



California Regional Water Quality Control Board Central Valley Region



Linda S. Adams
Secretary for
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Arnold
Schwarzenegger
Governor

30 November 2006

Mr. Larry S. Bright, Manager
Valley Waste Disposal Company
7500 Meany Avenue
Bakersfield, CA 93308

REQUEST FOR REMOVAL FROM 7/8 DECEMBER AGENDA, TENTATIVE WASTE DISCHARGE REQUIREMENTS, VALLEY WASTE DISPOSAL COMPANY, KERN COUNTY

Your 14 November 2006 letter requests the Tentative Waste Discharge Requirements Order (NPDES Permit No. CA0081311) for Valley Waste Disposal Company be removed from consideration on the 7/8 December meeting agenda as it does not authorize increased effluent salinity and flow as you requested.

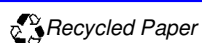
The Basin Plan establishes effluent limits of 1,000 $\mu\text{mhos/cm}$, 200 mg/L, and 1.0 mg/L for EC, chlorides, and boron, respectively, for discharges of oil field wastewater. The Basin Plan also establishes an incremental water quality objective that limits annual increases of groundwater salinity to no more than 6 $\mu\text{mhos/cm}$ in the Poso Groundwater Hydrographic Unit. The CWD lies within the Poso Groundwater Hydrographic Unit. The Basin Plan allows discharges of oil field waste that exceed the maximum salinity concentrations listed above provided the Discharger demonstrates to the Regional Water Board's satisfaction that the proposed discharge will not substantially affect groundwater quality nor cause a violation of water quality objectives. VWDC has requested daily maximum EC, chloride, and boron effluent limits of 1,300 $\mu\text{mhos/cm}$, 125 mg/L, and 1.6 mg/L, respectively. As the requested effluent limits for EC and boron exceed effluent limits allowed by the Basin Plan, VWDC and CWD have the burden of demonstrating an exception would not violate the Basin Plan.

CWD submitted a technical Study in 2003 that evaluated salt loading throughout the CWD. However, the Study did not demonstrate that the exception requested, in combination with irrigation and other oil field waste discharges throughout the CWD, would not substantially affect groundwater quality or cause a violation of water quality objectives. As the demonstration of consistency with the Basin Plan has not been made, the salinity limits requested by VWDC cannot be authorized.

For Regional Water Board staff to recommend that the Regional Water Board consider granting the flow and salinity limits requested, CWD must first do the following:

1. Characterize the potential cumulative impacts that all proposed discharge increases to the Cawelo Water District will have on underlying groundwater;
2. Determine whether characterized impacts are consistent with the Basin Plan;

California Environmental Protection Agency



3. If not consistent, provide technical justification for appropriate amendment of the Basin Plan; and
4. Satisfy the requirements of the California Environmental Quality Act (CEQA).

Even without authorizing the requested increases, there is also some doubt that the previously approved exception is consistent with the Basin Plan. The proposed Permit requires a technical report that demonstrates current and proposed discharges are consistent with the Basin Plan while allowing the Valley Waste Disposal Company to discharge at previously authorized levels. The proposed Permit also contains reopeners that allow the Regional Water Board to reconsider flow and salinity requirements once the necessary information is provided and necessary approval processes are completed.

The U.S. Environmental Protection Agency has classified the existing renewal as a Priority Permit that must be adopted as soon as possible. The Regional Water Board will consider this matter as scheduled. You should state your reasons for delay and your other concerns at the hearing and based on testimony the Regional Water Board may determine that it is in the public interest to delay adoption of the Order until a later date.

If you have any questions, please call W. Dale Harvey at (559) 445-6190 or Geoffrey Anderson at (559) 445-5919.

PAMELA C. CREEDON
Executive Officer

cc: Mr. Doug Eberhardt, (WTR-5), U.S. Environmental Protection Agency, San Francisco
Mr. Kent Varvel, Bureau of Land Management, Bakersfield
Ms. Frances McChesney, Office of Chief Counsel, State Water Resources Control Board, Sacramento (via email)
Mr. Dave Carlson, Regional Water Quality Control Board, Sacramento (via email)
Ms. Kiran Lanfranchi-Rizzardi, Regional Water Quality Control Board, Sacramento (via email)
Mr. David Ansolabehere, Manager, Cawelo Water District, Bakersfield
Mr. Florn Core, City of Bakersfield, Water Resources Department, Bakersfield
Mr. Dana Munn, North Kern Water Storage District, Bakersfield
Mr. Jim Waldron, Chevron USA, Inc., Bakersfield
Mr. Mike Glavin, Oxy USA, Inc., Bakersfield
Mr. Bill Jennings, California Sportfishing Protection Alliance, Stockton
Mr. Warren Tellefson, Central Valley Clean Water Association, Auburn