

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION**

**4/5 SEPTEMBER 2003**

**ITEM:** 5  
**SUBJECT:** Executive Officer's Report

**DISCUSSION:**

**GENERAL**

**1. *Meeting with Representatives of the Westside San Joaquin River Watershed Group***

On 13 August 2003, Regional Board staff met with representatives (David Cory and Joseph McGahan) of the Westside San Joaquin River Watershed Group to discuss Resolution No. R5-2003-0105, Conditional Waiver of Waste Discharge Requirements (Waiver) and other regulatory options available to the individual dischargers within the Watershed area or the Watershed Group as a whole. Cory and McGahan outlined the conditions, which may impede the Watershed Group effort. These conditions include submitting to the Board, a list of each individual discharger that has knowingly elected to participate in the Watershed Group effort, including their parcel number, and the condition regarding access. These items are being petitioned to the State Board.

Also, given the uncertainty of the Waiver, Cory and McGahan wanted to discuss other regulatory options available to the Watershed Group. The options discussed are as follows:

1. General Waste Discharge Requirements (WDRs) for a geographical region
2. WDRs for each individual discharger (i.e. farm specific WDRs)
3. WDRs for a responsible public entity (i.e. similar to those adopted for the Grassland Bypass Project)

Regional Board staff will be actively participating in further discussions with this and other Watershed Groups to provide assistance with the Waiver and discuss various alternative(s) to the Waiver. (MMW)

**2. *Water Quality Certification program, §401 of the Clean Water Act, Protecting Wetlands and Other Waters of the United States***

The Central Valley Region has vast wetland resources in its rivers, streams and vernal pools. The function of the Water Quality Certification (WQC) is to protect these wetlands by ensuring that waste discharged to these waters meets state water quality standards. The WQC program regulates dredge and fill activity that results in any discharge to waters of the U.S. These projects require a Federal Permit under §404 of the Clean Water Act (CWA). Pursuant to §401 of the CWA, any applicant for a federal license or permit for any activity that may result in any discharge into Waters of the U.S. shall provide the federal permitting agency (i.e., Army Corps of Engineers [Corps]) with a certification from the respective State. The WQC Program started as a relatively narrow response to the requirements of CWA §401. It has evolved into being the State's *de facto* wetland protection regulation program, without formal recognition of these responsibilities or commensurate funding.

Typical projects for which WQC is requested include new subdivisions, bridges, roads, pipeline construction; levee reconstruction; wetland habitat improvement; pier installation; boat harbor dredging; gravel mining; flood control excavation; and minor stream crossings. The Central Valley Region has received 365 new applications for water quality certifications over the past year.

Regional Board staff must notify an applicant within 30 days as to whether or not an application is considered complete or incomplete. A receipt letter is sent to the applicant that indicates whether or not the application is complete, and provides instructions depending on the status of the application. This may also include a request for additional fees in accordance the new fee schedule. If an application is determined to be complete, we have 60 days to issue or deny certification. These time requirements keep the limited WQC staff very busy.

New fees for WQCs went into effect in October 2002. Prior to October 2002 an applicant submitted \$500 for a standard certification and \$1,000 for a conditional WQC. Now an initial application fee of \$500 is required for review of the application and issuance of a standard WQC. Wetland fill activities are charged \$2,250 per acre up to a maximum of

\$20,000. For dredging it is \$1,125 for less than 10,000 cubic yards, \$4,500 for 10,000 to 20,000 cubic yards, and up to a maximum \$20,000 for larger projects. For FY 2002-03, the Central Valley Region collected \$363,000 in fees but only received \$195,000 for staffing. This funding supported 1.7 PYs, which were split among our three offices. Receipts are expected to further increase in FY 2003-04 with further revision of the fee schedule. However, no increase in the WQC budget is expected.

Inadequate funding for the program does not allow staff to complete basic regulatory functions such as inspections, mitigation monitoring and enforcement. It is both federal policy and Governor's policy that there be "no net loss" of wetlands. With current staffing we are unable to ensure that these policies are implemented.

Further impacts to the program came in January 2001 when the US Supreme Court issued its decision in *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers (SWANCC)*. This decision limited the application of the Clean Water Act as it applies to non "isolated" waters. The Clean Water Act no longer covers discharges of waste to vernal pools, which may be isolated from waters of the US. By narrowing the water and wetland areas under federal regulation, the decision limits the authority of the Corps, and the State and Regional Water Boards under federal law. The decision does not affect the State and Regional Water Board's authorities under state law, however, to regulate discharges to any waters of the state including isolated, non-navigable waters.

Compensatory mitigation is required for most WQCs, which is usually enforced by the Corps. However with the SWANCC decision, isolated wetlands will now be regulated by the State. Our true weakness in the "isolated wetlands" program is compensatory mitigation. Several Regions currently require mitigation to meet the "no net lost" policy. However, Central Valley staff currently follows the ACOE mitigation ratio which requires replacement of lost wetlands at a greater than one to one ratio. However, we have not generally followed up to ensure that replacement wetlands have actually been created.

In summary, the WQC program is a bare bones effort to ensure compliance with the States water quality laws and protect wetlands. A significant amount of money is collected from applicants but not returned to the Central Valley Region for regulatory work. The SWANCC decision has added to the Region's WQC workload. No budget augmentations are planned for FY 03-04, even though revenues are expected to increase. (GDD)

**3. *Fish Kill in Old River, Tracy, San Joaquin County***

On 5 August 2003, a fish kill was observed along a half-mile stretch of Old River just west of the Tracy Road bridge by Regional Board staff, and representatives from USEPA, CalFed, and DeltaKeeper. The species that accounted for almost all of the estimated 10,000 dead fish observed has been tentatively identified as Threadfin Shad. Activities observed in the immediate area included several agricultural discharges, the installation of a dock at an adjacent campground, boating, and riverside homes. The cause of the fish kill is not known at this time. Dissolved oxygen measurements taken in the vicinity of the fish kill ranged from 3.8 mg/L at the surface to 1.4 mg/L near the bottom at 11:50 AM and from 4.6 mg/L at the surface to 2.0 mg/L near the bottom at 2:00 PM. The Department of Fish and Game was notified about the kill. PHL

**4. *Proposed Pretreatment Facility, Odwalla Inc., Tulare County***

Odwalla operates a juice making facility in the City of Dinuba that produces an acidic wastewater with a high organic strength. The City has had difficulty properly treating its wastewater, and since the fee for Odwalla to discharge to the City's WWTF was increasing, Odwalla proposed a pretreatment facility. The facility will consist of pumps, an equalization tank, and an anaerobic reactor that produces a treated effluent discharged to the sewer with stabilized sludge and methane as byproducts. The stabilized sludge can be sold and the methane will be burned on site. Also included in the pretreatment facility are pH adjusting equipment, a biofilter for odor control, facility monitoring equipment and control systems, and storage for stabilized sludge. (JEB)

**5. *New Edition Of "A Compilation Of Water Quality Goals" Released***

On 14 August, Regional Board staff released the latest edition of the Water Quality Goals report, containing numerical water quality limits from the literature for over eight hundred chemical constituents and water quality parameters. These limits may be used to determine whether beneficial uses of groundwater and surface water are impaired or threatened. The text of the report explains, with examples and algorithms, how these limits may be used to interpret water quality standards in California. A summary of relevant statutes, regulations, plans, and policies and a list of references are included. Copies of the report and related documents may be downloaded free from the Regional Board's internet web site at [www.swrcb.ca.gov/rwqcb5/available\\_documents](http://www.swrcb.ca.gov/rwqcb5/available_documents), under the subheading "Water Quality Goals." Hard copies of the report may be obtained for a nominal fee from the Reception Desk at the Regional Board's Sacramento Main Office.

The August 2003 Edition of A Compilation of Water Quality Goals is the thirteenth in a series of staff reports on this topic, the first of which was issued in July 1985. The report has been developed and periodically updated to provide a uniform

method and a convenient source of numerical limits for determining compliance with narrative water quality objectives. It is referenced for this use in the Implementation chapter of both Basin Plans for the Central Valley Region. It is also referenced in the Basin Plan for the San Francisco Bay Region. The report has been used for many years by the State Board and the eight other Regional Boards. (JBM)

**6. *White Paper Regarding Soil-Cement Technology for Sludge Drying Bed Liners***

On behalf of 14 municipal dischargers in the southern San Joaquin Valley, Carollo Engineers submitted a draft "White Paper," Soil Cement Lined Sludge Drying Beds: Best Practicable Treatment and Control for Solar Drying of Municipal Wastewater Sludge. The report proposes soil cement containment reflects Best Practicable Treatment and Control (BPTC), as used in State Water Resources Control Board Resolution No. 68-16. The report includes a literature review of soil cement technology and anecdotal evidence in the form of case studies, results of limited laboratory and field experiments, and groundwater data from the City of Phoenix, which utilized soil cement sludge drying beds for a limited period. The report does not contain results of any vadose zone studies demonstrating the effectiveness of soil cement in containing sludge leachate, which contains substantially higher concentrations of waste constituents than raw sewage. Many of the municipalities supporting Carollo's efforts own and operate wastewater treatment facilities that have caused groundwater to contain waste constituents in concentrations exceeding applicable water quality objectives, due in part to the long-term discharge of sludge to unlined facilities. One of these municipalities, the City of Tulare, proposes to line its existing sludge drying beds with 12 inches of soil cement and to limit sludge application depths to 18 inches. In a 24 July meeting with the City and Carollo Engineers, staff agreed that if the anecdotal evidence presented in the report is representative, there should be little or no leakage of leachate from sludge drying beds equipped with properly designed and maintained soil cement liners. To demonstrate the effectiveness of soil cement as a liner of sludge drying beds, the City will equip one soil cement lined sludge drying bed with a double liner and leachate collection system.

Staff has provisionally accepted the report's premise that soil cement may be considered an acceptable technology to line remote sludge drying beds in arid environments. Key to this acceptance is comprehensive design criteria, stringent construction quality assurance and quality control, periodic maintenance, and effective monitoring of containment integrity. As a BPTC measure, municipalities selecting soil cement for lining sludge drying beds will be expected to demonstrate containment by equipping a representative portion of the area encompassed these drying beds with a secondary liner and leachate collection system. If containment sufficiently protective of groundwater cannot be demonstrated, municipalities will be expected to discontinue use of the soil cement lined beds and implement a method to minimize or preclude the discharge of sludge leachate (e.g., by implementing mechanical dewatering) and propose and implement effective groundwater remediation measures. (SJK)

**7. *Proposed Guidelines for the Discharge of Winery Stillage and Non-Stillage Process Water***

On 5 May, Regional Board members Cher Kablanow and Alson Brizard and staff attended a presentation in Modesto by the Wine Institute on the results of a 4 month field experiment at two Region 5 wineries: Bronco Wine Company's winery near Ceres and E. & J. Gallo Winery Fresno. The Wine Institute selected Kennedy/Jenks Consultants and Dellavalle Laboratories, Inc. to conduct the field experiment, which involved various hydraulic and waste constituent loadings and provided basic data to test the hypothesis that properly managed spreading basin land application is an effective treatment method for stillage and non-stillage winery wastewater. The resultant data were utilized to update/revise the 1980 Stillage Guidelines, which are incorporated in the Tulare Lake Basin Plan and the Sacramento River and San Joaquin River Basins Plan.

On 30 June, staff met with Kennedy/Jenks and Wine Institute representatives to discuss staff comments on the report and its proposed guidelines. Staff expressed reservations over the proposal to pond wastewater for up to five days; its recommended high BOD loading, especially when field test data demonstrates that even relatively low BOD loadings cause soil-pore liquid to contain high concentrations of calcium and alkalinity (and possibly iron and manganese when nitrate is totally depleted); its assumed re-oxygenation of the deeper vadose zone to precipitate or otherwise attenuate decomposition by-products; and, its complexity in implementation and performance monitoring. Another issue staff raised was how groundwater monitoring data will be interpreted for sites with long-term discharges that are implementing the new proposed guidelines. Without testing the proposed guidelines at newly developed sites, it will be difficult to distinguish impacts from future discharges implementing the new guidelines from past discharges that likely did not consistently comply with the existing Stillage Guidelines' basic prescribed application depths and rest periods. This will be an important issue for the wine industry to resolve if it requests the Regional Board to consider attenuation in developing discharge specifications based on the proposed guidelines. Field experiments at both wineries will resume in September to collect data on the performance of land treatment when operated under the proposed guidelines.

**8. *Update on 2003 Rice Pesticide Program***

Last March, the Board approved the 2003 Rice Pesticide Program with several new provisions aimed at reducing the levels of rice herbicide thiobencarb in the Sacramento River. Thiobencarb causes off-taste to drinking water and over the past several years detections have increased at the drinking water intakes for the cities of Sacramento and West Sacramento. In the 2002 rice season, the 1 ppb secondary Maximum Contaminant Level (MCL) for thiobencarb was exceeded at the City of West Sacramento's intake.

Preliminary results from sampling conducted from April through early July of this year indicate that thiobencarb levels were low in agricultural drains in comparison with previous seasons and the pesticide was not detected at the City of Sacramento intake. Thiobencarb was detected at the City of West Sacramento intake three times in 2003 with a high of 0.16 ppb, which was far below the 1 ppb secondary MCL and an order of magnitude below 2002 season's peak of 1.6 ppb.

The low levels of thiobencarb observed in 2003 are most likely attributable to a combination of factors, such as dilution due to increased flows provided by abundant April precipitation, absence of major storms during the herbicide use period, decreased rice acreage due to fallowing resulting from water transfers to Southern California and new program components such as exclusive use of a less dusty 15G thiobencarb formulation in the Sacramento valley, increased outreach efforts, and buffer zones adjacent to the Sacramento River.

Staff continues to work with the California Rice Commission, DPR, the Cities and other interested parties to ensure a successful and adaptive Rice Pesticide Program. Efforts continue to develop strategies to deal with exceedences due to storm events and to aid the CRC in their continuing transition into the Program responsibilities previously assumed by DPR. Staff expects to bring the proposed 2004 control program before the Board for consideration of approval at the March 2004 meeting. (AES/RJS)

**9. *Evaluation of Title 27 Effectiveness at Confined Animal Facilities***

Under contract with the State Board, San Jose State University Foundation subcontracted with Brown, Vence, and Associates (BVA) in June 2003 to evaluate the effectiveness of Title 27 to protect groundwater quality at confined animal facilities. BVA has submitted the first draft report for SJSUF review. The first report is to (1) document and describe the potential and documented effects to groundwater quality due to releases from retention ponds, milk production areas, and corrals at confined animal facilities designed in compliance with current Title 27 requirements and (2) identify areas of research that are deficient and suggest future studies that will be beneficial in alleviating any identified deficiencies. Staff is currently reviewing the draft report and will provide comments to SJSUF. (PAL)

**10. *Update on the 2003 Consolidated Request for Concept Proposals***

On 19 March 2003, the State Board released a consolidated Request for Concept Proposals (RFCP), identifying \$138-million in grant funding available statewide for water quality improvement projects. The State Board received approximately 660 concept proposals before the 5 pm, May 9th deadline. Of those 660 proposals, approximately 250 were for projects within Region 5. Technical reviews of all concept proposals have been completed and stakeholder panels representing distinct geographic areas as well as potential funding sources have developed a list of projects to call back for full proposal development. Details provided in the full proposals will allow a final determination of projects to be funded as well as provide a near contract ready document to expedite final contract development. A list of the projects for which full proposals have been requested has been posted on the State Board's web site. Letters to all applicants discussing the results of the review process are to be mailed by Friday 15 August. Summary comments from the review process will be available to applicants through both the State Board and Calfed, depending on the grant program. Staff anticipates holding workshops on the development of full proposals in conjunction with Calfed staff during the end of August/early September. Approximately 60-concept proposals for projects within Region 5 (totaling roughly \$65-million) are being asked back for full proposals, although it is anticipated (and requested) that many of the projects combine into single applications. Staff from all offices will be working with applicants up to the 29 September due date in order to facilitate final proposal development.

**CEQA REPORTING****11. *Proposed Loyalton Mill Business Park, Sierra County***

On 16 April 2003 staff provided comments on the CEQA documents for the proposed Loyalton Mill Business Park. The project consists of a 13 lot industrial subdivision and proposes individual septic tank/leachfield systems for 12 of the lots. Due to high groundwater conditions, one of the lots is expected to connect to the municipal wastewater treatment facility. The Sierra County Planning Department subsequently transmitted additional documentation provided by Sierra Pacific Industries and requested Regional Board staff to comment. Staff reiterated that the discharge of industrial wastewater in septic tanks can result in groundwater degradation and that few types of low strength industrial wastewater can be adequately

treated in septic tanks. Staff also informed the project proponent that discharge of industrial wastewater in septic tanks, if approved, would result in additional monitoring requirements. Staff continued to advocate the need for a regional solution to wastewater issues consistent with Regional Board policy. (TRO)

**12. *Proposed Dunnigan Truck and Travel Center, Yolo County***

On 22 July 2003, staff commented on a draft Initial Study and tiered Mitigated Negative Declaration for a proposed commercial development at the Interstate 5/County Road 8 interchange in Dunnigan. Highway commercial development at that interchange has already resulted in construction of three separate facultative lagoon systems for disposal of sanitary and industrial wastewater and another was recently proposed for an equipment auction facility. Wastewater treatment and disposal for the travel center would be provided by expanding the existing Dunnigan Water Works treatment system, which is owned by the developer and currently serves a mobile home park. Groundwater in the area is extremely shallow and there is evidence of groundwater degradation beneath at least one of the existing wastewater facilities. Staff's comments focused on the need to better address potential groundwater degradation and recommended advanced treatment or other best practicable treatment and control measures. Staff also suggested that a centralized treatment system be considered to address potential cumulative impacts from all commercial and residential development in the area. The Dunnigan General Plan EIR envisioned such a system, but no developer has shown an interest in the planned residential development that would have triggered its construction. (ALO)

**13. *City of Patterson WWTF Expansion CEQA Document, Stanislaus County***

The City of Patterson is proposing to increase the capacities of its wastewater collection system and wastewater treatment facility (WWTF) to accommodate future sewage flows to 3.15 mgd. The expansion project includes a gravity sewer trunk line to serve the Diablo Grande Specific Plan Area. In commenting on the project's notice of preparation, Regional Board staff recommended the EIR identify and evaluate potential adverse water quality impacts as a result of continued operation of the existing WWTF in addition to the City's proposed WWTF expansion. Staff further recommended that if adverse impacts to water quality are identified, the EIR specifically identify and discuss what mitigation measure(s) the City will implement to reduce these adverse impacts to less than significant levels. The City's draft EIR did not fully address the above comments. The existing WWTF consists of an oxidation ditch and an advanced integrated pond system (AIPS). In general, oxidation ditch treatment technology exhibits higher removals of organics and nutrients than AIPS. The City originally proposed to expand the WWTF by adding another AIPS. After consulting with Regional Board staff on the matter, however, the City indicated that it would add another oxidation ditch instead. The draft EIR describes an expanded WWTF using oxidation ditch technology, but does not propose this as the preferred alternative. The draft EIR indicates that, because the existing WWTF does not impact groundwater, the proposed expanded WWTF would not impact groundwater. However, monitoring data demonstrate that the WWTF and its discharge have contributed to the degradation of area groundwater. In commenting to the draft EIR, Regional Board staff recommended the City select the oxidation ditch expansion as preferred alternative and indicated revised tentative WDRs for Regional Board consideration would include specific measures, including effluent nitrogen limitations, to mitigate the discharge's impact on groundwater to less than significant levels. (ARP)

**TMDLS**

**14. *Basin Plan Amendment and TMDL for Dissolved Oxygen in the San Joaquin River Deepwater Ship Channel***

Background: Staff is working to develop a TMDL and implementation plan for low dissolved oxygen in the Stockton Deep Water Ship Channel. As part of this effort, Staff is considering implementation plan recommendations made by the San Joaquin River Dissolved Oxygen Steering Committee in February 2003.

Status:

- The Steering Committee submitted its implementation plan recommendations to Staff in February 2003 and presented them to the Regional Board at the March 2003 meeting.
- On 30 June 2003 a TMDL report was submitted to USEPA outlining the required elements of the TMDL, including preliminary wasteload and load allocations and the assumptions being made about non-load related factors. A discussion was also included on the Steering Committee's proposed implementation strategy.
- On 24 July, Mark Gowdy attended a meeting of the San Joaquin River Dissolved Oxygen TMDL Stakeholder Steering Committee. The meeting began with a group discussion about the DO TMDL report that was submitted to USEPA on 30 June 2003 by Regional Board staff. The meeting also focused on the status of implementation activities included in the Steering Committee's proposed plan. Pending and future Bay-Delta Authority contracts for implementation planning studies were also discussed.
- Staff is proceeding with development of the Basin Plan Amendment for this TMDL.

Commitments: Staff is committed to bringing a proposed Basin Plan Amendment to the Board by June 2004. (MG, LFG)

**15. *Basin Plan Amendment and TMDL for the Control of Diazinon and Chlorpyrifos in the San Joaquin River***

Background: Staff is preparing a Basin Plan Amendment that will address the control of diazinon and chlorpyrifos runoff to the San Joaquin River. The Basin Plan Amendment will include water quality objectives for diazinon and chlorpyrifos, a program of implementation, and the required TMDL elements.

Status:

- Staff is completing the peer review version of TMDL and Basin Plan Amendment staff reports; reports will be released for public review in October, followed by a public workshop
- Staff has been working with UC Davis to conduct monitoring of the San Joaquin River and the major east side tributaries (Merced, Tuolumne, and Stanislaus Rivers) during the irrigation season

Commitments: Staff is committed to bringing a proposed Basin Plan Amendment to a Regional Board workshop in December 2003. (DLB, MJM, LFG)

**16. *Basin Plan Amendment and TMDL for the Control of Salt and Boron in the San Joaquin River***

Background: Staff is preparing a Basin Plan Amendment that will address the control of salt and boron discharges to the San Joaquin River. The first phase of this TMDL is designed to meet water quality objectives at Vernalis. The Basin Plan Amendment will include a program of implementation, and the required TMDL elements.

Status:

- Staff is completing the peer review version of TMDL and Basin Plan Amendment staff reports; reports will be released for public review in October, followed by a public workshop

Commitments: Staff will be bringing a proposed Basin Plan Amendment to a Regional Board workshop in December 2003 (EIO, LFG)

**17. *Cache Creek, Bear Creek, and Harley Gulch Mercury TMDL Status***

Staff is in the process of preparing the mercury TMDL technical report for the Cache Creek watershed. The public release of the technical TMDL report for Cache Creek, which was scheduled for release in July, has been delayed. Staff has decided to include a TMDL for Bear Creek, a tributary to Cache Creek, in this report. Bear Creek is listed separately on the Federal 303d list of impaired waters due to elevated concentrations of mercury in fish tissue and water. In addition, some of the information used to develop the Cache Creek TMDL technical report is based on preliminary information to be provided by California Bay-Delta Authority mercury studies. The draft mercury reports are not expected to be finalized until September.

The draft technical TMDL report is expected to be complete and available for public review and comment this fall. The delay of the TMDL report should not affect the schedule for the TMDL Basin Plan amendments, which are scheduled for Regional Board consideration by June 2005. (PWM)

## ENFORCEMENT

**18. *Administrative Civil Liability Complaint issued to AKT Development Inc. and Sunridge L.L.C., Anatolia I & II, Sacramento County***

On August 11, the Executive Officer issued an Administrative Civil Liability complaint, in the amount of \$571,000 to AKT Development Corporation and Sunridge Development L.L.C., the developer and owner, respectively of a 527 acre residential and commercial development project known as Anatolia I & II for violations of the General Construction Storm Water Permit. The Discharger mass graded and denuded approximately 250 acres of the development prior to last year's rainy season and failed to provide an effective combination of erosion and sediment controls. The Discharger also constructed inadequate detention basins and modified a storm water treatment system resulting in the discharge of pollutants (sediment and flocculent) to surface waters. These surface waters included sensitive wetlands habitat and a tributary to Morrison Creek. (GDD)

**19. *Cleanup and Abatement Order Issued to Cal Sierra Development Inc., Yuba County***

On 6 August 2003, the Executive Officer issued a Cleanup and Abatement (C&A) Order to Cal Sierra Development, a precious metals recovery company that operates in the Yuba Goldfields. In January 2003, Cal Sierra's Dredge 21 sank, and Cal Sierra has requested permission to pump water at a rate significantly greater than allowed by its WDRs. The pumping is necessary to lower the pond in which the dredge sank to allow for salvage activities. The C&A allows the higher pumping rate and among other items, requires daily monitoring to ensure that the pumped water is contained within Cal Sierra's designated disposal area. (WSW)

**20. Water Code Section 13267 Order for Monitoring Reports, Triangle Engineering Company, Yuba County**

On 3 July 2003, the Executive Officer issued a Water Code Section 13267 Order requiring Triangle Engineering to submit the monitoring reports required by its Waste Discharge Requirements (WDRs). The Regional Board has not received any monitoring reports since the Discharger's WDRs were updated in June 2000. The Order requires the Discharger to submit a technical report describing measures to ensure future monitoring reports are submitted as required by the WDRs. (TRO)

**21. Notice of Violation, Sierra Pacific Industries, Loyalton Mill, Sierra County**

Sierra Pacific Industries' (SPI's) Loyalton Cogeneration facility is regulated under the waste discharge to land program. In order to protect the high quality groundwater beneath the site, the 2002 WDRs contain stringent flow limitations and total dissolved solid (TDS) effluent limitations. On 16 June 2003 staff issued a Notice of Violation to SPI for numerous violations of its Waste Discharge Requirements (WDRs). For example, data provided by hand held meters used by SPI in the monitoring program were discovered to be incorrect. Of particular concern was the fact that field measured TDS concentrations were significantly lower than the concentrations reported in samples analyzed by a certified laboratory. The following repeat violations were noted:

- The cogeneration TDS concentration effluent limit was regularly exceeded.
- The cogeneration pond regularly possesses inadequate freeboard.
- The cogeneration pond wastewater TDS concentration regularly exceeds the effluent limit.
- The supplemental source water supply is normally not analyzed by a laboratory rather than a hand held meter.
- The log deck pond regularly possesses inadequate freeboard.

The continued use of hand held meters was allowed only if the data accuracy could be improved. SPI submitted a technical report on 15 July 2003 describing QA/QC measures that will improve data reliability. On 23 July 2003, staff met with SPI to discuss the monitoring and compliance issues at the facility. By 11 September 2003, SPI must submit a technical report describing how it has changed its operations such that it is in compliance with its WDRs. If SPI cannot reduce its TDS concentrations or comply with its flow limitation, then it must submit a Report of Waste Discharge for Title 27 WDRs. (TRO)

**22. Nuisance Odor Condition, City of Escalon Wastewater Treatment Plant, San Joaquin County**

The City of Escalon wastewater treatment plant treats domestic and industrial wastewater; industrial wastewater is generated by a tomato packer (Escalon Premier Brands) and a vegetable packer (Eckert Cold Storage). On 25 July 2003, staff issued a Notice of Violation for a continuing nuisance odor condition that has resulted in numerous odor complaints from residents who live near the wastewater treatment plant. The odors are reported to have existed for at least two weeks prior to the NOV. The strength and volume of the industrial wastewater exceeded the wastewater treatment system capacity resulting in continuing odors. The San Joaquin Valley Air Quality Management District logged 56 complaints in 9 days, confirming the odor complaints to staff. Because odor violations are a recurring problem each packing season, staff is preparing a Cease and Desist Order for consideration at the September 2003 Regional Board meeting. (TRO)

**23. Water Code Section 13267 Order for Technical Reports and Revised Monitoring and Reporting Program, Bear Creek Winery, San Joaquin County**

On 28 April 2003 the Executive Officer issued a Water Code Section 13267 Order requiring the Bear Creek Winery to submit reports that address technical issues raised during the preparation of updated Waste Discharge Requirements (WDRs). One of the reports was a requirement to submit a Groundwater Monitoring Workplan. The Discharger recently requested "...written explanation identifying the evidence that supports requiring them to provide new monitoring wells at this time," and a delay in the installation of new groundwater monitoring wells. The request for a delay has been denied and staff has provided the written explanation of the need for groundwater monitoring wells. The existing groundwater monitoring network is inadequate as certain active land application areas contain no groundwater monitoring; the existing network fails to adequately define conditions downgradient of the intended land application area; and the request to delay installation of groundwater monitoring wells is a fundamental change in position for the Discharger since installation of an additional wells was recommended in numerous technical reports submitted, even as recently as 31 January 2003. Staff notes that at this late date, the Discharger is objecting to performing the technical studies required to answer the uncertainties it raised during the tentative WDR review process. Staff decided to delay consideration of the tentative WDRs so that the Discharger could perform the necessary studies to answer the technical questions it raised. Staff also notes that the volume of wastewater discharged is proposed to increase dramatically over the next ten years as the winery is expanded; therefore the technical questions must be answered in a timely fashion. (TRO)

24. ***Cleanup and Abatement Order Compliance Status, Clayton Regency Mobile Home Park, Clayton, Contra Costa County***  
On 25 July 2003 staff approved the Wastewater Treatment System Design Report, which was submitted to comply with Cleanup and Abatement Order No. R5-2002-0732. The report was thorough and responsive to the C&A Order and proposed a package treatment system to provide nitrification, denitrification, tertiary treatment, and disinfection. The high-quality treated effluent will be discharged to a new leachfield. A report of Waste Discharge for the facility improvements is due in mid-September. (ALO)
25. ***Notice of Violation, Weimar Institute, Placer County***  
Based on observations made during a 15 July 2003 site inspection, the Weimar Institute was issued a Notice of Violation (NOV) on 30 July 2003. Violations include the improper disposal of sludge removed from oxidation pond No. 1, abundant vegetation on the surface of the ponds, an effluent discharge rate considerably above that described in the WDRs, and a lack of monitoring reports. The NOV requires the Discharger to address the above issues. In addition, the Discharger must submit a Report of Waste Discharge (RWD) due to the material change in the volume of waste generated. (GJC)
26. ***Mandatory Minimum Penalties***  
State Water Code, Section 13385, requires mandatory minimum penalties for certain violations of NPDES permit limitations. During early August 2003, the Executive Officer issued Administrative Civil Liability Complaints (ACLC) against the City of Colfax (\$351,000), the City of Colusa (\$114,000), the City of Live Oak (\$879,000) and the City of Maxwell (\$588,000). The Water Code allows, as an alternative to paying the penalty to the Cleanup and Abatement Account, for the Dischargers to spend an equivalent amount on a project to achieve compliance with Waste Discharge Requirements. In order to be eligible for the compliance project alternative, a community must qualify as small and low income. The mentioned communities qualify for the small community alternative. The Cities must pay the mandatory penalty, agree to enter into a stipulated agreement to complete a compliance project or request a hearing before the Regional Board prior to the end of August 2003. RPM
27. ***California's Largest Grease Hauling Business Forced to Cease Operation, Fresno County***  
A civil enforcement action charging Thrifty Best Service, a Fresno-based grease hauling business, with violations of water pollution laws was settled 16 July 2002 in Stockton. The case was based on the work of a statewide taskforce created by the California Environmental Protection Agency to focus enforcement efforts on the illegal disposal of waste grease in California. The complaint was filed in January 2003 in San Joaquin County with the action joined by 12 other counties throughout California including Fresno, Kings, Madera, Merced, Monterey, Sacramento, San Bernardino, Shasta, Solano, Sonoma, Stanislaus, and Tehama Counties. The complaint alleged that Thrifty Best Service violated provisions of the State Water Code and Fish and Game Code, created a public nuisance and engaged in unfair business practices including false advertising, by illegally dumping inedible kitchen grease into public sewers and storm drains. Thrifty Best Service (dba Shubin Farms) operates a 530-acre grease trap waste land disposal site in Fresno County under the terms and conditions of WDRs Order No. 95 193. While the defendants did not admit the allegations in the complaint, as part of the civil settlement, Thrifty Best did admit nine counts of contempt for violating restraining orders issued in the case. The \$900,000 settlement in the case represents \$620,400 in penalties and \$279,600 in costs. Prosecutors also obtained a court order preventing Thrifty Best Service and its owner, William Shubin, from doing business in California forever. Following a facility inspection to confirm the discharge has ceased, staff will recommend the Regional Board rescind Order No. 95-193. (PJR)
28. ***Delano Growers Grape Products Inspection, Kern County***  
Wastewater from the Delano Growers Grape Products facility is discharged to two unlined ponds before being pumped to 88 acres of disposal checks. No crops are grown in the disposal area. A staff inspection revealed that the Delano Growers is exceeding its permitted flow limit of 0.205 mgd as well as overloading the disposal area with organic and nitrogen compounds. The wastewater is characterized by low pH, high EC, and often high concentrations of BOD, TSS and nitrogen. Staff issued a notice of violation requiring the Discharger to submit a technical report to address the violations and a groundwater monitoring network installation workplan within 60 days. (JHG)
29. ***Hilmar Cheese Company Discharge Deficiencies, Merced County***  
Hilmar Cheese Company, Inc. owns and operates the world's largest single-site cheese manufacturing facility near the unincorporated community of Hilmar. Its discharge to land of up to 0.75 mgd of cheese processing wastewater is regulated by WDRs Order No. 97-206. Complaints of odor and vector conditions continue, although with less frequency than last summer. Following a site inspection and file review, the Discharger was issued an enforcement letter on 18 July regarding significant deficiencies in its discharge, which has degraded groundwater with salinity constituents, nitrate, and oxygen-demanding substances. The Discharger currently treats only a portion of its wastewater flow by reverse osmosis, and discharges untreated or partially treated wastewater in a manner that threatens to create odor nuisance conditions. The



Discharger indicates it will install an industrial wastewater treatment facility to treat all of its wastewater flow by the summer of 2005. The 18 July letter directs the Discharger to submit by 26 September 2003 a report describing (a) the facility's current cheese processing wastewater unit operations and processes; (b) the nature and frequency of routine and emergency bypasses of treatment processes; (c) the current plans for wastewater treatment and disposal; and (c) all actions the Discharger has taken since January 2002 to monitor and mitigate the adverse impact of its discharge on users of area groundwater. (ARP)

**30. *Notice of Violation, Bronco Wine Company, Inc., Stanislaus County***

Bronco Wine Company owns and operates a winery near the City of Ceres. The discharge of up to 0.65 mgd of untreated winery waste to rapid infiltration basins and vineyards is regulated by WDRs Order No. 96-247. Area groundwater occurs about 10 to 15 feet below ground surface. Currently, the WDRs require groundwater monitoring for only depth, salt (EC and TDS), and nitrate. Field experiments conducted last year at Bronco's winery indicate the discharge is releasing waste constituents from the bottom of the effective treatment zone (5 feet below ground surface) in concentrations exceeding applicable water quality objectives. The field experiments, sponsored by the Wine Institute, will be continued during this year's crush. Following a staff facility inspection and file review, the Discharger was issued an NOV on 15 August for discharging flows in excess of the permitted limit, submitting incomplete self-monitoring reports, and degrading groundwater for at least salt. The NOV directs Bronco to remedy the violations and to (a) submit by 15 November 2003 a technical report describing measures that Bronco has implemented or will implement to address the documented violations, and (b) submit by 15 October 2003 additional information to thoroughly characterize the current discharge. The NOV also transmitted a tentative revised MRP that requires the submittal of work plans for the installation of pan lysimeters and additional groundwater monitoring wells and additional monitoring of the discharge, soil-pore liquid, and groundwater. (ARP)

**31. *Notice of Violation to Cherokee Freight Lines for Unpermitted Discharge, Madera County***

On 10 June 2003, staff inspected Cherokee Freight Lines' Madera facility in response to an odor complaint and documented an unpermitted discharge of truck wash water to an onsite storm water retention pond. The wash water was primarily from rinsing tanker trucks hauling grape concentrate from Canandaigua Wine Company's nearby Mission Bell Winery. Staff notified Cherokee Freight Lines that its unpermitted discharge was causing odor nuisance conditions and directed it take immediate corrective action. By 18 July 2003, Cherokee Freight Lines finished having the pond's contents (an estimated 120,000 gallons) trucked to the City of Madera wastewater treatment facility for proper treatment and disposal. A 22 July 2003 NOV issued to Cherokee Freight Lines documented the unpermitted discharge as a violation of California Water Code § 13260. (AMS)

**32. *Notice of Violation, Golden State Vintners, Parlier Facility, Fresno County***

Golden State Vintners operates a winery that discharges to a 36-acre land treatment site under WDRs Order No. 95-014 and to a 10-acre Title 27 surface impoundment under WDRs Order No. 01-141. Groundwater under the land treatment site is at 40 to 60 feet below ground surface. Self-monitoring data shows groundwater influenced by the discharge to the land treatment site contains waste constituents in concentrations exceeding applicable water quality limits for salinity (EC and TDS), iron, manganese, and sodium. The data also show the discharge of winery wastewater has caused groundwater to contain high concentrations of total organic carbon (up to 57 mg/L) and ammonia (up to 80 mg/L as N). Following a site inspection and file review, the Discharger was issued an NOV on 15 August for violating groundwater limitations in Order No. 95-014. The NOV directs the Discharger to submit a report describing (a) a work plan to delineate the horizontal and vertical extent of groundwater adversely impacted by the discharge to the land treatment site and (b) corrective measures the Discharger will implement to achieve compliance with groundwater limitations. Staff will evaluate appropriate enforcement action. (JKW)

**33. *Notice of Violation, Golden Valley Grape Juice & Wine, Fresno County***

Golden Valley Grape Juice & Wine owns and operates a Grape Juice and Wine Facility. The facility's discharge of untreated grape processing wastewater to land is regulated by WDRs Order No. 98-154, which establishes various seasonal discharge flow limits. Self-monitoring reports reveal discharge flows in excess of seasonal limits throughout the year. An NOV issued 22 July 2003 requires the Discharger to submit a report describing measures to reduce discharge flows to permitted levels and informs the Discharger that it must submit a complete report of waste discharge for authorization to increase discharge flows. (AMS)

**34. *Notice of Violation, City of Hughson WWTP, Stanislaus County***

The City of Hughson owns and operates a domestic wastewater treatment plant (WWTP) that serves the City's residents and businesses. A recent staff inspection documented improper sludge stockpiling, effluent ponds containing excessive weed growth, which is conducive for vector breeding, and the long-term unpermitted burial of headworks grit and solids in one effluent pond. On 29 July, the City was issued an NOV for exceeding effluent limits for salinity constituents, total coliform

organisms, and nitrate; for degrading groundwater; and for failing to maintain the WWTP in good working order. The NOV requires the City to submit by 19 September 2003 a work plan with implementation schedule for removing and disposing of excess sludge accumulated in the WWTP's sludge drying beds, and evidence documenting the completion of weed removal measures. It also requires the City to submit by 31 October 2003 a technical report describing an assessment of the WWTP's treatment performance and what measures the City plans to implement to resolve effluent violations, and a technical report describing a revised sludge management plan. The NOV also transmitted a tentative revised MRP that requires additional effluent and groundwater monitoring, and a tentative supplemental MRP to investigate the unpermitted solid waste discharge. On 8 August, the Discharger e-mailed photographs showing it had corrected sludge handling deficiencies documented in the inspection report. (ARP)

**35. *Notice of Violation, City of Newman WWTP, Stanislaus County***

The City of Newman owns and operates a wastewater treatment plant (WWTP) that serves the City's residents, businesses, and F & A Dairy, a cheese manufacturer. The City's discharge of undisinfected treated municipal wastewater to ponds and adjacent farmland is regulated by WDRs Order No. 98 163. A subsurface agricultural tile drain that drains areas receiving WWTF effluent discharges into a drainage ditch that, in turn, discharges into the San Joaquin River about 1,200 feet northwest of the WWTP. Monitoring data show the City's discharge is impacting surface water quality for at least salt. Following a staff facility inspection and file review, the City was issued an NOV on 15 August for burying headworks grit and solids onsite and for submitting incomplete self-monitoring reports. The NOV directs the City to submit by 29 August 2003 all delinquent monitoring data or a detailed explanation of why it is not available, and all annual monitoring data resubmitted in tabulated form as required by the WDRs. The NOV also transmitted a tentative revised MRP that requires additional effluent, surface water, and groundwater monitoring. Staff will evaluate appropriate enforcement action. (ARP)

**36. *Notice of Violation, City of Parlier, WWTF, Fresno County***

The City of Parlier owns and operates a wastewater treatment facility (WWTF) that serves the City's residents and businesses. Following a site inspection and file review, the City was issued an NOV on 15 August for failing to submit complete self-monitoring reports, stockpiling road grit and over 300 waste tires on WWTF property, and failing to post warning signs around effluent use areas. The NOV directs the City to submit a report by 15 November 2003 describing measures it has implemented to achieve compliance with the WDRs and a schedule for removing road grit and waste tires to a permitted landfill facility. (JKW)

**37. *Notice of Violation, Rockin K Ranch and Terra Bella Irrigation District, Tulare County***

A 16 May complaint inspection and a 9 July followup inspection found dissolved air floatation (DAF) waste generated by Foster Farms' Porterville Cooked Chicken Plant was being discharged to dry-farmed land without WDRs or a waiver. On 5 June 2003, staff received a report of waste discharge from Rockin K Ranch in support of the discharge of DAF waste and requesting General Waiver coverage as an industrial waste utilized as a soil amendment. On 30 July, staff issued an NOV to Rockin K Ranch (as operator) and Terra Bella Irrigation District (as property owner) for violation of the CWC. Staff subsequently requested that Foster Farms stop using Rockin K Ranch for DAF waste disposal until Rockin K Ranch is properly permitted by the County and Board staff has enough information to draft WDRs or determine that the General Waiver applies. (SJK)

**38. *Notice of Violation for Odor Complaints to Vie-Del Plant #1, Fresno County***

The Vie-Del Company owns and operates Plant #1, which processes grapes and occasionally other fruits. The Plant's year-round discharge of untreated fruit processing wastewater to disposal fields is regulated by WDRs Order No. 95-043. A facility inspection prompted by an odor complaint revealed deficiencies in disposal field maintenance (no splash plates at inlets, fields not leveled for uniform wastewater application). An NOV issued 18 June 2003 requires the Discharger to submit a report describing measures implemented to ensure disposal fields are leveled uniformly and splash plates are installed at each inlet. The Discharger submitted the report on 25 July 2003. The Discharger's monitoring and reporting program will be revised to require the submittal of work plans for the installation of pan lysimeters and additional groundwater monitoring wells and additional monitoring of the discharge, soil-pore liquid, and groundwater. Odor complaints continue to be filed against the Discharger. Staff will evaluate appropriate enforcement action. (AMS)

**39. *Notice of Violation, Yosemite Junction Partners, Tuolumne County***

Yosemite Junction is a small commercial center that contains gas station and several mobile homes in rural Tuolumne County. Its wastewater treatment/disposal system is regulated by WDRs No. 5-00-241, which limits wastewater discharge flow to 300 gpd. In March 2003, the Discharger began metering its discharge flow. The resulting flow data document exceedances of permitted limit. Following a site inspection and file review, the Discharger was issued an NOV on 28 July for exceeding the flow limit. The NOV directs the Discharger to submit a report by 28 August 2003 describing corrective

measures to reduce discharge flows to 300 gpd or measures the Discharger will implement to request authorization to increase discharge flows. (HA)

**40. *Settlement Agreement, Central Valley Meat, Kings County***

Settlement Agreement for Administrative Civil Liability (ACL) Complaint No. R5-2002-0518 alleged that the Central Valley Meat Company failed to submit complete and accurate self-monitoring reports between January 2001 and March 2002 and proposed an administrative civil liability payment of \$125,000. The Settlement Agreement negotiated between the Executive Officer and Central Valley Meat required the company to pay a reduced civil penalty of \$62,500 and complete four tasks to assist in assuring that the company begins submitting complete and accurate self-monitoring reports. On 5 August 2003, the Executive Officer issued a letter to Central Valley Meat Company stating it had satisfactorily completed the tasks required under the Settlement Agreement. (SJK)

**41. *Water Code Section 13267 Request for Monitoring Data, NACO West and Thousand Trails, Yosemite Lakes Campground WWTF, Tuolumne County***

NACO West and Thousand Trails, Inc., own and operate a wastewater treatment facility (WWTF) that serves the Yosemite Lakes Campground. The WWTF consists of a package treatment plant and polishing ponds. Its discharge of up to 50,000 gpd to leachfields is regulated by WDRs Order No. 5 00 054. The WDRs prescribe effluent limits for ammonia due to the proximity of the leachfields to the Tuolumne River. Following a site inspection and file review, the Discharger was issued an NOV on 25 July for exceeding (a) pond effluent limits for ammonia and (b) package plant effluent limits for total suspended solids (TSS); for submitting incomplete self-monitoring reports; and, for failing to include the required signatory statement. The NOV directs the Discharger pursuant to Water Code Section 13267 to increase monitoring WWTF effluent for ammonia and TSS to at least weekly for three consecutive months starting 1 August 2003. The NOV also directs the Discharger to submit by 29 August 2003 a report describing how daily flow monitoring is performed and to submit by 20 October 2003 a technical report addressing how the Discharger will comply with ammonia and TSS effluent limits and measures that will be implemented to prevent these violations from recurring. (HA)

**42. *13267 Letter Issued for 5050 Fruitridge Road, Sacramento, Sacramento County***

Mr. Jack Silveria formerly owned the property at 5050 Fruitridge Road in Sacramento, where a dry cleaning business once operated. On 29 July 2003, the Executive Officer issued an Information Requirement Pursuant to Water Code Section 13267 to Mr. Silveria requiring him to complete a soil vapor survey to determine whether the site is a source of tetrachloroethene (PCE) pollution in groundwater since PCE has been detected in wells at a nearby underground tank investigation site and in a nearby municipal supply well. Regional Board staff had originally requested the work on 31 October 2002. (DLL)

**43. *Revised CAO Issued to Cottonwood Investors, Former Cottonwood Cleaners, Woodland, Yolo County***

Cottonwood Investors Inc. (Cottonwood) formerly owned property, which included a dry cleaning business at 628 Cottonwood Street in Woodland (site). Significant progress has been made on the investigation and cleanup of tetrachloroethene (PCE) pollution in compliance with Cleanup and Abatement Order (CAO) No. No. 97 700. In order to update tasks and the time schedule, the Executive Officer rescinded this order and issued CAO No. R5 2003 0712 on 13 August 2003, requiring Cottonwood to submit a human health risk assessment and conduct final soil and groundwater cleanup activities. Cottonwood has been operating a soil vapor extraction system to remove PCE vapors from underneath the building, and as of 30 June 2003, had removed about 96 pounds of PCE from the vadose zone. (DLL)

**44. *13267 Letter Issued to Super Pallet Recycling Corp., Natomas Air Park, Sacramento County***

Super Pallet Recycling Corporation is one of three property owners comprising the Natomas Air Park in Sacramento. Super Pallet had not performed groundwater sampling or provided a schedule to define the extent of soil contamination or evaluate a soil remediation system despite several staff requests. The Executive Officer, therefore, issued on 23 July 2003 a 13267 letter requiring a soil treatment feasibility report and schedule for delineation of soil contamination and a groundwater investigation report. (AST)

**45. *Machado & Machado Dairy, San Joaquin County***

On 19 June 2003, Superior Court Judge Carter P. Holly in the matter of The People of the State of California vs. Machado & Machado Dairy, San Joaquin County ordered a Stipulation for Final Judgment and a Permanent Injunction. This action was taken as a result of a discharge of wastewater into the McMullen Drain, which is tributary to the Walthall Sough and the San Joaquin River. The amount of the fine was \$25,000, of which \$10,000 was paid in improvements and \$10,000 was stayed. The Regional Board was paid \$5,000 into the SWRCB Cleanup and Abatement Account. (RJM)

46. ***ACLC issued to Sunset Development, LLC for Discharge of Sediment to Dead Horse Slough in Chico, Butte County***  
A \$10,000 ACL Complaint was issued to Sunset Development, LLC for discharge of sediment laden water to Dead Horse Slough in Chico. Sunset Development tracked sediment onto a street and then used a water tender to wash the sediment into two storm drains that discharged to Dead Horse Slough. Staff was conducting a storm water compliance inspection and observed the direct discharge to surface waters. (SAZ)
47. ***ACLC issued to City of Redding for Discharge of Sediment to Clover Creek and Stillwater Creek in Redding, Shasta County***  
A \$450,000 ACL Complaint was issued to the City of Redding for discharge of sediment from the site to surface waters on twenty days this past rainy season. The quantity of sediment laden storm water either directly observed or reported was conservatively estimated at 7,170,000 gallons. The discharges occurred because of the City's failure to properly implement and maintain effective Best Management Practices as required in the General Construction Storm Water Permit. Prior to the rainy season, Regional Board staff had warned the City of their concerns about the project, including inadequate retention pond sizing and lack of erosion and sediment controls. Regional Board and Department of Fish and Game staff inspected the site on several occasions and noted violations. On 15 January 2003, Regional Board staff issued a Notice of Violation (NOV) for the violations observed in December 2002. The NOV required corrective action and warned of additional enforcement. Violations continued through early May 2003. On 2 May 2003, Dale Construction, the project's contractor, discharged polluted storm water to the sanitary sewer; this unauthorized discharge impacted operations at the City's wastewater treatment plant for several days. On 7 May 2003, the City's Municipal Utilities Department issued a Cease and Desist Order to Dale Construction for the discharge to the sanitary sewer. (CNC)
48. ***ACLC issued to Meridian Aggregates Company and Martin Marietta Materials, Inc. dba Table Mountain Quarry for Discharge of Gravel Wash Water to Cottonwood and Gold Run Creeks, Butte County***  
A \$60,000 ACL Complaint was issued to Meridian Aggregates and Martin Marietta Materials for six days of discharge of gravel wash water to surface waters. Waste discharge requirements adopted by the Regional Board for Table Mountain Quarry prohibit discharge of process water to surface waters from the wash pond or an orchard where wash water is used for irrigation. In February 2003 an excavator operator removed a portion of the pond wall during cleaning operations allowing wash water to discharge to Gold Run Creek for a period of three days. The Discharger failed to report the pond breach or discharge to staff. Staff learned of the discharge from a concerned citizen who was flying over the area. The discharge affected five miles of the creek and impacted the California Water Company drinking water supply. In March 2003 staff observed a direct discharge of wash water to Cottonwood Creek from the orchard that impacted approximately eight miles of Cottonwood Creek. (BMD)
49. ***ACL issued to Sierra Pacific Industries, Shasta Lake Division for Discharge of Log Yard Wastewater to Churn Creek., Shasta County***  
A \$30,000 ACL Complaint was issued to Sierra Pacific Industries for discharge of wastewater from their log deck in violation of effluent limitations contained in Waste Discharge Requirements. The discharge is to Churn Creek, a stream with limited dilution. Sampling of two separate discharges resulted in less than 10 percent survival of fish in acute toxicity bioassays. A third discharge resulted in a violation of the settleable solids effluent limit. (BJS)
50. ***Second 13267 Letter Issued to Potentially Responsible Parties, Illegal Waste Burning at Christian Boys' Ranch, 19520 Glenn Road, Corning, Tehama County***  
On 4 February 2003, Board staff sent a letter in accordance with Water Code Section 13267 to Omega Waste Management (OWM) based on their alleged illegal waste burning at the Christian Boys' Ranch that was reportedly directed by Robert O'Connor, OWM president. On 27 February 2003, legal counsel for OWM responded stating that their client was not a responsible party because Robert O'Connor was not representing OWM when the waste was burned, but himself. On 6 March 2003, the property owner (Christian Boy's Ranch) responded and alleged that Robert O'Connor, acting as OWM president, directed an OWM employee to burn the waste. Therefore, on 18 July 2003, staff sent another 13267 letter requesting an investigation work plan by 15 August 2003. This second letter was mailed to the property owner, OWM, and Robert O'Connor. The property owner has responded, requesting leniency in this matter. So far, OWM and Robert O'Connor have not responded. (EJR)
51. ***Cleanup and Abatement Account Funds Alternative Water Supply for Glassblowers, 2785 Highway 99 West, Corning, Tehama County***  
In June 2003, perchloroethene (PCE) was detected above State action levels in a domestic well at Glassblowers, a curio shop, immediately north of the bankrupt Dudley and Petty former truck stop. Investigations associated with Dudley and Petty are funded through the Cleanup and Abatement Account (CAA). Board staff relates the PCE detection to Dudley and Petty because of nearby on-site data. Therefore, State Board staff authorized \$4,403.86 from existing CAA funds for either an

activated carbon wellhead filter or be applied toward City water services. The City of Corning is discussing the matter with the well owner. (EJR)

## LAND DISPOSAL

### 52. *USEPA Rescinds 309 Order for Penn Mine*

On 6 August 2003, USEPA issued a letter to EBMUD rescinding the 309 Order for Penn Mine. The Order was issued to EBMUD in May 1997 requiring implementation of the remedy selected from the 1996 Draft Environmental Impact Report for the Mine Site Long-Term Solution Project. The project was necessary to provide a long-term solution for discharges of copper laden acid mine drainage to Camanche Reservoir and the Mokelumne River that had historically caused fish kills. EBMUD and the Regional Board shared costs and responsibilities for implementation of the environmental restoration project that was completed between June 1998 and November 1999. The project involved landfill construction, mine waste excavation and disposal, landfill closure, revegetation, and monitoring well construction with total costs totaling about \$11 million.

The USEPA letter stated that EBMUD has provided final documentation of the site restoration that has demonstrated that the work has been completed to satisfy each component of the 309 Order. The letter also stated that post-restoration monitoring indicates the estimated annual mass discharge of copper has been reduced by approximately 20,000 pounds per year, or a 99 percent reduction and that the estimated mass discharge of zinc has been reduced by approximately 40,000 pounds per year, a reduction of 92 to 95 percent from pre-restoration estimates. Additionally, the letter noted that 360,000 cubic yards of waste materials have been removed and disposed of in an on-site landfill, and 26 acres of riparian habitat have been revegetated and restored to mimic natural conditions.

Rescission of the 309 Order is a major milestone for the Penn Mine project. As proposed to USEPA, the Regional Board and EBMUD will develop a monitoring plan to ensure continued maintenance and monitoring of the site. (WLB)

### 53. *Ironhouse Sanitary District Beneficial Use Impact Study, Contra Costa County*

On 2 June 2003, staff provided comments on two important technical reports that Ironhouse Sanitary District (ISD) submitted to comply with its WDRs. The Background Groundwater Quality Study and the Task 1 Beneficial Use Impact Study (BUIS) were required to determine whether discharges at the wastewater treatment facility have degraded groundwater quality and/or have impacted the beneficial uses of the Contra Costa Canal. Both reports were inadequate. ISD subsequently provided a detailed response to comments, and staff then met with ISD and its consultants on 25 July 2003. Staff stressed the importance of detailed hydrogeological investigation and documentation of calculations, analyses, and supporting documentation to be presented in the final reports. Because of the inter-related scope of work for the two studies and the fact that the hydrogeologic investigation is ongoing as part of the BUIS, staff has recommended that Regional Board management temporarily forego enforcement of specific deadlines in the WDRs to allow additional time for ISD to revise the Background Groundwater Quality Study, complete the BUIS, and submit final reports by 30 December 2003. (ALO)

### 54. *Inadequate Groundwater Monitoring Workplan, Pacific Coast Producers, Woodland, Yolo County*

In 2002, Pacific Coast Producers began operating a tomato processing plant in Woodland. The facility was operated by another tomato processor for many years prior to PCP's acquisition. Tomato processing wastewater is used to irrigate cropland adjacent to the City of Woodland's wastewater treatment facility. Because of evidence of pre-existing groundwater degradation caused by the previous tomato processing wastewater discharge and/or the City's wastewater treatment facility, WDRs Order No. R5-2002-0122 requires that PCP submit technical reports to determine appropriate groundwater limitations and whether groundwater degradation has occurred. On 25 June 2003, staff transmitted comments on a revised Groundwater Monitoring Well Installation Workplan. The revised workplan did not include all the required information, lacked details of specific monitoring locations, and proposed an inadequate monitoring well network. To avoid enforcement actions, Pacific Coast Producers is required to submit a second revised workplan by 30 August 2003 and to submit a complete Well Installation Report by 30 October 2003. (ALO)

### 55. *Proposed New Food Processing Discharge, Colusa Industrial Properties, Colusa County*

Colusa Industrial Properties (CIP) owns and operates a wastewater storage and land application system designed to dispose of food processing wastewater generated by its tenants. WDRs Order No. 5-01-250 regulates the discharge and allows addition of new wastewater generators if approved by the EO. CIP submitted technical information for Colusa Mushroom's composting operation and requested that the EO approve adding this waste stream. The compost, made from wheat straw and dried poultry waste, is used as a substrate for growing mushrooms. After reviewing the request, staff determined that discharge of the ultra-high strength compost wastewater would violate five separate prohibitions and specifications of the WDRs. Therefore, staff denied the request. CIP believes that it can comply with the WDRs through dilution and plans to

submit additional information to support approval of a short-term discharge. The parent company of Colusa Mushroom also owns and operates a similar facility in Petaluma. That operation created severe odor problems and which resulted in the North Coast Regional Board issuing a Cleanup and Abatement Order. The odor problems were reportedly resolved when the composting operation was closed. (ALO)

**56. *E. & J. Gallo Winery Begins Groundwater Investigation, Fresno County***

On 3 July, E. & J. Gallo Winery (Gallo) submitted a report describing the results of the first of a two-phased investigation to delineate the extent of groundwater impacted by Gallo's long-term discharge of spent acidic ion exchange regenerate at its Fresno Winery. Soil borings were drilled to determine the stratigraphy, and groundwater samples were collected using a Hydropunch®. The initial results show first encountered groundwater contains elevated concentrations of salinity, nitrate, and sulfate (e.g., 850 mg/L). Information from Phase 1 will be used to locate at least four new monitoring wells to monitor the plume. Meanwhile, ownership of a portion of land affected by the regenerate discharge is being transferred from Gallo to Caltrans for construction of State Highway 180 east of Clovis Avenue. Among the options under consideration by Caltrans to ensure highway operation will not exacerbate an existing condition of groundwater pollution are the encapsulation of impacted soil and minimization of storm water volumes retained in a basin to be constructed within the affected property. (ARP)

**57. *Joseph Gallo Farms Incomplete Report of Waste Discharge, Merced County***

Joseph Gallo Farms operates a cheese plant in west Merced County that currently processes about 100,000 gallons of milk daily. The plant discharges about 0.55 mgd of untreated cheese processing wastewater to an unlined dairy lagoon, where it is commingled with dairy wastewater then applied to farmland owned by the Discharger. Regional Board letter of 24 March directed the Discharger to submit by 19 June a report of waste discharge (RWD) pursuant to Water Code section 13260. On 21 July, the Discharger submitted an incomplete RWD that characterizes the discharge as having BOD concentrations ranging from 2,400 to 7,500 mg/L, and several wastestreams (e.g., caustic and acid clean-in-place solutions) as containing high concentrations of salt constituents. The RWD indicates that the Discharger proposes to defer submitting a complete RWD until December 2003, over nine months after being directed to submit the report and 165 days after the date specified in the 24 March written request pursuant to Water Code section 13260. (ARP)

**58. *City of Riverbank WWTP Report of Waste Discharge, Stanislaus County***

On 22 July Regional Board staff responded to the City of Riverbank WWTP's supplemental report of waste discharge (RWD) in support the expansion of the WWTP to accommodate future wastewater flows by increasing disposal capacity. The WWTF has one large seasonal industrial user (a cannery) that causes the total discharge flow to increase from 1.8 mgd to 4.5 mgd during the tomato processing season. The supplemental RWD information, although adequate to draft waste discharge requirements, failed to adequately characterize the discharge's impact on surface and groundwater quality. The RWD cited that groundwater was not degraded by the discharge, even though self-monitoring data clearly demonstrates the discharge has degraded groundwater. The RWD includes acceptable short term measures to improve water quality, but offers no long-term solutions that will be protective of groundwater quality. Staff's response to the RWD indicated that, because groundwater already exceeds applicable groundwater quality limits, draft WDRs would prescribe more stringent effluent BOD and TSS limits, and new effluent limits for total nitrogen and total coliform organisms.

**59. *City of Orange Cove Proposes Improved Sludge Handling Facilities, Fresno County***

The City of Orange Cove owns and operates a wastewater treatment facility (WWTF) that serves the City's residents and businesses. The WWTF and its discharge of disinfected tertiary treated wastewater to ponds and farmland are regulated by WDRs Order No. 5-00-078. The City was issued CDO Order No. 5-00-078 due, in part, to various effluent and operation and maintenance deficiencies. To comply with the CDO, the City proposes to major modifications to the WWTF that will improve effluent quality and expand its treatment and disposal capacity. This work includes the construction of sludge treatment and handling facilities. The City initially proposed to line sludge drying beds and sludge storage areas with a single clay liner. Staff indicated the proposal did not reflect best practicable treatment and control and was inadequately protective of groundwater, which the WWTF has degraded. The City now plans to construct an aerobic sludge digester to reduce sludge volume, therefore reducing sludge drying area. The digester will be constructed within an existing wastewater treatment pond and equipped with a double liner and leachate collection system. The sludge drying beds feature an 18-inch thick layer of soil cement, secondary PVC liner, and leachate collection system. Leachate flow from the digester and all sludge drying beds will be monitored and discharged to the WWTF headworks. (ARP)

**60. *Status of ConAgra Grocery Products, Oakdale Facility, Stanislaus County***

ConAgra met with staff on 22 July to discuss current compliance issues. Pan lysimeters with soil moisture probes have been installed in the land application area. Irrigation pipelines conveying wastewater are now flushed after each application. Previously, wastewater retained in the irrigation pipeline system would often turn septic and, upon its release, create odor

conditions. Recently implemented water conservation measures have decreased discharge flows by 1 mgd. During mandated repairs to the bottom concrete liner of the Ranch Pond (used to contain process wastewater), it was discovered that the bottom liner had completely deteriorated. The entire bottom was replaced by a 4 inch-thick concrete liner. ConAgra tracked the source of fecal coliform in the plant's processing wastewater to the overflow of sanitary waste from one bathroom to the process wastewater collection system. While ConAgra has eliminated this particular cross connection, it will continue monitoring process wastewater for pathogens to ensure no other cross connections exist. ConAgra has constructed a concrete settling basin to replace its deep, unlined flume water pond, which has historically been the cause of nuisance odor and vector conditions. The removal of solids from the flume water pond has prompted several odor complaints. During a public meeting on 6 August, ConAgra described its plans to mitigate future nuisance odor conditions. Starting in August, ConAgra is conducting a pilot test program with three companies to test the feasibility of membrane technologies to treat its processing wastewater. (ARP)

**61. *Status of Musco Family Olive Company, San Joaquin County***

Musco Family Olive Company operates an industrial wastewater reclamation facility in Tracy, San Joaquin County. The discharge of olive processing wastewater to a land treatment unit is regulated by WDRs Order No. R5-2002-0148. Complaints of objectionable odors are ongoing. Following a facility drive-by inspection, the Discharger was issued an NOV on 10 July for causing objectionable odors. The NOV recommended wastewater irrigation pipelines be flushed with fresh water promptly after each use to prevent odors from the application of stagnant, septic wastewater.

By 7 July letter, staff determined the Discharger's Solid Waste Management Plan incomplete and requested additional information by 22 August to complete the submittal. By 8 July letter, staff determined the Discharger's Salinity Source Reduction Report incomplete and requested additional information by 29 August to complete the submittal. By 18 July letter, staff responded to the Discharger's 3 July request for an extension of the 1 August 2003 deadline stipulated in Provision G.2.f of the WDRs for submitting a Land Treatment Unit Assimilative Capacity Report. Staff indicated that, while the Discharger's justification for the delay was reasonable, it could not extend the deadline but will not initiate enforcement action over the delay pending Regional Board review of the Discharger's process. By 21 July letter, staff determined the Discharger's Report of Storm Water By-Pass Criteria complete and Provision G.2.c satisfied.

By 24 July letter, staff commented on the Discharger's Addendum to the Hydrogeologic Investigation Workplan. Staff indicated that additional specific hydrogeological work is necessary to characterize the site's complex subsurface stratigraphy and recommended 13 exploratory soil borings be drilled and geophysically logged in specific locations to a depth of 250 feet below ground surface. The resulting information will confirm whether existing monitoring wells are located properly for compliance purposes and where additional wells should be installed. Provision G.2.a of the WDRs requires the Discharger to submit by 1 November 2002 a report describing the installation of sufficient aerators in both the 1-mg and the 84-mg pond to ensure dissolved oxygen levels are maintained above the prescribed 2 mg/L minimum. On 1 August, the Discharger began installing the requisite aerators. Musco initiated a pilot study in August to evaluate a combination of ultrafiltration and reverse osmosis for wastewater salinity reduction. The study will provide essential data to define system performance, evaluate membrane fouling rates, establish design parameters, and estimate full-scale operating costs. Staff is drafting a Special Order to amend the WDRs to extend the deadlines for the Hydrogeologic Investigation Workplan, Assimilative Capacity Report, and the Groundwater Well and Lysimeter Installation Report and amend Cleanup and Abatement Order No. R5 2002-0149 to extend by one year the 6 September 2004 deadline for complying effluent limitations. Staff is also drafting an accompanying Administrative Civil Liability Complaint Order for, in part, the Discharger's violations of Time Schedule Order No. R5-2002-0014-R01. (AMS)

**62. *Status of Roll-In Mobilehome Park, Tuolumne County***

On 25 June and 29 July, the Discharger submitted its Report of Waste Discharge (RWD) and supplemental information in support of discharge to land from a new proposed wastewater treatment facility (WWTF) serving the Roll-In Mobilehome Park (MHP). The new WWTF and subsurface drip irrigation effluent disposal system will be constructed on adjacent property owned by the Discharger. By 5 August letter, staff determined the RWD complete. The Discharger plans to begin operating the new WWTF by early October 2003. Staff is reviewing the Discharger's plans to decommission by October 2004 the existing wastewater treatment ponds, which historically have been the source of numerous odor complaints. Staff is closely monitoring the Discharger's progress towards remedying the MHP's wastewater treatment and disposal operation. (HA)

**63. *Unsubstantiated Complaint of Well Contamination from Quail Lake Estates WWTF, Fresno County***

Quail Lake Estates is a planned residential development east of Fresno. Its wastewater treatment facility discharges disinfected tertiary recycled water, which is used to landscape common areas within the development. The WWTF and the recycled water operation are regulated by WDRs Order No. 96-120 for Quail Lake Estates, the Cambrian Group, and Fresno

County Service Area No. 47. Although not authorized by Order No. 96-120, recycled water has also been used to irrigate landscaped areas in an adjacent elementary school (owned by Sanger Unified School District) and storm water retention basin (owned by Fresno Metropolitan Flood Control District). The water retained in the storm water includes the runoff of recycled water applied to the basin's landscaped areas and the development's nuisance runoff, which may include runoff of recycled water applied to the landscaped common areas. The basin's water is periodically discharged to Red Bank Slough, a water of the U. S. On 10 July 2003, staff investigated an ongoing complaint by a resident of the development alleging the discharge to the storm water retention basin is contaminating her domestic well. Sufficient data is currently unavailable to substantiate the complaint, in part, because the recycled water operation is inadequately monitored. To collect the necessary information, staff transmitted for review and comment tentative monitoring and reporting programs to the school and flood control district, and a tentative revised monitoring and reporting program to the Discharger. Staff is monitoring this discharge closely to determine the extent to which, if any, the discharge is degrading area groundwater quality. (HA)

## SITE CLEANUP

### 64. *Rescission of Cleanup and Abatement Order, Hazel Creek Mine, El Dorado County*

On 22 July 2003, the Executive Officer rescinded a Cleanup and Abatement Order (CAO) that required Sierra Pacific Industries (SPI) and other named dischargers to cleanup mining wastes at the Hazel Creek Mine, a historic gold mine along Hazel Creek near Pollock Pines. Mineral Strategies Inc. (MSI), the former operator, abandoned the mine in 1987, leaving approximately 26,000 cubic yards of waste in six piles along the creek. Sierra Pacific Industries (SPI) subsequently purchased the property.

The CAO ordered MSI, SPI, and prior interest owners to complete assessment of the wastes and cleanup and close the site. SPI conducted the work under the CAO. An assessment of the wastes indicated that they were primarily Group B mining wastes and that they were mildly acid generating. In 1998, SPI implemented a final closure plan in accordance with closure waste discharge requirements (WDRs), clean-closing the tailings piles and consolidating the wastes into a single closure unit on the north side of the creek above the 100-year flood plain. Lime was added to neutralize and buffer the wastes. The closure unit, a Group B waste pile, was then covered with engineered soil, graded for drainage and seeded to establish vegetative cover. No seeps or indications of a release have been detected in post-closure monitoring of the unit and Hazel Creek.

During a 25 June 2003 inspection, Board staff verified that the Discharger has completed the tasks under the CAO and stabilized the site. Post-closure maintenance and monitoring conducted by the discharger under existing closure WDRs should be sufficient to protect water quality at the site. Hazel Creek flows into Jenkinson Lake (the Sly Park Reservoir), thence the Cosumnes River, tributary to the San Joaquin River. (JDM)

### 65. *Remedial Action Plan Approved for Arden Square Shopping Center, Former X-Cel Cleaners, Sacramento, Sacramento County*

On 14 July 2003, the Executive Officer approved the Groundwater Remedial Action Plan (RAP) for the former X-Cel Cleaners facility at 3108 Arden Way in Sacramento (site). The property is currently owned by EOP Operating Limited Partnership (EOP), which has performed a potassium permanganate injection pilot study at the site. The RAP proposes a tiered remedial approach to remove tetrachloroethene (PCE) from groundwater. The first step is groundwater extraction from two wells to stop migration of PCE and create a hydraulic barrier at the property boundary. Extracted groundwater will be treated with carbon and discharged to the sanitary sewer. This step is proposed only as an interim measure until Regional Board staff concurs that potassium permanganate is a viable remedial alternative. Bench scale testing showed that chromium III was oxidized to hexavalent chromium, but then reduced back to chromium III once the potassium permanganate was used up. Regional Board staff is waiting until levels of hexavalent chromium from the pilot study, which are continuing to decline, return to non-detect before concurring that potassium permanganate is a viable remedial option for the site. Once Regional Board staff concurs that potassium permanganate may be used, Waste Discharge Requirements will be issued and EOP will begin step two of the proposed remediation by amending the extracted groundwater with potassium permanganate and reinjecting it upgradient to create a recirculation system. Regional Board staff's 14 August 2002 letter confirmed that the mass of PCE has been removed from the vadose zone. (DLL)

### 66. *Corrective Action Plan Approved for Stockton Terminals Technical Committee, Port of Stockton, San Joaquin County*

The Stockton Terminals Technical Committee (STTC) is composed of ARCO Products Company, ST Services, Tesoro Petroleum Company, and Time Oil Company, which operate bulk fuel terminals at the Port of Stockton. On 9 July 2003, the Executive Officer issued a letter approving the 28 April 2003 Corrective Action Plan, its Addendum and responses to Regional Board comments. The Corrective Action Plan proposes ozone sparging using 59 ozone sparge points along the property boundary of the terminals to clean up petroleum pollution migrating off-site. Additional off-site remedial activities



include phytoremediation. The STTC terminals are active and contain aboveground tanks and below ground piping, which prevent the use of many in-situ cleanup technologies onsite. (DLL)

**67. *Portions of Soil Remediation Plan Approved for Western Farm Service, Merced, Merced County***

Western Farm Service submitted a soil remedial action plan for its Merced facility incorporating two different remediation strategies for soil at different locations of this active retail agricultural chemical distribution facility. The Executive Officer approved two of the three elements of the plan. A small area of high nitrate and ammonium in shallow soil in a heavily trafficked area will receive an application of Hydrogen Releasing Compound (HRC®) specifically formulated for soils, and several small areas adjacent to structures will have pesticide-contaminated soils excavated for off-site disposal. The Executive Officer did not approve the proposal to use HRC® for nitrate in groundwater beneath the tank farm, and this will be re-evaluated based on results of an ongoing pilot study evaluating HRC® effectiveness in groundwater at this site. (AST)

**SPILLS**

**68. *Groveland Community Services District Spills Raw Sewage, Tuolumne County***

On 12 July, the District estimates 20,000 gallons of raw sewage spilled from a failed air relieve valve on a lift station force main located in its WWTF property in Groveland. The District estimates less than 1,000 gallons reached a dry unnamed seasonal creek. The District contained the spill, trucked the impounded wastewater to the WWTF, disinfected the affected area, and notified the County health department and the California Department of Fish and Game. Staff is not considering enforcement at this time. (HA)

**69. *Oakhurst WWTF Spills Disinfected Effluent Wastewater to Fresno River, Madera County***

On 16 July, Madera County Maintenance District No. 22A, which operates the WWTF serving the unincorporated mountain community of Oakhurst, reported a 240,000-gallon spill from its sprayfield to the Fresno River. The District estimates the spill may have started on afternoon of 13 July, but was not discovered until the morning of 16 July. The spill was due to a break in the underground effluent pipeline to the sprayfield, the runoff from which discharges to a return pump station. The spill carried over sand and debris, which eventually plugged the pump station, and effluent reached the Fresno River. The District discovered that remote alarm system serving its return pump station was not activated. It has since corrected this deficiency. The District posted the river, monitored the river for coliform for three days, and notified the Office of Emergency Services, County health department, Madera Irrigation District, and the California Department of Fish and Game. Staff will evaluate appropriate enforcement action. (HA)

**70. *Orange Cove WWTF Spills Effluent, Fresno County***

On 26 June, the Discharger reported a spill of 15,000 gallons of tertiary treated effluent to an isolated reach of a dry unlined irrigation ditch. Wastewater reportedly flowed about 1,300 feet down the ditch before it completely infiltrated into the soil. The spill was reportedly caused by a break in an effluent delivery pipeline to a 40-acre City-owned land parcel. The Discharger immediately repaired the pipeline. (ARP)

**71. *Pinecrest Permittees Association, Tuolumne Utility District, and United State Forest Service Spills Raw Sewage, Tuolumne County***

On 23 July, the Association reported an unknown sewage volume spilled from one of its lift stations; however, it estimated only 5 gallons reached Pinecrest Lake. The spill was caused by sudden surge of sewage from a collection line that serves only two cabins. The Association removed the solids, disinfected the spill area, monitored the lake for coliform, and notified the Office of Emergency Services and the County health department. Staff is not considering enforcement at this time. (HA)

**72. *Sandy Point River & River Bend Mobile Home Park Spill, Fresno County***

On 9 June 2003, staff inspected the Sandy Point River and River Bend Mobile Home Park (MHP) in response to a complaint of a sewage spill. Raw domestic sewage had spilled from a lift station to the private MHP road due to a plugged sewer line. The spill had been stopped by the time staff inspected the facility. The MHP has an ongoing history of sewage spills from its collection system that was cited in a recent NOV issued to the Discharger. Staff will evaluate appropriate enforcement action. (AMS)

**73. *Sewage Spill by City of Oakdale, Stanislaus County***

On 10 June 2003, the Discharger reported a 15-gallon spill of raw sewage from a manhole and determined the spill was caused by a lift station malfunction due to an electrical failure. The Discharger contained the spill and repaired the lift station. (ARP)

**74. *Sludge Digester Spill by Tenaya Lodge, Mariposa County***

On 24 June, the Discharger reported a 21 June spill from the WWTF's aerobic digester that reached a dry unnamed seasonal drainage. The Discharger contained and vacuumed the spill, disinfected the affected areas, and emptied the digester to prevent further foaming, which resulted from slug discharge of grease from the lodge's restaurant. The Discharger plans to install additional grease traps in the WWTF's headworks, increase monitoring of the restaurant's grease traps, and construct secondary containment at the WWTF to capture future spills. Staff is not considering further enforcement at this time. (HA)

**75. *Two Raw Sewage Spills by Tuolumne Utilities District, Tuolumne County***

The Discharger reported two spills for June (on 7th and 30th) and no spills for July. The 7 June spill, estimated at 600 gallons, was due to grease blockage in the collection lines and reached a dry seasonal drainage near Columbia. The District contained and vacuumed the spill, disinfected the affected areas, flushed the affected lines, and notified the County health department. The 30 June spill, estimated at 20 gallons, was due to root intrusion in the main line and occurred near a residential area in Sonora. The District cleared the line, and cleaned and disinfected the spill area. On 24 June, the District's Board of Directors adopted an ordinance to discontinue water service to properties where the District determines violations of grease trap or grease interceptor ordinances. The District also submitted a written report to the Regional Board describing its Quick Response Program and its plans to address the chronic nature of collection system spills. The District appears proactive in its collection system repairs and preventive maintenance. Staff is not considering enforcement action at this time, but will continue to closely monitor this discharge to determine whether or not the District's efforts are effective in reducing the magnitude and frequency of future spills. (HA)

**76. *Redding Staff Respond to Diesel Fuel Release, Hartung Glass, Paradise, Butte County***

On 29 July 2003, a release of diesel fuel occurred after a Hartung Glass employee ruptured the fuel tank of their rented truck following a delivery to a business in Paradise. The fuel tank was ruptured when the vehicle scraped the curb as the driver was leaving the business. Fuel release continued as the vehicle drove through town, until the fuel tank was empty and the vehicle stopped, about ½ mile from the location where the release began. Approximately 70 to 80 gallons of diesel fuel was spilled along the ½ mile stretch of surface streets. Diesel fuel entered four storm drains, two that discharged to Nance Creek and two that discharged to Honey Run Creek. Redding staff responded to the spill on 30 July 2003 and sampled both creeks. The concentration of diesel fuel in Nance Creek was measured at 578,000 µg/L and the concentration in Honey Run Creek was 13,500 µg/L. Initial mitigation efforts conducted by local agencies included sanding the roadways to absorb and contain the spill, and placing booms and absorbent pads in both of the impacted creeks. Additional mitigation efforts conducted by a Hartung Glass cleanup contractor included cleaning the drop inlets and flushing the storm drain with water to recover trapped diesel fuel within the system. Both creeks will be resampled and monitored to assess impacts. Staff has requested Hartung Glass reimburse our costs associated with the spill response. (DPS)

**77. *Redding Staff Respond to Union Pacific Railroad Train Derailment, Milepost 325.2 of the Black Butte Subdivision, Dunsmuir, Siskiyou County***

On 31 July 2003, fourteen Union Pacific Railroad (UPRR) train cars derailed along a stretch of track adjacent to the Sacramento River in Dunsmuir. Six train cars fell into the river directly below a curve in the tracks. This area is approximately one mile below Cantara Loop where in 1991, a Southern Pacific Railroad tank car containing metam sodium derailed into the Sacramento River releasing its contents and killing all life in the river from the spill site to Shasta Lake. This time, the derailed train cars were essentially empty. Of the six cars in the river, two tank cars contained approximately one and five gallons of nut oil, respectively. The remaining four train cars included an empty box car, and three hopper cars that contained a small amount of ammonium nitrate residue. Redding staff responded to the derailment and participated in the incident command system. Staff found no evidence of a release from any of the derailed train cars. Surface water samples from above, adjacent to, and below the derailed cars were obtained in an effort to assess impacts. No organic compounds were detected above method detection limits and no significant differences in concentrations of inorganic analytes for background and downstream samples were noted. UPRR crews worked through the night and all train cars were removed from the river by 0800 hours on 1 August 2003. Loose soils were created by heavy vehicle traffic along steep dirt access roads and from train car removal efforts at the site of the derailment. Staff will follow up with UPRR to ensure that appropriate erosion control measures are implemented. Staff will be submitting a request through the incident command system to reimburse costs associated with the spill response. (DPS)

Thomas R. Pinkos  
Executive Officer  
4/5 September 2003

Addenda that follow:

1. Personnel and Administration
2. Public Outreach
3. Completed Site Cleanups (SLIC/DOD)
4. Completed Site Cleanups (UST)

**Addendum 1**

**PERSONNEL AND ADMINISTRATION**

**July and August 2003**

**PERSONNEL**

On 28 July, Matthew McCarthy, a Land and Water Use Analyst in the SJR TMDL Unit, returned from four months of active duty training at the US Army Infantry School in Fort Benning Georgia. He has now completed his training and received a commission of Lieutenant in the US Army Reserves.

Recruitment Efforts – July and August 2003

TOTAL POSITIONS	VACANCIES	GAINED	LOST
227.6	0	0	2

**Staff Reduction Update:**

On June 16, 2003 sixteen employees were given 120 day notices of potential layoffs. Of those sixteen, eight were Region 5's portion of the original ten percent staff reduction plan that was directed by the Administration. Many of the original eight staff will have demotion or bumping rights. The other eight positions were identified as alternates for this bumping process that will occur.

The next step in the process is for State Board to verify each staff person's service credits and identify their bumping rights if any. This process must be completed prior to the 30 day layoff notices being sent. The 30 day notices must be mailed to these employees by September 16, 2003.

**Budget Update:**

The Administration has increased the cuts from 10% to the following:

- 16% of all general funds
- 12% of all other funds (special funds)
- Administration set a target of 16,000 positions to be reduced (statewide)

We have determined that we can meet this additional obligation through a reduction of contract monies, so no additional staff will need to be noticed. We have been working with State Board to identify the contract monies that will be cut through this process. State Board will coordinate this effort with the Department of Finance for approval. Specific program cuts will not be determined until the reduction plan has been approved by the Administration.

**SEPARATING STAFF**

Scott Hatton, WRC Engr, Fresno 8/8/03

Kim Asher, Office Assistant, Sacramento 7/11/03

TRAINING STAFF CLASSES GIVEN	NO. OF STAFF ATTENDED
Defensive Drivers Training	2
ITRC Workshop	1

**FACILITY UPDATE**

Sacramento – Construction is continuing on the new facility. Anticipated move in date is now the first week of November.

The cost per square foot in the new facility is significantly less.

- In FY 03/04 we will save approx. \$539,000 in rent.
- In FY 04/05 the savings will be approx. \$196,000
- In FY 05/06 the savings will be approx. \$160,000

These savings were anticipated and have already been reduced from our budget. The funds that are being used for this move were approved two years ago and are in a special account that is administered by the Department of General Services. The Department of General Services has proceeded with this project in part due to these projected savings.

The majority of the funds being used for this move are special funds (i.e. WDPF, UST, CAA, etc.). None of these funds can be used to reduce our share of the general fund cuts or to help reduce the number of staff being laid off.

## Addendum 2

### PUBLIC OUTREACH

#### ***Stockton Urban Waterway Tour, Stockton, San Joaquin County***

On 31 July, Dave Carlson, George Lockwood, Brett Stevens, Alex Baillie, and Pat Leary toured the Stockton urban waterways from Fourteen Mile Slough south to the junction of French Camp Slough and the San Joaquin River. The tour was hosted by Bill Jennings and Kari Morgan of DeltaKeeper organization. Staff assigned to work on various programs in that area observed urban wastewater, stormwater, and agricultural return outfalls, locations of proposed dredging projects, a corpse being removed from the river by law enforcement officials, and users of the waterways for fishing, boating, swimming, etc. PHL

#### ***South Delta Waterway Tour, Tracy, San Joaquin County***

On 5 August, Les Grober, Pat Leary, Mark Gowdy, Michael Kummer, and representatives from CalFed, US EPA Region 9, and a local consultant toured the South Delta hosted by Bill Jennings and Kari Morgan of DeltaKeeper organization. Observations were made of municipal wastewater and stormwater outfalls, agricultural return outfalls, the South Delta barriers, and users of the waterways for fishing, boating, swimming, water skiing, agricultural supply, wildlife and aesthetics. A significant fish kill was also observed in Old River. PHL

#### ***Nitrates in Tulare County***

At the request of the DHS Drinking Water Program staff and Tulare County environmental health staff, Doug Patteson (SWRCE) and Shelton R. Gray (SEG) with the Fresno office met to discuss potential pilot treatment systems for nitrates on small drinking water service systems. Nitrates resulting from a high density of agricultural land use in Tulare County are thought to be one of the principal reasons for the annually increasing problem. Tulare County is seeking input to assist in dealing with nitrate contamination exceeding drinking water MCLs in small water systems. Currently most water treatment systems for nitrates are rated to 30 ppm; however contaminant concentrations exceeding 100 are prevalent in many of the wells. Reverse osmosis, ion exchange, new wells, connection to municipal systems, special studies, residual wastes, reclamation processes, state assisted funding and local agency processes were among the topics discussed. (SRG)

On 10 June, Karen Clementsen and Eric Rapport attended a public meeting sponsored by the Butte County Environmental Council to present information on petroleum pollution in South Chico groundwater.

On 12 June, Pam Buford attended the monthly meeting of the Panoche Silver Creek CRMP steering committee.

On 25 June, Guy Chetelat gave a presentation on NPS pollution and RWQCB programs at the Butte County watersheds forum.

On 25 June, Pam Buford attended the monthly meeting of the Central Sierra Watershed Committee. The committee continued to develop articles for the local newspapers on different water quality and quantity issues of the mountain communities, such as proper septic system maintenance, brush clearing for fire protection, and water conservation tips.

On 26 June, Pam Buford attended a workshop sponsored by the Panoche Silver Creek CRMP. The focus of the workshop was on landowner monitoring of streams and rangeland. Speakers included representatives from the Natural Resource Conservation Service, the Bureau of Land Management, and the Department of Water Resources. Topics of the workshop included guidance on photo monitoring, techniques to monitor residual dry matter, and stream flow monitoring techniques.

On 30 June, representatives of Regional Board staff and the Wine Institute met in Fresno to discuss staff's comments on the Wine Institute's technical report, Final Draft Land Application of Winery Stillage and Non-Stillage Process Water Study Results and Proposed Guidelines, dated 2 May 2003.

On 2 July, Guy Chetelat attended a meeting of the lower Clear Creek restoration group.

On 8 July, Karen Larsen attended the Central Valley Drinking Water Policy Workgroup meeting. The group is working on developing a policy for protection of drinking water sources. Workgroup members include the California Urban Water Agencies, State Board, Department of Health Services, Sacramento Regional County Sanitation District, and the Northern California Water Agencies.

On 8 July, Pam Buford attended the monthly meeting of the Cantua Salt Creek CRMP steering committee.

On 9 July, Chris Foe and Patrick Morris attended a meeting of the Dredge Tailings Workgroup. The participants discussed mercury in sediment upstream of the Daguerre Point Dam and the Merced River mercury study and restoration project.

On 16 July, Lori Webber attended a Technical Advisory Group meeting of the South Fork American River Watershed Group in Placerville. The group discussed the development of a monitoring plan for the watershed.

On 16 July, Guy Chetelat discussed requirements for restoration use of dredge tailings at a meeting of the lower Clear Creek restoration group.

On 17 July, Pam Buford attended the monthly meeting of the Panoche Silver Creek CRMP steering committee. Sarge Green, the new manager for the Westside Resource Conservation District, attended the meeting and provided a summary (from his perspective as a member of the Southern San Joaquin Water Quality Coalition) of the Regional Board's Ag Waivers workshop held on 10 July 2003.

On 17 July, Mark Gowdy and representatives from the California Bay Delta Authority and a local consultant toured the Central Delta hosted by Kari Morgan of the DeltaKeeper organization. Observations were made of electrical conductivity, dissolved oxygen, water clarity, and other water quality parameters in northern reaches of Middle and Old Rivers and in the Stockton Deep Water Ship Channel.

On 22 July, Guy Chetelat presented a draft of the NPS watershed report to the Cottonwood Creek Watershed Group.

On 23 July Lori Webber attended the Monitoring and Toxics Subcommittee meeting of the Sacramento River Watershed Program. The group discussed recent monitoring results and began the process of updating their strategic plan.

On 23 & 24 July, Joe Karkoski attended a meeting of the AB982 Public Advisory Group (PAG). The PAG provided the State Board feed back on its draft 303(d) Listing Policy and Impaired Waters Guidance.

On 25 July, Betty Yee participated in the startup meeting for the Yolo Bypass Water Quality Planning Project funded through a CALFED grant to the City of Woodland. The purpose of the meeting was to start discussions on water quality monitoring of the Bypass.

On 25 July, Diane Beaulaurier, Joe Karkoski, Gene Davis, Danny McClure and Mary Menconi participated in a meeting with staff from the USEPA Environmental Fate and Effects Division (EFED) of the Office of Pesticide Programs (OPP). OPP is responsible for the registration of pesticides at the national level. The registration process consists of three considerations: 1) Adverse human health effects, 2) adverse environmental effects, and 3) benefits analysis. Potential for adverse human health effects is the primary reason that a pesticide registration may be denied or may require mitigation. The registration process affords an opportunity for parties affected by the environmental effects of pesticide registrations to provide input.

On 25 July, Diane Beaulaurier, Joe Karkoski, and Danny McClure attended a presentation by USGS on atmospheric transport and deposition of pesticides. From 2001 to 2003, rain samples were collected from sites near Modesto, and in other areas in the San Joaquin and Sacramento River Basins. Analysis of these samples showed detectable levels of 15 pesticides. Diazinon was detected in 96 to 100 % of the samples. This unpublished study indicates that rain appears to scour pesticides from the atmosphere.

On 28 July, Guy Chetelat attended a meeting of the Cherokee Watershed Group steering committee.

On 29 July, Rich Muhl presented a sub-contractor field-training class to an AG Spanos apartment project in Stockton. The class covered installation and inspection of BMPs, subcontractor responsibilities, and general storm water rules and regulations.

On 29 through 31 July, Karen Larsen attended an EPA Region 9 sponsored workshop designed to answer the question: "What are the most important issues that must be addressed to meet the CALFED drinking water quality goals in a cost-effective and equitable manner?" The workshop was facilitated by the National Water Research Institute and included participation from major interest groups such as the environmental community, drinking water purveyors, CALFED, Department of Health Services, and the agricultural community.

On 30 July, Pam Buford attended the monthly meeting of the Central Sierra Watershed Committee. The committee continued to discuss how to bring water quality testing to individual well owners at an affordable price and a sample bottle pickup and drop off location within the mountain community of Oakhurst. The committee is also working with Madera County Environmental Health Department on a recommendation of water quality constituents and intervals for sampling.

On 30 July, Jo Anne Kipps met with lead staff with Safe Drinking Water Act Local Primary Agencies in Fresno to discuss the regulation of waste discharges from treatment technology installed by public water supply purveyors to remove nitrate from groundwater.

On 4 August, Danny McClure, Mary Menconi, and Joe Karkoski met with stakeholders who had commented on the May 2003 draft Basin Plan Amendment for the Sacramento and Feather Rivers. Staff discussed potential revisions to the May draft based on the comments received and received clarification on the basis of some comments.

On 5 August, Guy Chetelat discussed water-quality monitoring at a Cherokee technical advisory committee meeting.

On 6 August, Joe Karkoski attended a meeting of the California Association of Resource Conservation Districts and provided an overview of Regional Board responsibilities. The RCDs were focused on issues related to TMDLs and the irrigated lands waiver.

On 6 August, Karen Larsen and Lori Webber attended the Board of Trustees Meeting of the Sacramento River Watershed Group. Karen Larsen gave a presentation on the Public Outreach and Education Subcommittee activities. The group also discussed current grant applications and the implications of the Regional Board Agricultural Waiver Program.

On 12 August, Patrick Morris attended the Delta Tributaries Mercury Council meeting. The group discussed the Mercury Strategic Outreach Plan and a relational database being developed for a fish consumption study.

On 13 August, Bill Marshall, Bill Croyle, Molly White, Shakoora Azimi-Gaylon, Russ Walls, Annee Ferranti and Pete Osmolovsky met with representatives of the Westside San Joaquin River Watershed Group.

On 13 August, Rich Muhl in conjunction with the City of Patterson presented an on-site field SWPPP training class to contractors and subcontractors working in the City of Patterson. The class covered storm water management requirements for construction sites and included: Notice of Intent (NOI) requirements; SWPPP requirements; storm water BMPs; post construction storm water BMPs; as well as other storm water management issues.

On 13 August, Karen Clementsen and Eric Rapport attended a public meeting to introduce Kinder Morgan's draft contingency plan for domestic groundwater supply wells in the Skyway Homes Subdivision and receive comments prior to finalizing the plan. The subdivision is immediately southwest of Kinder Morgan's petroleum plume at the Chico Terminal.

On 14 August, Guy Chetelat discussed erosion control projects at a Sulphur Creek CRM meeting.

On 27 August, Rich Muhl presented a SWPPP training class for project superintendents at Centex homes. The class attended by all Centex Homes superintendents within the Sacramento and Stockton areas and covered SWPPP requirements, common storm water management problems, storm water BMPs, and the Regional Board's expectations for effective storm water management.

On 28 August, Danna Berchtold and Rich Muhl participated in a SWPPP training class sponsored by the City of Roseville. The class covered a wide range of storm water management issues including storm water pollution prevention plans,

selection and installation of BMPs, non-storm water discharges, City of Roseville municipal storm water requirements and other storm water management issues.

### **Addendum 3**

#### **COMPLETED SITE CLEANUPS (SLIC/DOD)**

##### ***Pioneer Americas LLC, Former All-Pure Chemical Company, Marysville, Yuba County***

On 9 June 2003, Pioneer Americas LLC submitted a Request for No Further Remedial Action Letter (Letter) for the former facility at 3721 Feather River Boulevard in Marysville. The extent of pollution is defined, potential sources of pollution have been investigated and removed, and concentrations of general minerals and metals in groundwater are declining and are expected to continue to decline over time. Therefore, on 17 June 2003, the Acting Assistant Executive Officer issued a no further remedial action letter. (DLL)

##### ***Former Shell Service Station, Sacramento, Sacramento County***

On 9 July 2003, Shell Oil Products submitted a Site Investigation Report (Report), which provided on and off-site tetrachloroethene (PCE) data and requested case closure for the former Shell service station at 3501 El Camino Avenue in Sacramento. Shell investigated presence of PCE on its property. Information provided in the Report showed that PCE was detected at low concentrations on-site with the higher concentrations off-site near a former dry cleaning business location. Therefore, on 23 July 2003, the Acting Assistant Executive Officer issued a no further action letter stating that the site was not the source of the PCE pollution. (DLL)

##### ***Franklin Field Airport, Sacramento County***

Historical crop dusting operations at the Franklin Field Airport in Sacramento left elevated concentrations of toxaphene, DDT, and aldrin in soil at the wash pad and along one of the runways. Sacramento County excavated the contaminated soil and met cleanup goals by remediating it on-site with low temperature thermal desorption. Sacramento County recorded a land use covenant signed by the County and the Regional Board restricting future land uses on the site to industrial uses. Groundwater was not polluted. (AST)

## COMPLETED SITE CLEANUPS

### **No Further Action Required - Underground Storage Tanks (UST)**

Following are sites where Board staff determined that investigation and remediation work may be discontinued and that no further action is required. Further, any residual hydrocarbons remaining do not pose a threat to human health and safety or anticipated future beneficial uses of water. This determination is based on site-specific information provided by the responsible party, and that the information provided was accurate and representative of site conditions. Article 11, Division 3, Chapter 16, Title 23 of the California Code of Regulations requires public notification when the Board determines that corrective actions have been completed and that no further action is required at a leaking underground storage tank site. This document serves to provide public notification.

For more information regarding a site, the appropriate office personnel should be contacted: Fresno (559) 445-5116, Redding (530) 224-4845, and Sacramento (916) 255-3000.

### **FRESNO OFFICE**

#### **Fresno County**

*International Raisins, 1445 Nebraska Avenue, Selma* - A cast-in-place concrete 15,000-gallon fuel oil UST that was built prior to 1920 was abandoned in place during 1993. Prior to abandonment, moderate concentrations of fuel oil were detected in soil samples from beneath the western end of the UST. Six soil borings, drilled to depths of up to 24 feet around the UST, did not contain petroleum hydrocarbons. Three monitoring wells were installed. No petroleum hydrocarbons were detected in water samples collected from the wells. Two of the monitoring wells were sampled in June 2003. No petroleum hydrocarbons or MTBE were detected in the well samples. There is an estimated 103 pounds of fuel oil in soil beneath the UST. Because groundwater was not impacted, the site was closed as low risk. (JWH)

#### *Will-O-The-Wisp Resort, Lakeshore*

Four USTs (500, 700, 300, and 280-gallon) were removed in June 1999. Soil samples from beneath the automotive fuel USTs and a groundwater sample from the boat fuel UST excavation revealed only traces of toluene, ethyl-benzene, and xylene. In September 2002, low TPH concentrations, including toluene and xylene and total lead were detected in soil samples from the former UST pit and downgradient of the pit. Apparently, only a small release of petroleum hydrocarbons occurred at the site. Groundwater was minimally impacted; therefore, no remediation or other corrective action was warranted. (JWH)

*Florence Lake Resort, Lakeshore* - One 1,000-gallon gasoline UST was removed in September 2001. No holes were observed in the UST, and no soil contamination was apparent at the time of UST removal. The soil sample collected beneath the UST contained low concentrations of gasoline constituents, including MTBE. A minimal release had occurred; therefore, additional soil samples were collected in June 2002 at downgradient locations near the bedrock interface. Contaminants were non-detect in the soil samples. Only a small release of petroleum



hydrocarbons occurred at the site. The risk to groundwater and surface water in the area is negligible. (JWH)

## **REDDING OFFICE**

### **Tehama County**

*ARCO Service Station #2058, 22355 Corning Road, Corning* - In 1988, two 4,000-gallon, two 6,000-gallon, a 10,000-gallon fiberglass gasoline, and a 280-gallon waste oil UST were removed from the site. Soil and groundwater had significant petroleum contamination. Approximately, 3,500 cubic yards of soil were removed. Subsequent investigations included the installation of eighteen soil borings and fourteen monitoring wells at the site. Over time, petroleum constituents have decreased in concentrations. The nearest receptor, a domestic well, was destroyed and replaced. The underlying clay layer should minimize further groundwater impacts from the remaining residual contamination. (HB)

*California Department of Forestry Vina Helitack Base, Highway 99 East, Vina* - In May 1998, a 550-gallon gasoline UST was removed from the site. Soil contamination was observed at the time of the tank pull. Three monitoring wells were installed. Trace levels of 1,2-DCA were detected in two monitoring wells and appear to be limited to the immediate area of the former UST. MtBE was not detected. Subsurface conditions pose no or minimal risk to water quality. (HB)

### **Butte County**

*Spirits of America, 2269 Nord Avenue, Chico* - In March 1998, one 2,000-gallon, one 8,000-gallon, and one 10,000-gallon gasoline UST was removed from the site. Numerous domestic wells were found within 2,000 feet of the property; however, contaminants were non-detect in the well nearest the site. Six soil borings and three monitoring wells were installed. TPH-g at 2,100 µg/l and 300 µg/l was detected in soil samples from the immediate vicinity of the former USTs. Five quarters of monitoring revealed low to non-detect levels for petroleum constituents in groundwater samples. (HB)

*Butte Country Store, 3772 Durham Pentz Road, Oroville* - In November 1999, two 10,000-gallon gasoline USTs were removed from the site. During the UST removals, petroleum constituents were detected in soil and groundwater samples. A liner was installed in the tank pit before backfilling. One soil boring and three groundwater monitoring wells and were installed at the site. Contaminant concentrations in groundwater samples have been low to non-detect during monitoring events. Minimal soil contamination appears limited to the immediate vicinity of the former USTs. (HB)

*Hills Country Store, 14972 Skyway, Magalia* In December 1996, one 12,000-gallon and two 4,000-gallon gasoline and one 4,000-gallon diesel USTs were removed from the site. Detected soil contamination initiated further investigation, which included installing three monitoring wells. MTBE at 9.2 µg/l and 5.4 µg/l was detected in groundwater samples during first quarter 2001 and non-detect during the remaining monitoring periods. Remaining contamination appears minimal, limited to the immediate vicinity of the former USTs, and pose no or minimal threat to water quality. (HB)

### **Plumas County**

*Clio General Store, 276 Lower Main Street, Clio* - In 1994, two 10,000-gallon, one 750-gallon and one 550-gallon gasoline UST was removed from the site. Soil contamination at the time of UST removals initiated the over-excavation of approximately 30 cubic yards of soil. Six direct-push soil borings and nine monitoring wells were installed at the site. Petroleum constituents, which have shown a decreasing trend, are currently non-detect. The nearest sensitive receptor, a domestic well, was properly decommissioned. (HB)

## **SACRAMENTO OFFICE**

### **Contra Costa County**

*Former Bridgehead Service Station, 5540 Bridgehead Road, Oakley* - Four USTs were removed from the site in March 1993. Soil from the tank pit was aerated and used as backfill. In October 1994, sampling from two installed monitoring wells showed non-detect levels of TPHg, TPHd, and BTEX. The site was closed in July 1996. In November 1996, ARCO conducted an investigation before proposing a service station for the site. Four monitoring wells were installed. Up to 4,700 µg/l TPH-g; 1,100 µg/l TPH-d; 86 µg/l benzene; and 37 µg/l MTBE were detected in monitoring wells samples. In October 1997, the site was “re-opened,” and quarterly monitoring resumed. Three additional monitoring wells were installed. Of the seven wells, only one had detectable concentrations of TPH-g, benzene and MTBE greater than California’s Maximum Contaminant Levels; however, the concentrations have decreased steadily since quarterly monitoring resumed. Two domestic wells, previously located on the property, were abandoned. A sensitive receptor study showed four other domestic water supply wells within 2,000 feet of the site. The nearest domestic well is 1,000 feet up-gradient of the site. The site is a low risk case and does not pose a significant threat to groundwater quality. (PMV)

### **Placer County**

*Miles Property, Railroad & Oak, Colfax* - In February 1991, a 6,000-gallon gasoline UST and an 8,000-gallon diesel UST were removed and later replaced with above-ground tanks. Soil and groundwater samples from borings installed in and around the UST excavation contained only minor concentrations of petroleum hydrocarbons. No known supply wells are located within 2,000 feet of the site. Natural attenuation should reduce the contaminant mass, which does not pose a threat to human health or waters of the state. (PRS)

*Crossroads Auto Center, 2725 Highway 49, Auburn* - In April 1999, a 550-gallon waste oil UST was removed from the site, along with approximately 25 cubic yards of minimally impacted soil. Groundwater samples collected just outside the excavation contained only minor levels of hydrocarbons. The extent of contamination appears limited to the area of the former UST. No known supply wells were reported within 2,000 feet of the site. Natural attenuation should reduce the residual contaminant mass, which does not pose a threat to human health or waters of the state. (PRS)

*Black Forest Garage, 140 Elm Street, Auburn* - In May 1991, an estimated 500-gallon waste oil

tank was removed from the site. Petroleum hydrocarbons were detected in a soil sample from the base of the excavation. Two subsequent over-excavations were performed until only minor hydrocarbon concentrations were detected in soil and grab groundwater samples. No sensitive receptors were identified within 2,000 feet of the site. The minor hydrocarbon concentrations remaining in soil and groundwater do not pose a threat to human health or adversely impact waters of the state. (PRS)

*Colfax Garage (Former Chevron) 22 W. Grass Valley Street, Colfax* - This site was a former service and retail gasoline station that dispensed fuel until 1998. In April 1997, four USTs were removed from the site. Although elevated hydrocarbon concentrations were detected in soil samples from in and around the tank excavation, groundwater monitoring revealed only minor hydrocarbon constituents, which have not migrated a significant distance. Natural attenuation is reducing residual hydrocarbon concentrations, and no production wells are located within 2,000 feet of the site. The entire surface of the site is paved, and an estimated three pounds of TPH-g remains in soil beneath the site. The residual hydrocarbon mass does not pose a threat to human health or waters of the state. (PRS)

### **Yolo County**

*Teichert Woodland Aggregate Quarry, 35030 Co. Rd. 20, Woodland* - In August 2002, a 1,000-gallon waste oil UST was removed from the site. In September 2002, approximately 37 cubic yards of soil were excavated from the former UST cavity. Samples from a boring drilled through the former UST backfill revealed low concentrations of oil and grease in soil from 26 to 65 feet below ground surface and TPH-d at 160 µg/l in a groundwater sample. Three water supply wells are approximately 70, 250, and 500 feet from the former waste oil UST. Water samples collected in January 2003 from the three water supply wells were non-detect for petroleum constituents. Site data show that petroleum hydrocarbons remaining in soil and groundwater are a mixture of biotic material and some weathered oil, which do not pose a threat to water quality or beneficial uses. (DFS)

### **Yuba County**

*Former Daoust Chevrolet, 529 5th Street*

*Marysville* - In 1988, a 2,000-gallon UST and 325 cubic yards of impacted soil were removed from the site. Subsequent soil borings and groundwater monitoring data have shown reduced contaminant levels. No fuel oxygenate compounds were detected at the site. The nearest sensitive receptor (an irrigation well) is not impacted or threatened. The site poses no threat to human health and safety or to the waters of the state. (MRL)

*Robert W. Islip Site, 630 B Street*

*Marysville* – In the mid-1960s, an unknown number of USTs were removed from the site. Minimal soil contamination was identified in July 1999. A follow-up soil and groundwater investigation in May 2003 found that the majority of residual contamination had naturally attenuated. All soil and groundwater samples from the May 2003 sampling event were non-detect for all petroleum constituents. No sensitive receptors were reported within 2,000 feet of the site. The site poses no threat to human health and safety or to the waters of the state. (MRL)

## **Local Agency UST Closures Independent of Board Staff Review**

### **Fresno County**

Penny Wise, 4805 E. Shields Avenue, Fresno  
Blues Auto, 620 F Street, Fresno  
Ninde Khera's Selma Truck Stop, 3000 Floral Avenue, Selma

### **Kern County**

Harbaugh - Slater Property, Renfro Road and Rosedale Highway (no address), Bakersfield  
Sippelle Investments Property (Formerly Hydro-Test), 6555 Downing Avenue, Bakersfield  
Riverkern General Store, 16130 Sierra Way, Kernville  
Greenfield Auto Truck Center, 9721 South Union Avenue, Bakersfield  
Sammon's Truck Stop/Cornick Oil Company, 8619 Golden State Highway, Bakersfield

### **Madera County**

Stewart & Nuss, 1000 West Nees, Pindale  
Family Food Center, 6895 Highway 145, Madera

## **Local Agency UST Closures with Concurrence of Board Staff Review**

### **San Joaquin County**

AT&T MR Facility, 90 W. Turner Way, Lodi  
Brookside High School, 1621 Brookside Road, Stockton  
Charlie's Day and Night, 706 N. Eldorado Street, Stockton  
Former Shell Station, 420 W. Kettleman Lane., Lodi  
Pacific Pride Card Lock, 816 Highway 99, Ripon  
Tracy Hospital, 1420 Tracy Boulevard, Tracy

### **Stanislaus County**

T&M Market, 107 South Second Street, Patterson

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION**

**4/5 SEPTEMBER 2003**

**Item: 5A**

**SUBJECT: Executive Officer's Report - ADDENDUM**

**1A Meeting with Representatives of the Sacramento Valley Water Quality Coalition Group**

On 5 August 2003, Bill Croyle and Shakoora Azimi-Gaylon met with Dave Guy and other representatives of the Sacramento Valley Water Quality Coalition to discuss various issues related to the Irrigated Lands Waiver adopted by the Regional Board in July 2003. The Coalition appears to be working very hard to refine their watershed approach for the Sacramento River watershed to address the Irrigated Lands Conditional Waiver adopted in July 2003. However, the Coalition is very concerned that they will not be able to obtain a list of each individual discharger that has knowingly elected to participate in the Coalition Group effort within their watershed by the November 2003 deadline for various reasons. They are in the process of determining what discharger information can be collected and what process and timeline could be used or required to collect this information. They are discussing alternatives for the identification of dischargers with the Ag Commissioners in various counties. The Coalition will continue to develop these alternatives and meet with staff to determine if one or more of these alternatives may be acceptable to the Regional Board. Other issues discussed during this meeting included other regulatory alternatives such as a regional general order, general orders for various types of agricultural discharges, low threat waiver, and fees for waivers or general orders to support the irrigated lands program. (BC)

**2A Meeting with Representatives of the Westside San Joaquin River Coalition Group**

On 13 August 2003, Irrigated Lands Unit staff met with representatives (David Cory and Joseph McGahan) of the Westside San Joaquin River Watershed Group (Coalition Group) to discuss Resolution No. R5-2003-0105, Irrigated Lands Conditional Waiver of Waste Discharge Requirements (Waiver) and other types of regulatory options available to the individual dischargers within the Watershed area or the Coalition Group as a whole. Cory and McGahan outlined two major conditions of the July 2003 Waiver which may impede the Coalition Group effort. These conditions include submitting to the Board a list of each individual discharger that has knowingly elected to participate in the Coalition Group effort, including their parcel number, and the condition regarding access. Various parties have petitioned these conditions to the State Board.

Given the uncertainty of the Waiver, Cory and McGahan discussed other regulatory options available to the Coalition Group. These options included:

1. Waste Discharge Requirements (WDRs) for each individual dischargers (i.e. farm specific WDRs).
2. WDRs for a responsible public entity (i.e. similar to those adopted for the Grassland Bypass Project).
3. General WDRs for a geographical region.

Regional Board staff will continue to actively participate in further discussions with this and other Coalition Groups to provide assistance with the Waiver and discuss various alternative(s) to the Waiver. (MMW)

**3A**

### **Irrigated Lands Water Quality Monitoring Activities - UC Davis Water Quality Investigation, Technical Advisory Committee**

On 5 August 2003, Bill Marshall, Bill Croyle, Shakoora Azimi-Gaylon and Molly White met with the Technical Advisory Committee (TAC) of the Irrigated Lands Water Quality Monitoring Program. Staff presented the available data collected during March to July 2003, and the field audit report conducted by the Regional Board staff. Samples collected during March through July 2003 showed high results of total suspended solids, dissolved organic carbon and total organic carbon. Electrical Conductivity (EC) results ranged between 500 to 4000 umhos/cm, which are higher than the criteria listed for the Sacramento and San Joaquin River Systems in the Basin Plan. Toxicity (mortality) reported in four of the 110 samples processed between March and July 2003. Samples collected on March 26, 2003 showed an indication of toxicity to the indicator test species but not statistically significant toxicity to both test species. Samples collected from sampling sites at Yolo and Colusa Counties on June 11, 2003 showed 50 to 75% mortality. TIE results indicated that the toxicity was due to non-polar organic chemicals. Further confirmation demonstrated an organophosphorus (OP) insecticide contributed to the *C. dubia* mortality. Highly hydrophobic chemical(s) also contributed to the toxicity of these samples. While chemical analyses identify probable toxic chemicals in these samples, QA checks have not been completed.

Regional Board staff coordinated the UC Davis Water Quality Investigation monitoring with the sediment sampling being conducted under a separate Regional Board monitoring contract. Seventeen sediment samples were collected from agricultural drains and tested. Pyrethroids were detected in most samples at low level. Permethrin (a pyrethroid compound) was detected in 12 of 17 samples. Other pyrethroid compounds such as bifenthrin, esfenvalerate and lambda-cyhalothrin were all detected in at least one sample. Sediment toxicity was observed in five sites in San Joaquin, Colusa and Stanislaus counties. In addition to the pyrethroids, other compounds that caused toxicity include chlorpyrifos and Organochlorine compounds (endrin, dieldrin and methoxychlor). The cause of sediment toxicity was not identified in two samples, which could have been due to compounds that were not tested for under the specified chemical analyses.

The UC Davis water quality investigation and the sediment toxicity monitoring will continue until the end of September 2003. After the fieldwork is complete, two additional TAC meetings will be scheduled. One to discuss preliminary field and laboratory data and the one to review the final draft investigation report. This work should be completed by June 2004. (SAG)

## **PUBLIC OUTREACH**

On 5 June, Bill Marshall, Bill Croyle, Molly White, Shakoora Azimi-Gaylon, Lonnie Wass, Russell Walls, Pete Osmolovsky, and Annee Ferranti participated in a meeting with environmental representatives to discuss the Irrigated Lands Conditional Waiver.

On 9 June, Bill Croyle, Kelly Briggs, Bill Marshall, Jack Del Conte, Rudy Schnagl, Lonnie Wass, Russell Walls, and Annee Ferranti participated in a meeting with agricultural representatives to discuss the Irrigated Lands Conditional Waiver and watershed group principles.

On 10 June, Bill Croyle, Shakoora Azimi-Gaylon, Kelly Briggs and Bill Marshall met with representatives of Dow AgroSciences and Makhteshim-Agan to discuss the Irrigated Lands Conditional Waiver.

On 10 June, Kelly Briggs, Bill Marshall, Molly White met with representatives from the Westside San Joaquin River Watershed Group to discuss the Irrigated Lands Conditional Waiver, the General Report due June 30th and monitoring.

On 11 June, Kelly Briggs briefed the Auburn Ravine/Coon Creek Watershed Group on the Irrigated Lands Conditional Waiver.

On 13 June, Bill Croyle, Shakoora Azimi-Gaylon, Rudy Schnagl and Kelly Briggs met with representatives of the Department of Pesticide Regulation to discuss the Irrigated Lands Conditional Waiver.

On June 13, Bill Croyle and Shakoora Azimi-Gaylon met with representative of University of California Davis to discuss the Ag Waiver Monitoring Phase II.

On June 19, Bill Croyle and Shakoora Azimi-Gaylon met with staff from the Agricultural Department of California State University, Chico to discuss the Ag Waiver Monitoring Phase II.

On 23 June, Bill Croyle and Shakoora Azimi-Gaylon met with staff from California Department of Fish and Game Water Pollution Control Laboratory to discuss the Ag Waiver Monitoring Phase II.

On 1 July, Bill Croyle, Kelly Briggs, and Molly White met with representatives from the alfalfa industry to discuss the Irrigated Lands Conditional Waiver.

On July 14, Bill Croyle and Shakoora Azimi- Gaylon met with staff from California Water Institute to discuss the Ag Waiver Monitoring Phase II.

On 22 July, Lonnie Wass, Russell Walls, Pete Osmolovsky, and Annee Ferranti attended the Southern San Joaquin Valley Water Quality Coalition meeting in Fresno.

On 4 August, Bill Croyle, Shakoora Azimi-Gaylon and Kelly Briggs met with representatives of the Del Puerto Water District (DPWD) and a representative from the Westside San Joaquin River Coalition Group to discuss the Irrigated Lands Conditional Waiver, monitoring, and specific characteristics of the DPWD. Following the discussion, DPWD representatives took staff on a field tour of the district.

On 5 August, Bill Croyle, Bill Marshall, Shakoora Azimi-Gaylon and Molly White met with the Ag Waiver Monitoring Phase I Technical Advisory Committee. Staff presented the available data collected in April to July, and the field audit report. This monitoring will continue until the end of September.

On 5 August 2003, Bill Croyle, Shakoora Azimi-Gaylon met with representatives of the Sacramento River Water Quality Coalition Group.

On 6 August, Lonnie Wass, Pete Osmolovsky, and Annee Ferranti attended the Southern San Joaquin Valley Water Quality Coalition meeting in Farmersville.

On 8 August, Shakoora Azimi-Gaylon attended the Sacramento Valley Water Quality Coalition monitoring meeting. The meeting was held to communicate the monitoring requirements with the subwatershed groups. Staff presented a summary of the Ag Waiver MRP and answered questions regarding monitoring and reporting requirements.

On 13 August 2003, Bill Marshall, Bill Croyle, Molly White, Shakoora Azimi-Gaylon, Russ Walls, Annee Ferranti and Pete Osmolovsky met with representatives of the Westside San Joaquin River Coalition Group.

On 28 August, Bill Croyle and Shakoora Azimi-Gaylon participated in a panel discussion hosted by the Northern Sacramento Valley Water Forum in Yuba City. The topic for the six person panel was "Agricultural Discharge Waivers: What is the Decision? What are the Impacts?" County supervisors, water district managers and directors, business and environmental interests attended the Forum.