3 July 2025

CERTIFIED MAIL
7020 2450 0000 6785 9175

Tony (Anthony) Thomas
19271 Excelsior Avenue
Riverdale, CA 93656

NOTICE OF APPLICABILITY

WATER QUALITY ORDER 2020-0012-DWQ
GENERAL WASTE DISCHARGE REQUIREMENTS FOR COMMERCIAL COMPOSTING OPERATIONS
THOMAS BROS. COMPOSTING
KINGS COUNTY

Anthony "Tony" Thomas (hereafter Discharger) owns and operates the Thomas Bros. Composting facility (Facility) located at 20247 Excelsior Avenue, Riverdale, CA 93656 in Kings County. On 30 May 2025, the Discharger submitted a *Notice of Intent* (NOI) and technical report for the Facility to obtain coverage under *Water Quality Order 2020-0012-DWQ, General Waste Discharge Requirements for Commercial Composting Operations* (hereafter General Order) for composting operations at the above-referenced site. The filing fee was received on 1 July 2025. The Discharger submitted the design report for the proposed pond liner separately on 1 July 2025 along with a revised technical report addressing staff's comments. The complete General Order can be accessed at the web address below:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2020/wqo2020_0012_dwq.pdf

This *Notice of Applicability* (NOA) was developed after the review of the NOI, technical report, and design report as described in the attached *Staff Memorandum*, which is a part of this NOA. Based on staff's review, the proposed Facility modifications will meet the conditions of the General Order, and the Facility can be covered under the General Order as a **Tier 2** composting operation. The enrollee identification number is **2020-0012-DWQ-R5F016** The Discharger must comply with all Tier II requirements of the General Order.

The filing fee for the Facility is based on Threat to Water Quality and Complexity rating of 3B. The submitted $8,878 filing fee covers the first year permitted by this NOA. The Discharger shall submit the required annual fee (as specified in the annual billing issued by the State Water Resources Control Board) until the NOA is officially terminated.

To fully comply with this NOA, please read the contents of the enclosed *Staff Memorandum* and all of the requirements of the General Order. The Discharger is responsible for implementing all operations in a manner that complies with the General Order. Any noncompliance with this General Order constitutes a violation of the Water Code and is grounds for enforcement action, and/or termination of enrollment under this General Order.

Conditions of this General Order include but are not limited to:

1. A post-construction report must be submitted **within 60 days** of completing all construction activities associated with all applicable containment and monitoring structures, as required for compliance with this General Order and the MRP. This includes but is not limited to the following: installation of a pond liner and pan lysimeter, reworking the working surfaces with a three percent clay additive or equivalent, and the installation of the proposed swale along the canal.
2. Prior to any facility expansion, a technical report with design information will have to be submitted **at least 90 days prior** to new construction of working surfaces, detention ponds, berms, ditches, or any other water quality protection containment structure for approval by the Central Valley Regional Water Quality Control Board staff.
3. A revised NOI is required to be submitted for review and approval **at least 90 days prior** to:
   - adding a new feedstock, additive, or amendment;
   - changing material or construction specifications;
   - changing a monitoring program; or
   - changing an operation or activity not described in the approved NOI and technical report.
4. A report certifying that all necessary facility upgrades to comply with the requirements listed in the *DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS –TIER 2 ONLY* section of the General Order have been completed must be submitted for review and approval prior to accepting manure from external dairies for composting.

Attachment B of the General Order includes specific monitoring and reporting requirements that must be complied with, including routine monitoring and reporting to the Central Valley Regional Water Control Board. The Annual Monitoring and Maintenance Report as identified in the General Order must be submitted to the Central Valley Water Board annually by **1 April** each year.

All reports and other correspondence must be converted to searchable Portable Document Format (PDF) and submitted electronically to the Geotracker database under

Global Identification Number **T10000023379** with confirmation to be emailed to: centralvalleyfresno@waterboards.ca.gov.

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Attention:	Title 27 Unit
Discharger Name:	Tony Thomas
Facility Name:	Thomas Bros. Composting
County:	Kings
CIWQS Place ID:	889784
Geotracker Global ID:	T10000023379

If you have any questions regarding this letter or the attached *Staff Memorandum*, please contact Elizabeth Welch at (559) 445-6127 or elizabeth.welch@waterboards.ca.gov.

For Patrick Pulupa
Executive Officer

Enclosure: Staff Memorandum

cc: CalRecycle WCMPDivision@CalRecycle.ca.gov
Troy Hommerding troy.hommerding@co.kings.ca.us
Chaitanya Patel chaitanya.patel@co.kings.ca.us
Lindsay Hullinger lindsay.hullinger@co.kings.ca.us
Jesus Crespin Jesus.Crespin@co.kings.ca.us
Tony Thomas tony.thomasbros@gmail.com
Tyler Esteves tylere@4-creeks.com
Kyle Parriera kylep@4-creeks.com

Central Valley Regional Water Quality Control Board

TO: Kristen S. Gomes
Senior Water Resource Control Engineer

Scott J. Hatton
Supervising Water Resource Control Engineer

FROM: Elizabeth A.M. Welch
Water Resource Control Engineer

DATE: 3 July 2025

SUBJECT: **APPLICABILITY OF COVERAGE UNDER STATE WATER RESOURCES CONTROL BOARD WATER QUALITY ORDER 2020-0012-DWQ, THOMAS BROS. COMPOSTING, KINGS COUNTY**

REPORT OF WASTE DISCHARGE

Anthony "Tony" Thomas (hereafter Discharger) owns and operates the Thomas Bros. Composting facility (Facility) located at 20247 Excelsior Avenue, Riverdale, CA 93656 in Kings County. On 30 May 2025, the Discharger submitted a *Notice of Intent* (NOI) and technical report for the Facility to obtain coverage under *Water Quality Order 2020-0012-DWQ, General Waste Discharge Requirements for Commercial Composting Operations* (hereafter General Order) for composting operations at the Facility. The filing fee was received separately on 1 July 2025. The complete General Order can be accessed with the link below:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2020/wqo2020_0012_dwq.pdf

The technical report, dated May 2025, was titled *Technical Report, General Waste Discharge Requirements for Commercial Composting Operations, Thomas Bros. Composting Facility* (Technical Report) and was prepared on behalf of the Dischargers by 4 Creeks and revised on 1 July 2025 to address staff's comments. 4 Creeks also prepared and submitted the *Design Report and Work Plan with Updated Technical WWMP Report for Proposed Wastewater Detention Pond Liner Thomas Bros. Composting Facility* (Design Report) separately on 1 July 2025 on behalf of the Discharger. Both reports were signed and stamped by a Registered Civil Engineer. The Facility is applying for enrollment under the General Order as a Tier II facility. The enrollee identification number for the Facility is **2020-0012-DWQ-R5F016.**

SITE CONDITIONS

The Facility is located at 20247 Excelsior Avenue, Riverdale, CA in Kings County. The Facility occupies 16 acres of approximately 17.2 acres and is comprised of Assessor's Parcel Number (APN) 004-062-003. The total facility capacity is 35,000 cubic yards with an average weekly throughput of approximately 1,100 cubic yards. The current processing capacity is approximately 70,000 wet-tons per year or 56,000 cubic yards per year.

The Technical Report provided the average annual precipitation at the site is about 7.8 inches. The maximum average annual precipitation is 12.83 inches with a minimum annual precipitation of 4.53 inches and a maximum annual precipitation of 12.83 inches. Evaporation data recorded between 1968 and 2010 in Fresno and 158-2010 in Bakersfield had an average annual pan evaporation of 66.6 inches. The minimum mean monthly evaporation 1.35 inches occurs in December and the maximum of 10.48 inches in July. The rainfall depth for a 25-year, 24-hour design storm event is 2.00 inches.

Land uses within one mile of the Facility are predominantly agricultural. However, the site itself contains dairy improvements, including corrals, barns, and residences. Composting operations are prohibited within 100 feet of the well. The distance to the nearest water supply well is 590 feet. The nearest surface water body to the Facility is a canal, which is located approximately 85 feet away from the composting operation. The site is graded so that drainage is away from the canal, and the Discharger is proposing to install a swale for additional protection. The Facility is not within a 100-year flood plain, but it is within a Zone X. Zone X represents areas of 0.2% annual chance flood; areas of one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from one percent chance flood. The Technical Report stated that, "because the facility is not within the 100-year peak storm event designation (Zone A), flood protection is not required for the facility operational area." However, Item 4 of the *DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS – ALL TIERS* of the General Order requires the following:

> Areas used for receiving, processing, or storing feedstocks, additives, amendments, or compost (active, curing, or final product) must be designed, constructed, and maintained to control and manage all run-on, runoff, and precipitation which falls onto or within the boundaries of these areas, from a 25-year, 24-hour peak storm event at a minimum.

Both the proposed swale and the raised roadways that surround the Facility on three sides will serve as run-on and run-off protection and should be adequate to meet this requirement. The Facility will be graded to ensure that stormwater runoff from the Facility will remain onsite and drain to a lined wastewater storage pond. The proposed pond capacity is 687,924 gallons with two feet of freeboard. Item 4 of the *DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS – TIER 2 ONLY* requires the following:

> Detention ponds must be designed, constructed, operated, and maintained to meet a hydraulic conductivity of 1.0 x 10^{-6} cm/s or less. These ponds must include one of the following:
>
> a. A liner system consisting of a 40 thousandths of an inch (mil) synthetic geomembrane (60-mil if high-density polyethylene), underlain by either one foot of compacted clay or a geosynthetic clay liner installed over a prepared base;
>
> b. A liner system that includes Portland cement concrete – designed to minimize cracking and infiltration – underlain by a 40-mil synthetic geomembrane (60-mil if high-density polyethylene); or
>
> c. An equivalent engineered alternative specified in an NOI and/or a technical report and approved by the Regional Water Board.

Item 5 of the *DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS – TIER 2 ONLY* requires the following:

> Detention ponds must be designed and constructed with a pan lysimeter monitoring device under the lowest point of the pond, or an equivalent engineered alternative specified in an NOI and/or a technical report and approved by the Regional Water Board. The engineered alternative must provide equivalent assurance of the earliest possible detection or prevention of a release from the pond.

The proposed pond liner will consist of a doubled-lined 40-mil Rhinomat synthetic geomembrane with a leachate collection and removal system between the two liners. A pan lysimeter will be constructed beneath the LCRS sump to monitor for potential leakage in the secondary liner. This design is considered an adequate “equivalent engineered alternative” to meet the requirements of the General Order.

Soil samples of native subgrade material within the boundaries of the proposed operations area were collected and tested for moisture-density relationships and hydraulic conductivity. The hydraulic conductivity ranged from 6.0 x 10^{-4} centimeters per sec (cm/sec) to 6.5 x 10^{-7} cm/sec, which does not meet the General Order requirements of 1 x 10^{-5} cm/sec or less. The Discharger is proposing a three percent clay additive to achieve a hydraulic conductivity of less than 1 x 10^{-5} cm/sec across the working surface.

Depth to groundwater was approximately 20 feet below ground surface (bgs) in four exploratory borings. The California Department of Water Resources indicates the depth to regional groundwater at the Facility is greater than 50 feet bgs. However, fluctuations in the groundwater level or the presence of perched groundwater may occur due to variations in rainfall, irrigation, seasonal factors, pumping from wells and other factors. The depth of the proposed wastewater pond is ten feet. The regional groundwater flow direction has predominantly been to the south/southeast.

COMPOSTING OPERATIONS

The Facility will be designed to accept up to 70,000 wet-tons per year of animal manure from nearby dairy facilities and can store up to 35,000 cubic-yards on-site at any given time. No additives are currently stored onsite.

As necessary, feedstock is processed with a screen to achieve the characteristics required to promote composting. Prepared feedstock is composted in windrows for 90 to 120 days. Water is added as needed to maintain active composting for the desired period. Composting is cured for an additional period until it is stabilized. Residual materials are recovered and stored in disposal containers onsite. When filled, the material stored in the containers is removed from the site by Waste Management.

MONITORING AND REPORTING

The Facility will conduct a monitoring program as prescribed in the applicable portion of Attachment B of General Order Monitoring and Reporting requirements. Results of monitoring will be reported annually in the *Annual Monitoring and Maintenance Report*, which will be submitted by **1 April** of each year as long as the *Notice of Applicability* is in effect.

SITE CLOSURE

At least 90 days prior to ceasing composting operations, the Discharger shall submit a *Site Closure Plan* to the Central Valley Water Board for approval. The site restoration shall include work necessary to protect public health, safety, and the environment.

RECOMMENDATIONS

Based on staff review of the Technical Report, it is anticipated that the Discharger can meet the requirements of the General Order. The *Notice of Applicability* can be issued and stay in effect as long as the Discharger implements all operations in a manner that complies with the requirements of the General Order.

The Discharger must comply with the following items:

1. A post-construction report must be submitted **within 60 days** of completing all construction activities associated with all applicable containment and monitoring structures, as required for compliance with this General Order and the MRP. This includes, but is not limited to the following: installation of a pond liner and pan lysimeter, reworking the working surfaces with a three percent clay additive or equivalent, and the installation of the proposed swale along the canal.
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- changing a monitoring program; or
- changing an operation or activity not described in the approved NOI and technical report.

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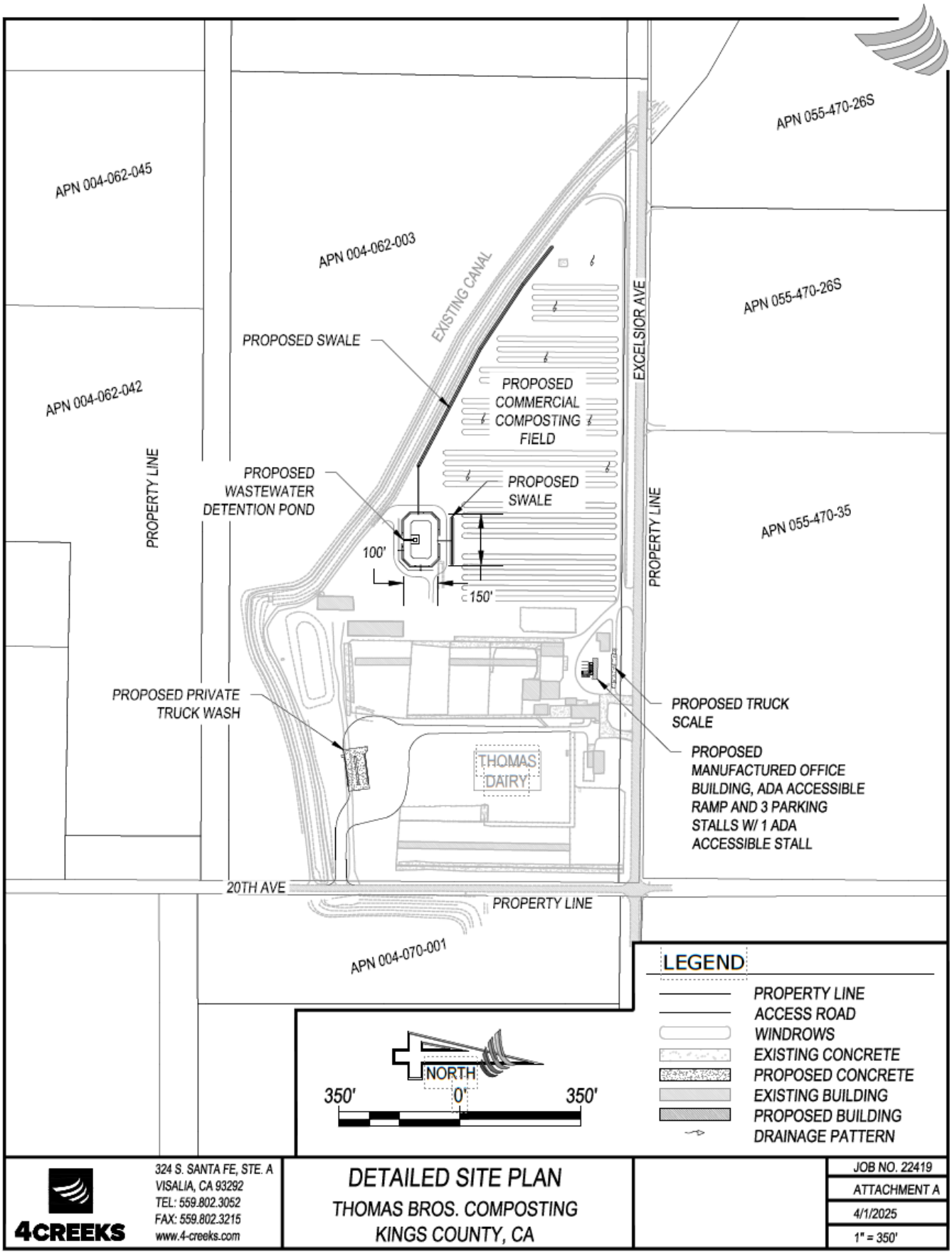
APN 004-062-045
APN 004-062-003
APN 004-062-042
APN 055-470-26S
APN 055-470-26S
APN 055-470-35
APN 004-070-001
EXISTING CANAL
EXCELSIOR AVE
PROPERTY LINE
PROPERTY LINE
PROPERTY LINE
PROPOSED SWALE
PROPOSED COMMERCIAL COMPOSTING FIELD
PROPOSED WASTEWATER DETENTION POND
PROPOSED SWALE
100'
150'
PROPOSED PRIVATE TRUCK WASH
PROPOSED TRUCK SCALE
PROPOSED MANUFACTURED OFFICE BUILDING, ADA ACCESSIBLE RAMP AND 3 PARKING STALLS W/ 1 ADA ACCESSIBLE STALL
THOMAS DAIRY
20TH AVE
LEGEND
PROPERTY LINE
ACCESS ROAD
WINDROWS
EXISTING CONCRETE
PROPOSED CONCRETE
EXISTING BUILDING
PROPOSED BUILDING
DRAINAGE PATTERN
NORTH
350'
0'
350'
4CREEKS
324 S. SANTA FE, STE. A
VISALIA, CA 93292
TEL: 559.802.3052
FAX: 559.802.3215
www.4-creeks.com
DETAILED SITE PLAN
THOMAS BROS. COMPOSTING
KINGS COUNTY, CA
JOB NO. 22419
ATTACHMENT A
4/1/2025
1" = 350'