Pathway A. An [electronic fillable PDF version of the NOI](#) is available at the link below. A hardcopy can be sent to you by sending a request to cvsalts@waterboards.ca.gov.
http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/forms_temp_guide/#notice_of_intent.

4. Prepare an Early Action Plan (EAP) that will provide affected residents interim drinking water solutions where drinking water exceeds nitrate water quality objectives.
5. If you are in Category 4 or 5, develop a proposed Alternative Compliance Project (ACP) as an additional condition. Any proposed Alternative Compliance Project must be in addition to activities that a permittee would implement to achieve their individual discharges full compliance with the nitrate water quality objective.
6. Submit your NOI and Nitrate Assessment Report to the Central Valley Water Board no later than **24 September 2021**. Permittees that are required to complete an EAP and/or ACP proposal must also submit these documents with the NOI.
7. Obtain Central Valley Water Board evaluation and approval.
8. Initiate EAP (if applicable) within **60 days** following submittal of the plan, unless otherwise directed by the Central Valley Water Board.

B. If you choose Pathway B

General Requirements for Pathway B (Management Zones) are as follows:

1. Permittees in a Management Zone work collectively to develop a Preliminary Management Zone Proposal and Early Action Plan (if applicable). The Early Action Plan must describe how the Management Zone entity will provide affected residents interim drinking water solutions where drinking water exceeds nitrate water quality objectives. Management Zone submits these documents to the Central Valley Water Board no later than **8 March 2021**.
2. Management Zone initiates EAP within **60 days** following submittal of the plan, unless otherwise directed by the Central Valley Water Board.
3. Submit an individual NOI that indicates your selection of Pathway B to the Central Valley Water Board no later than **24 September 2021**. **Permittees who are named as a Management Zone member in the Preliminary Management Zone Proposal do not need to submit an NOI.**

An [electronic fillable PDF version of the NOI](#) is available at:

http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/forms_temp_s_guide/#notice_of_intent. A hardcopy can be sent to you by sending a request to cvsalts@waterboards.ca.gov.

4. Permittees working together as a Management Zone develop and submit a Final Management Zone Proposal, **180 days** after Central Valley Water Board's review of the preliminary proposal.
5. Permittees working together as a Management Zone develop and submit a Management Zone Implementation Plan, **6 months** after the Final Management Zone Proposal is accepted by the Executive Officer of the Central Valley Water Board.

DOCUMENT SUBMITTALS

All monitoring reports and other correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to centralvalleyfresno@waterboards.ca.gov. Documents that are 50MB or larger should be transferred to a disk and mailed to the Central Valley Water Board office at 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

Program: Non-15,
Place ID: 868814
Place Name: Synagro-Kent Hirdes Biosolids Ranch
Order: 2004-0012-DWQ-0029

All documents, including responses to inspections and written notifications, submitted to comply with this General Order shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Russell Walls. Mr. Walls can be reached at (559) 488-4392 or russell.walls@waterboards.ca.gov. Questions regarding the permitting aspects of the General Order and notification for termination of coverage under the General Order, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention to Katie Carpenter.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this NOA falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. [Copies of the law and regulations applicable to filing petitions](#) may be found on the internet (http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

Coverage for your Facility under the General Order shall become effective subject to this Notice of Applicability immediately.

If you have any questions regarding this matter, please contact Katie Carpenter by phone at (559) 445-5551 or by email at Katie.Carpenter@waterboards.ca.gov.

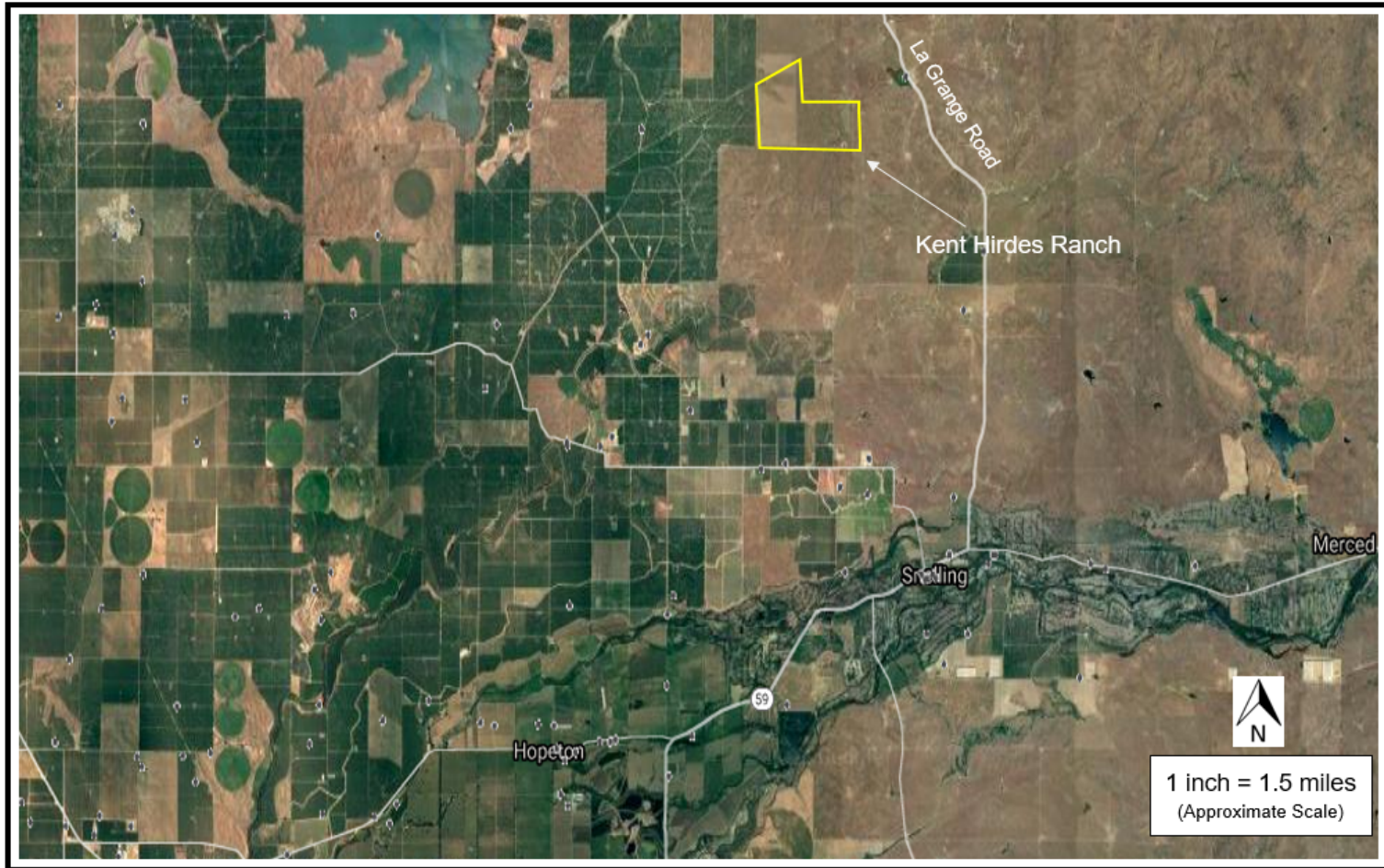
Original Signed by Scott Hatton for:
Patrick Pulupa
Executive Officer

Attachments:

- Attachment A – Site Location Map
- Attachment B – Biosolids Application Area Map
- 30 October 2020 Central Valley Water Board Staff Memorandum
- State Water Resources Control Board Order WQ 204-0012-DWQ

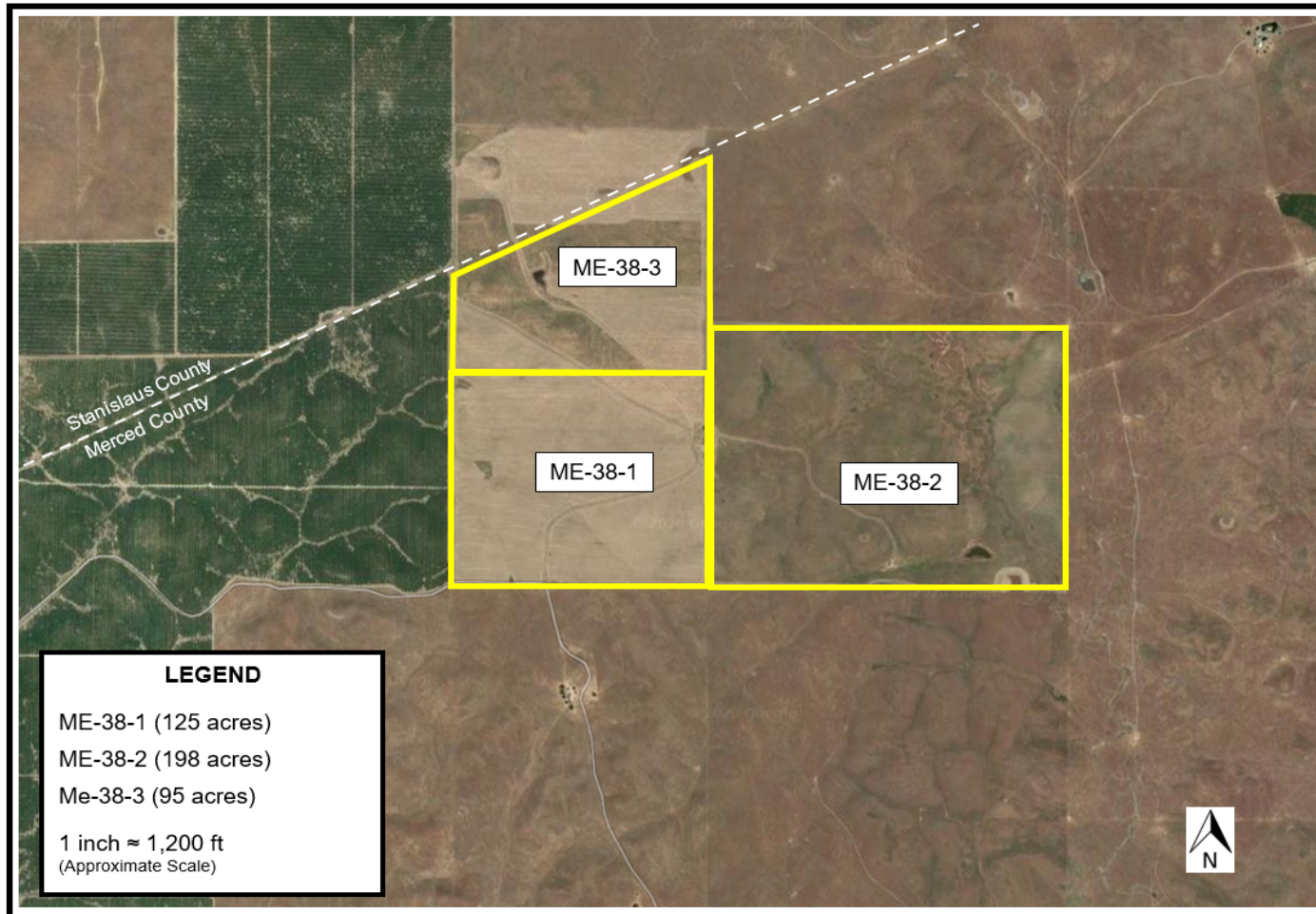
cc:

- David Lancaster, State Water Resources Control Board, OCC, Sacramento (via email)
- Laurel Warddrip, State Water Resources Control Board, DWQ, Sacramento (via email)
- Adam Forbes, Division of Drinking Water, Fresno (via email)
- Jose Valencia, Synagro West LLC, Rancho Cordova (via email)
- Esther Canal, Merced County Environmental Health, Merced (via email)



1 inch = 1.5 miles
(Approximate Scale)

ATTACHMENT A – SITE LOCATION MAP
NOTICE OF APPLICABILITY 2004-0012-DWQ-0029
FOR
SYNAGRO WEST, LLC AND KENT HIRDES
SYNAGRO-KENT HIRDES BIOSOLIDS RANCH
MERCED COUNTY



ATTACHMENT B – BIOSOLIDS APPLICATION AREA MAP
NOTICE OF APPLICABILITY 2004-0012-DWQ-0029
FOR
SYNAGRO WEST, LLC AND KENT HIRDES
SYNAGRO-KENT HIRDES BIOSOLIDS RANCH
MERCED COUNTY



Central Valley Regional Water Quality Control Board

TO: Scott J. Hatton
Supervising Water Resource Control Engineer

FROM: Alexander S. Mushegan
Senior Water Resource Control Engineer
RCE 84208

Kathleen Carpenter
Engineering Geologist
PG 8014

DATE: 30 October 2020

APPLICABILITY OF COVERAGE; STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2004-0012-DWQ; GENERAL WASTE DISCHARGE REQUIREMENTS FOR THE DISCHARGE OF BIOSOLIDS TO LAND FOR USE AS A SOIL AMENDMENT IN AGRICULTURAL, SILVICULTURAL, HORTICULTURAL, AND LAND RECLAMATION ACTIVITIES; SYNAGRO WEST, LLC AND KENT HIRDES; SYNAGRO-KENT HIRDES BIOSOLIDS RANCH; MERCED COUNTY

BACKGROUND INFORMATION

On 5 August 2020, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff received a Notice of Intent (NOI) with an application fee from Synagro West LLC for coverage under State Water Resources Control Board's Water Quality Order 2004-0012-DWQ, *General Waste Discharge Requirements for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities* (General Order) for application of Class B biosolids at the Kent Hirdes Ranch in Merced County. Additional information to support the NOI was provided on 9 September, 14 September, and 30 September 2020.

This memorandum provides a summary of Central Valley Water Board staff's review of the NOI and the applicability of the discharge to be covered under the General Order.

PROJECT DESCRIPTION

According to the NOI the Discharger receives Class “B” biosolids from various generators within California, these can vary from year to year but typically include the following:

- Delta Diablo Sanitation District
- San Francisco Public Commission – Oceanside Plant
- San Francisco Public Utilities Commission – Southeast Plant
- Union Sanitation District
- City of Burlingame
- North San Mateo County Sanitation District (Daly City)
- City of Millbrae
- Silicon Valley Clean Water
- Calera Creek Water Recycling Plant
- City of Stockton
- City of Livermore
- Fresno-Clovis Regional WWTF
- East Bay Municipal Utility District

The proposed project includes the application of biosolids to approximately 418 acres of farmland in northeastern Merced County as shown in **Attachment A** of the Notice of Applicability (NOA). The fields will be used for growing pasture/forage mix including alfalfa, corn silage, sudan grass, and wheat. According to Jose Valencia with Synagro, land used for biosolids applications will not be used for grazing.

The biosolids application area consists of three fields as shown in **Attachment B** of the NOA and detailed in Table 1 below:

Table 1 - Biosolids Application Area

| Field | Acreage | Adjusted Acreage (see 1 below) | APNs |
|--------------|----------------|---|-----------------------------|
| ME-38-01 | 157.06 | 125 | 038-080-003 and 038-100-001 |
| ME-38-02 | 276.87 | 197.5 | 038-080-003 and 038-100-001 |
| ME-38-03 | 115.66 | 95 | 038-080-003 and 038-100-001 |
| Total | 549.6 | 417.5 | |

1. Adjusted to remove land used for buffer zones and areas with slopes greater than 15 percent.

According to the NOI, no biosolids will be applied to the northern portion of Field ME-38-03 that is in Stanislaus County. A well log for an on-site irrigation well drilled in 1960 reported depth to groundwater at 59 feet bgs. Depth to groundwater in the area was around 215 feet below ground surface (bgs) in 2014 based on available groundwater data from nearby wells from the California Department of Water Resources (DWR) Water Data Library. Therefore, per the General Order, groundwater monitoring is not required.

The biosolids application area consists of rolling terrain with slopes ranging from 0 to 45 percent. According to the NOI no biosolids will be applied on areas with slopes greater than 15 percent (per Merced County requirements). The NOI includes an Erosion Control Plan prepared by Mark Gray, a registered Soil Scientist (ARCPACS 30228). According to the Erosion Control Plan, biosolids applications will be limited to once per year during dry weather. Biosolids will be incorporated into the soil by contour application and incorporated into the soil by parallel disking within six hours. The area will then be planted with a cover crop consisting of a pasture/forage mix. In addition, in accordance with Merced County ordinance, the biosolids application areas are surrounded with a 33-foot buffer zone of un-mowed vegetation to contain biosolids on-site and prevent off-site erosion.

One of the soil samples analyzed as part of the site evaluation reported a low cation exchange capacity of 4.74 meq/100g for Field ME-38-1. A low cation exchange capacity (< 10 meq/100g) could present a severe limitation to land productivity. According to Jose Valencia, with Synagro, they have collected additional samples to better characterize this area and their soil scientist will address this issue in the land productivity assessment portion in the Pre-application Report.

The Discharger is proposing to grow pasture/forage mix including alfalfa, corn (silage), sudan grass, and wheat to be harvested annually. According to the NOI, the biosolids application areas (Fields ME-38-1, ME-38-2, and ME-38-3) are in a remote area and are fenced to prevent public access. The fields are bounded by private agricultural or grazing land to the north, south, east, and west with only one access road (Olsen Road) along the southern boundary of the property. Therefore, the biosolid application area meets the site restrictions for Class B biosolids in section 503.32(b)(5), 40 CFR.

BIOSOLIDS TREATMENT AND SAMPLING

Synagro West, LLC proposes to apply between four to seven dry tons of biosolids per acre per year on up to 418 acres of land owned by Kent Hirdes. Synagro West, LLC and Kent Hirdes are collectively and jointly referred to as “Discharger”.

The submitted data characterizes biosolids from various generators within California. The average metal concentration of the various generators is summarized in Table 2 and compared to the 40 Code of Federal Regulations (CFR), Part 503 requirements for the application of biosolids to land.

Table 2. Biosolids Metal Concentration

| Constituent/ Parameter | Units | Average | Ceiling Concentration Limits | Pollutant Concentration Limits for Exceptional Quality Biosolids |
|---------------------------|-------|---------|---------------------------------|---|
| Arsenic | mg/kg | 11.8 | 75 | 41 |
| Cadmium | mg/kg | 1.2 | 85 | 39 |
| Copper | mg/kg | 390 | 4,300 | 1,500 |
| Lead | mg/kg | 19.6 | 840 | 300 |
| Mercury | mg/kg | 0.84 | 57 | 17 |
| Molybdenum | mg/kg | 8.2 | 75 | -- |
| Nickel | mg/kg | 20.3 | 420 | 420 |
| Selenium | mg/kg | 5.3 | 100 | 100 |
| Zinc | mg/kg | 941 | 7,500 | 2,800 |

As shown in Table 2, the average concentration of metals in the biosolids generated by the various municipal generators are below the Ceiling Concentrations Limits (Table 1, section 503.13 CFR) and the Pollutant Concentration Limits for Exceptional Quality (EQ) Biosolids (Table 3, section 503.13 CFR).

As shown in Table 3, the biosolids generated at the various generators meets the Class B Pathogen Reduction Requirements by either Alternative 1 of section 503.32(b)(2) or Alternative 2 of section 503.32(b)(3), 40 CFR. Under Alternative 1, the geometric mean of the density of fecal coliform in the biosolids is less than 2,000,000 Most Probable Number per gram. Under Alternative 2, biosolids from the generators are treated in anaerobic digesters with a detention time of at least 15 days at 35 to 55 °C meeting the Pathogen Treatment Processes Requirements listed in Appendix B of 40 CFR, Part 503.

Table 3. Pathogen Requirements

| Generator | Alternative | Detention Time (days) | Temperature (°C) | Fecal Coliform (MPN/g) |
|--|-------------|-----------------------------|---------------------|---------------------------|
| Delta Diablo Sanitation District | 2 | 25-28 | 35.7-39.4 | -- |
| San Francisco Public Utilities Commission – Oceanside Plant | 1 | -- | -- | 41,701 |
| San Francisco Public Utilities Commission – Southeast Plant | 2 | 20-44 | 38.3-40.3 | -- |
| Union Sanitation District | 2 | 20-140 | 36.7-37.2 | -- |
| City of Burlingame | 2 | 37-50 | 37.6 - 50 | -- |
| City of Millbrae | 2 | 107-145 | 35-36.1 | -- |
| Silicon Valley Clean Water | 2 | 19-22 | 36.7 | -- |
| Calera Creek Water Recycling Plant | 1 | -- | -- | 23.61 |

| Generator | Alternative | Detention Time (days) | Temperature (°C) | Fecal Coliform (MPN/g) |
|-------------------------------------|-------------|-----------------------|------------------|------------------------|
| East Bay Municipal Utility District | 2 | -- | -- | -- |
| Daly City | 2 | 25-30 | 33.3-41.4 | -- |
| City of Stockton | 2 | 24-90 | 36-37 | -- |
| City of Livermore | 2 | 21-22 | 37.2-37.8 | -- |
| Fresno-Clovis Regional WWTF | 2 | -- | -- | -- |

In addition, biosolids generated by the various generators meets the Vector Attraction Reduction Requirements by either Option 1 of section 503.33(b)(1), or Option 10 of section 503.33(b)(10), 40 CFR (see Table 4) since all biosolids will be incorporated into the soil within six hours.

Table 4. Vector Attraction Reduction Requirements

| Generator | Option | Volatile Solids Reduction (%) | Biosolids Incorporation Time (hours) |
|---|--------|-------------------------------|--------------------------------------|
| Delta Diablo Sanitation District | 1 | 48.3 | -- |
| San Francisco Public Utilities Commission – Oceanside Plant | 1 | 53.6 | -- |
| San Francisco Public Utilities Commission – Southeast Plant | 1 | 60.6 | -- |
| Union Sanitation District | 1 | 62.1 | -- |
| City of Burlingame | 1 | 67.4 | -- |
| City of Millbrae | 1 | 80 | -- |
| Silicon Valley Clean Water | 1 | 52 | -- |
| Calera Creek Water Recycling Plant | 10 | -- | 6 |
| East Bay Municipal Utility District | 1 | >38 | -- |
| Daly City | 10 | -- | 6 |
| City of Stockton | 1 | 56.1 | -- |
| City of Livermore | 1 | 65 | -- |
| Fresno-Clovis Regional WWTF | 1 | >38 | -- |

SALT AND NITRATE CONTROL PROGRAMS

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments (Resolution R5-2018-0034) incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. On 16 October 2019, the State Water Resources Control Board adopted Resolution No. 2019-0057 conditionally approving the Central Valley Water Board Basin Plan

amendments and directed the Central Valley Water Board to make targeted revisions to the amendments within one year after obtaining approval from the Office of Administrative Law. The Office of Administrative Law approved the Basin Plan amendments on 15 January 2020 (OAL Matter No. 2019-1203-03). Pursuant to the Basin Plan amendments, dischargers will receive Notices to Comply with instructions and obligations for the Salt and Nitrate Control Programs.

For the Salt Control Program, dischargers that are unable to comply with stringent salinity requirements will need to meet performance-based requirements and participate in a basin-wide planning effort to develop a long-term salinity strategy for the Central Valley. A Notice to Comply for the Salt Control Program is expected to go out within the next couple of months. Upon receipt of the Notice to Comply, the Discharger will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting).

For the Nitrate Control Program, the Board identified areas, referred to as Priority 1 and Priority 2 basins, where nitrates in groundwater are more prevalent and therefore pose a higher risk to persons who rely on groundwater as a source of drinking water. Priority 1 and Priority 2 basins have timelines under, which permittees, such as you, are required to implement Nitrate Control Program requirements. For the Nitrate Control Program, the Synagro-Kent Hirdes Biosolids Ranch falls within Groundwater Sub-Basin 5-22.03 (San Joaquin Valley – Turlock Basin), a Priority 1 basin. Notices to Comply for Priority 1 basins for existing dischargers were mailed out on 29 May 2020. Since this is a new discharge that did not receive a Notice to Comply for the Nitrate Control Program the NOA will need to include a time schedule to comply with the Nitrate Control Program.

COMMENTS

Based on the information presented in the 5 August 2020 NOI; and supplemental information, the discharge of biosolids to land at Kent Hirdes Ranch in Merced County is consistent with the requirements of 40 CFR, Part 503 for the use of Class B biosolids. As mentioned above, the Discharger will need to submit a Pre-application report at least 30-days prior to beginning biosolids applications with a land productivity assessment to address site soils in areas with a low cation-exchange capacity. In addition, the NOA should include a time schedule for compliance with the Nitrate Control Program.