

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

**NOTICE OF PUBLIC HEARING
concerning**

TENTATIVE WASTE DISCHARGE REQUIREMENTS
FOR
AQUA CLEAR FARMS, INC. & HATCH INVESTMENTS LIMITED PARTNERSHIP
AQUA CLEAR FARMS
SOLANO COUNTY

Waste Discharge Requirements (WDRs) are tentatively being issued to Aqua Clear Farms, Inc. and Hatch Investments Limited Partnership (collectively, Dischargers) for Aqua Clear Farms (Facility) located at 6762 Flannery Road, which is approximately fifteen miles south of Dixon and five miles northwest of the community of Rio Vista in Solano County.

The 84-acre Facility consists of multiple operational, planned, and former surface impoundments (referred to as “basins”) used to process, treat, and store drilling muds. Current operations at the Facility consist of discharge of drilling mud from trucks into double-lined Class II basins where the drilling mud solids settle to the bottom of the impoundment, and the remaining water separates and rests on top of the settled mud (“top water”). During the dry season, the top water evaporates or the Dischargers transfer the top water to another lined Class II basin and mechanically process the underlying solids with compaction equipment to facilitate further drying.

This revised WDRs update the current 2014 WDRs to address multiple Facility improvements and requires implementation of an associated monitoring and reporting program (MRP) for the Facility. The tentative WDRs would also require the Dischargers to complete a series of tasks related to Closure and Post-Closure Maintenance and Corrective Action for the Facility, including but not limited to, establishing Water Quality Protection Standards for the Facility pursuant to procedures defined in California Code of Regulations, Title 27, updating cost estimates for financial assurances, and demonstrate valid financial mechanisms are fully funded.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting scheduled for:

DATE: 15/16 February 2024
TIME: 8:30 a.m.
PLACE: Remote meeting via video and teleconference, and/or in-person meeting at the Central Valley Regional Water Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, California, 95670 pending changes in pandemic restrictions.

**AS A RESULT OF THE COVID-19 EMERGENCY, AND AS AUTHORIZED BY
GOVERNMENT CODE SECTION 11133 AND EXECUTIVE ORDER N-1-22, 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. TO RECEIVE FUTURE NOTICES ABOUT CHANGES TO THE DATE, TIME, LOCATION, OR FORMAT OF THE PUBLIC HEARING SHOULD SIGN UP FOR NOTIFICATION VIA [LYRIS E-MAIL](mailto:lyris@waterboards.ca.gov)

(https://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.html).

Additional information on participating in the public hearing can be found on the

[Regional Board Meeting Calendar webpage](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/)

(https://www.waterboards.ca.gov/centralvalley/board_info/meetings/).

Also, 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)

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The designated parties for this hearing are as follows:

- Aqua Clear Farms, Inc.
- Hatch Investments Limited Partnership

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such 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 no later than **5:00 p.m. on 29 December 2023**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

The Tentative Permit was issued for a 30-day public comment period on **29 November 2023** and comments are due by **5:00 p.m. on 29 December 2023**. Written evidence or comments submitted after **5:00 p.m. on 29 December 2023** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. Any person requesting to submit late materials must demonstrate good cause for the late submission, and the Chair must find that accepting the late submission will 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 Board Chair.

Anyone having questions regarding the hearing item should contact Brad Shelton at (916) 464-1588 or brad.shelton@waterboards.ca.gov. Interested persons may contact Brad Shelton to obtain a copy of the tentative Order and related documents. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water

NOTICE OF PUBLIC HEARING
AQUA CLEAR FARMS, INC.
HATCH INVESTMENTS LIMITED PARTNERSHIP
AQUA CLEAR FARMS
SOLANO COUNTY

3

Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California, 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m. The [final meeting agenda](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) (http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) will be available at least 10 days before the meeting. The agenda will provide the specific date the Board Meeting will be held for this item, indicate the anticipated order of all agenda items, and may include staff revisions to the proposed order.

The [Procedures Governing Central Valley Water Board Meetings](http://www.waterboards.ca.gov/laws_regulations/) (http://www.waterboards.ca.gov/laws_regulations/) 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. [Information on Meeting and Hearing Procedures](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) (http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) is available on the Central Valley Water Board's website 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.

J.J. Baum, P.E.
Assistant Executive Officer