

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E Street, Fresno, California 93706

PUBLIC HEARING

concerning

**WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-XXXX
FOR
COUNTY OF KERN
FOR
POST-CLOSURE MAINTENANCE AND CORRECTIVE ACTION
MCFARLAND-DELANO SANITARY LANDFILL
KERN COUNTY**

The County of Kern (hereafter referred to as Discharger) owns and operates the McFarland-Delano Sanitary Landfill (Facility). The Facility is located approximately 1.5 miles southwest of Delano in Kern County. The Facility consists of one existing unlined waste management unit. The Facility encompasses 106 acres and is currently regulated by Waste Discharge Requirements (WDRs) Order R5-2013-0012. The tentative WDRs were updated as part of a policy of administrative review. The proposed order updates the existing WDRs for post-closure maintenance and corrective action. A public hearing concerning this matter will be held during the Central Valley Regional Water Quality Control Board (Central Valley Water Board) meeting, which is scheduled for:

DATE: 14 and 15 December 2023
TIME: TBD
PLACE: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

This public meeting is currently scheduled to take place in-person and via video and teleconference, but the format may be changed in the future. Any person wishing to obtain information about changes to the date, time, location, or format of the meeting should visit [the Board's website](https://www.waterboards.ca.gov/centralvalley/board_info/meetings) (https://www.waterboards.ca.gov/centralvalley/board_info/meetings).

The final meeting agenda will be available on the Board's website at least 10 days before the meeting. The agenda will provide the location and format of the meeting, the anticipated date the hearing will be held for this item, and the anticipated order of all agenda items; however, the Board may consider agenda items out of their listed order. The agenda materials may also include staff revisions to the proposed order. Please visit our website for information on [How To Participate In Online Meetings](https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/2006/#howtoattend) (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/2006/#howtoattend).

The designated parties for this hearing are as follows:

- County of Kern

Designated parties, but not interested persons, will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses.

Interested persons may not cross-examine witnesses and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board by 5:00 p.m. on **27 October 2023**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

The tentative Waste Discharge Requirements were issued on **27 September 2023**. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than by 5:00 p.m. on **27 October 2023**. Written materials submitted after 5:00 p.m. on the above date will not be accepted and will not be incorporated into the administrative record absent a ruling by the Central Valley Water Board Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Central Valley Water Board Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Central Valley Water Board meeting and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Central Valley Water Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Central Valley Water Board members, counsel staff or others, at the discretion of the Central Valley Water Board.

For a copy of the tentative waste discharge requirements and its related documents or if anyone has any questions regarding the tentative waste discharge requirements, please contact Daniel Benas at (559) 445-5500 or by email at carlos.cervantez@waterboards.ca.gov. Copies of these documents can also be obtained by contacting or visiting the office of the Central Valley Water Board at 1685 E Street, Fresno, weekdays between 8:00 a.m. and 5:00 p.m. by appointment.

The final meeting agenda will be available on the [Central Valley Water Boards Agenda Calendar web page](http://www.waterboards.ca.gov/board_info/agendas/) (http://www.waterboards.ca.gov/board_info/agendas/), at least ten days before the meeting.

The agenda will provide the dates the Central Valley Water Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed order(s).

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained on the [Waterboards' Law and Regulations web page](http://www.waterboards.ca.gov/laws_regulations/) (http://www.waterboards.ca.gov/laws_regulations/). Information on meeting and hearing procedures is also available on the [Central Valley Water Board's Meeting Procedured web page](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) (http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Mindy Maxwell at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Mindy Maxwell at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922. Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original Signed by:
Scott J. Hatton, Supervising Engineer

09/27/2023
CSC