

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

**PUBLIC HEARING**

concerning

**WASTE DISCHARGE REQUIREMENTS ORDER R5-2021-XXXX  
FOR  
COUNTY OF KERN  
FOR  
OPERATION AND POST-CLOSURE MAINTENANCE  
BAKERSFIELD METROPOLITAN (BENA) SANITARY LANDFILL  
KERN COUNTY**

The County of Kern (hereafter referred to as Discharger) owns and operates the Bakersfield Metropolitan (BENA) Sanitary Landfill (Facility) which is located approximately 17 miles east of Bakersfield in Kern County. The Facility is situated on a 2,370-acre property, with two waste management units that occupy about 140 acres of the Facility property. The Facility is currently regulated. The proposed order updates the existing Waste Discharge Order R5-2013-0110, R5-2012-0065, and R5-2007-0092 requirements for construction, and to continue operation and post-closure maintenance.

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: 22 and 23 April 2021  
TIME: 9:00 a.m.  
PLACE: Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-6114

In accordance with Executive Orders suspending certain provisions of the Bagley-Keene Open Meeting Act in light of the COVID-19 pandemic, this meeting will be conducted as an online meeting only. Please visit our website for information on [How To Participate In Online Meetings](https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/2006/#howto) ([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/2006/#howto](https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/2006/#howto) attend). 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

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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 **19 March 2021**. 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 **19 February 2021**. 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 **19 March 2021**. 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 Carlos Cervantez at (559) 445-5978 or by email at [Carlos.Cervantez@waterboards.ca.gov](mailto: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/](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/](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](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml))

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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:  
Clay L. Rodgers, Assistant Executive Officer

02/19/2021  
CC