MERCED COUNTY

DEPARTMENT OF PUBLIC HEALTH
Division of Environmental Health

John Volanti, M.P.H.
Director of Public Health

Health Administration
260 East 15th Street
Merced, CA 95340
(209) 381-1200
(209) 381-1215 (FAX)

Jeff Palsgaard, M.S.
Director of Environmental Health

Environmental Health
777 W. 22nd Street
Merced, CA 95340
(209) 381-1100
(209) 384-1593 (FAX)
www.co.merced.ca.us

Equal Opportunity Employer

April 23, 2007

Polly Lowry
Regional Water Quality Control Board
11020 Sun Center Dr., #200
Rancho Cordova, CA 95670-6114

Re: WDR Comments

Dear Ms. Lowry:

The Division of Environmental Health has reviewed the document listed above and has the following comments:

Waste Discharge Requirements for General Order:

1. Page 20, Section B.2. This section discusses 20-year peak stream flows. We spoke with MID and NRCS and no one appears to have data on 20-year peak stream flows. It does not seem reasonable to require compliance with something that the data to support is not readily available. It would appear for the only way to comply would be to hire your own hydrologist to calculate these values based upon available data.

2. Table 1, Page 24, 31 October 2008 requirement states that Certified Nutrient Management Specialists would be required to identify infrastructure changes needed including piping, pumps, meters, etc. Some of the evaluations needed could be performed by a Certified Nutrient Management Specialist, but when it comes to determining if pumps and piping are adequately sized for design flow rates I believe that only Civil, Mechanical, and Agricultural Engineers would be adequately trained to complete this evaluation work as Professional Certification is defined in the California Business and Professions Code.

Monitoring and Reporting Program:

3. MRP-7, Groundwater Monitoring, Item 1: In order to obtain representative samples from large irrigation production wells the full cone of depression for the well should develop first to reach a steady state draw down condition. The time to reach this condition will be different for each well. We would suggest that each large agricultural irrigation well be operated for a minimum of 2 hours and more reasonably 6 hours prior to sampling. Typical run times for large agricultural irrigation wells are in excess of 16 hours per irrigation.

Standard Provisions and Reporting Requirements:

4. SPRR-3, Item 16 in part reads: '...Proper operation and maintenance includes best practicable treatment and controls, and the appropriate quality assurance procedures...'. This sentence appears out of place in the context of this document. Best Practicable Treatment and Control may not be economically justified for this industry in this application. Recommend that this sentence be removed.

Information Sheet:

5. IS-24, Compliance Schedule: This schedule reads in part for completion by 1 July 2008 – '...proposed interim facility modifications to improve storage capacity and balance nitrogen...'. Does this statement require that all facility modifications (i.e. additional application acreage and cropping patterns) required to balance application and nitrogen uptake with an over application factor of 1.40 be accomplished by this date? For completion by July 1, 2009 this schedule further states – '...Documentation of interim facility modifications completion for storage capacity and to balance nitrogen...'. Does this statement require that additional cropping acreage to balance nitrogen uptake be under cultivation by July 1, 2009?

Attachment B:

6. B-3, II, A.1: Determining adequate lagoon storage capacity is more complicated than calculating influent rate and time between lagoon water irrigation events. The lagoon is not emptied at every lagoon water irrigation event. Lagoon capacity should be estimated from minimum elevation, typically in late July after last corn irrigation until start of next corn season, typically in late Spring of the following year. All anticipated lagoon inflows and outflows during this period should be modeled and the maximum required storage volume derived from this model.

7. B-5, III, A.1.: We have checked and 20 year storm water data for Merced County streams is not available. The requirement for 20 year storm water data should be removed or provided by the RWQCB for all County streams.

Attachment C

8. C-4, III, B: See comment 6 above.

9. MRP -12

   Annual Report

   Item 1 - An Annual Dairy Facility Assessment as an update to the Preliminary Dairy Facility Assessment is requested in the draft WDR "using the tool provided by the Executive Officer or any future revisions thereto;" . The Preliminary Dairy Facility Assessment tool is very rough and only estimates pond capacity and nutrient balance, therefore any Annual Assessment would/could contradict the detail of a NMP and WMP and the permitee has several years to certify the NMP and WMP and ultimately compliance with this order. We recommend that a section be added to the Annual Report that

identifies the compliance to the nitrogen nutrient application rates and deleting the requirement for the Annual Dairy Facility Assessment.

Items 4 and 5 – "Total Salt" content of manure and process wastewater reporting requirement. Total Salt is not defined in the draft WDR. Total salt is often defined as a sum of specific speciated anions and cations in laboratory settings. The sampling and analyses section of the draft WDR/MRP for nutrient monitoring of process wastewater only requires the analyses of nitrate-nitrogen, ammonium-nitrogen, total Kjeldahl nitrogen, total phosphorus, and potassium, general minerals as calcium, magnesium, sodium, bicarbonate, carbonate, sulfate, and chloride. No general mineral analyses is required for manure. How does the permitee quantify "Total Salts"?

If you have any questions, please contact Eric Swenson, Ron Rowe or myself at (209) 381-1100.

Sincerely,

Jeff Palsgaard, Director
Division of Environmental Health

dairyWDRcomments07

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Regional Water Quality Control Board
11020 Sun Center Dr., #200
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Re: Additional WDR Comment

Dear Ms. Lowry:

The Division of Environmental Health has reviewed the document listed above and has the following comment:

> Page 11, item 15 of the WDR's states: "The expansion of existing milk cow dairy facility is prohibited."
>
> Comment: We understand the reason for this requirement however, in 1-2 years the majority of dairy facilities will be over 15% of the herd size baseline date of 2005. How will the Regional Board process individual WDR's for that many dairies? In addition, a new CEQA document will be required for each WDR. Completion of individual WDR's and supporting CEQA documents will be a monumental task. We would suggest making the baseline 2007, although that will just delay the problem. We will be evaluating the option of another a county-wide EIR for dairies.

If you have any questions, please contact me at (209) 381-1087.

Sincerely,

Jeff Palsgaard, Director
Division of Environmental Health

dairyWDRcomments07.1