

LATE REVISIONS
Regional Water Quality Control Board
Central Valley Region
Board Meeting 10 December 2010

Item 16
Existing Milk Cow Dairy Concentrated Animal Feeding Operations within
the Central Valley
Consideration of General WDRs and General NPDES Permit

Proposed additions are indicated in **bold underline** text. Deletions are marked in ~~strikeout~~. Where revisions result in renumbering of portions of the Order, cross-references will be updated, as necessary, following adoption.

PERMIT

Findings

Remove the following finding and renumber subsequent findings.

- ~~10. Any existing milk cow dairy regulated under the General Order for Existing Milk Cow Dairies, Order No. R5-2007-0035 ("General Order") is presumed to have certified that the facility does not discharge or propose to discharge, because the discharge of waste to surface waters which causes or contributes to an exceedance of any applicable water quality objective in the Basin Plans or any applicable state or federal water quality criteria, or a violation of any applicable state or federal policy or regulation is prohibited under the General Order.~~

ATTACHMENT D (MONITORING AND REPORTING PROGRAM)

Modify the text at the top of MRP-2 to read:

laboratory certified for such analyses by the California Department of Health Services **except where the California Department of Health Services has not developed a certification program for the material to be analyzed.** Approved procedures will be posted on the Board's web site and copies may be obtained by contacting staff. With the exception of sampling and analytical procedures for surface water discharges, a Discharger may submit alternative procedures for consideration, but must receive written approval from the Executive Officer before using them.

Modify Table 2 of the Monitoring and Reporting Program, Attachment D, page MRP-4, as shown:

Soil

Once every 5 years from each land application area (may be distributed over a 5-year period by sampling 20% of the land application areas annually):

Laboratory analyses at depths below ground surface of:

0 to 1 foot: Electrical conductivity, nitrate-nitrogen, total phosphorus, and soluble phosphorus, ~~and total potassium.~~

1 to 2 feet: Nitrate-nitrogen.

Modify Table 4 of the Monitoring and Reporting Program, Attachment D, page MRP-7, as shown:

Domestic and Agricultural Supply Wells

Annually:

Field measurements of electrical conductivity and ammonium-N¹.

Laboratory analyses of nitrate-nitrogen, ~~ammonium-N~~ and ~~total dissolved solids~~.

Every five years (may be distributed over a 5-year period by sampling 20% of the wells annually):

Laboratory analyses for general minerals (calcium, magnesium, sodium, bicarbonate, carbonate, sulfate, ~~and chloride~~, and total dissolved solids).

Subsurface (Tile) Drainage System

Annually:

Field measurements of electrical conductivity and ammonium-N¹.

Laboratory analyses of nitrate-nitrogen, ~~ammonium-N~~, total phosphorus and total dissolved solids.

¹ If field measurement indicates the presence of ammonium-N, the Discharger shall collect a sample for laboratory analysis of ammonium-N.

RESPONSE TO COMMENTS

Modify the response to Commenter B, comment 4a as follows:

- a. ~~Page MRP-2, top sentence – Water Code Section 13176 requires that “the analysis of any material required by this division shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 or Division 101 of the Health and Safety Code.” Allowing a laboratory other than one certified by the California Department of Health Services to conduct analyses would violate Water Code Section 13176. The language has not been changed.~~
The language has been modified to clarify that a laboratory certified by the Department of Health Services must be used unless the Department of Health Services does not certify laboratories for the

type of material to be tested. The commenter is correct that DHS does not certify laboratories for manure testing.

Modify the response to Commenter D, comment 13 as follows:

Response: The Federal CAFO rule requires information on the soil tests for both nitrogen and phosphorus, and tests must be done at least once during each five year permit cycle. The language for soil sampling has been modified to make this clear. **The requirement for analysis of potassium has been deleted as it is not a requirement of the federal CAFO Rule.**

Modify the response to Commenter D, comment 14 as follows:

Response: Staff feels that the information on ammonium and total dissolved solids is useful, as ammonium is an important indicator of lagoon leakage and direct connections (such as through an improperly abandoned well or poor well construction) between the surface and ground water). Information on total dissolved solids will be correlated with the EC measurements. However, language will be added allowing the Discharger to request a reduced monitoring frequency after two years of monitoring data that do not show detectable ammonium have been collected. **Also, the frequency of testing for total dissolved solids in wells has been reduced to once every five years. In addition, the testing for ammonium-N for both well and tile drain water has been changed from a laboratory test to a field test, with the requirement that a laboratory analysis for ammonium-N be done if the field test indicates the presence of ammonium-N.**

TYPOGRAPHICAL CORRECTIONS

Permit, Page 11, Prohibition #15 – remove extra period:

15. The expansion of the existing milk cow dairy facility, such that it meets the definition of a “new source” is prohibited.-

Permit, Page 11, Prohibition #16 – change “s” to “as”:

...accordance with Table 3 of the Monitoring and Reporting Program (Attachment D), and turbidity of the discharge does not exceed the turbidity limitations ~~s~~ **as** specified in Section E of this Order.

Attachment D, Page 7, under “Groundwater Monitoring” – change “fro” to “for”:

The frequency of monitoring the domestic and agricultural supply wells ~~frø~~ **for** ammonium-nitrogen and total dissolved solids may be reduced to every five years after two years of data are provided to the Executive Officer.