

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

Minutes

406th Regular Meeting

Integrated Waste Management Board

Sacramento, California

24 January 1997 - 9:00 a.m.

BOARD MEMBERS PRESENT

Ed Schnabel, Chairman; Steven Butler, Vice Chairman; Chuck Ahlem, Craig Pedersen, Ernie Pfanner, William Porter, Patricia Smith, Clifford Wisdom, Members; John Brown, SWRCB Liaison Member

BOARD MEMBER ABSENT

Karl E. Longley

STAFF PRESENT

Jim Bennett, Tom Pinkos, Bert Van Voris, Larry Pearson, Jack DelConte, Ken Landau, Dale Harvey, Richard McHenry, Bob Yeadon, Christopher Foe, Pamela Barksdale, Paul Marshall, James Eckman, Inge Clarke, and Gary Varney; Betsy Jennings and Frances McChesney, Staff Counsels

OTHERS PRESENT

Ray Patton, California State Parks, Grass Valley

Sandy Frizzell, California State Parks, Grass Valley

Nick Villa, Department of Fish and Game, Rancho Cordova

David S. Zezulak, Department of Fish and Game, Rancho Cordova

Nancee Murray, Department of Fish and Game, Sacramento

Eric Larsen, University of California, Davis

Lori Senitte, State Water Resources Control Board, Sacramento

Thom Carmichael, Placer County Health Department, Auburn

Doug Balmain, Supervisor, Mariposa County, Mariposa

Mike Edwards, Mariposa County Public Work Department, Mariposa

Julio S. Guerra, City of Merced Environmental Control, Merced

Gerald (Dave) Davidson, City of Merced Wastewater, Merced

Janeene Coleman, City of Auburn Council Member, Auburn

Paul Ogden, City of Auburn Manager, Auburn

David Thornburgh, City of Auburn, Auburn

Bernie Schroeder, City of Auburn Engineering, Auburn

Elizabeth W. Johnson, Attorney, City of Stockton, Sacramento

Alexander Krygsman, Port of Stockton Director, Stockton

Peter J. Kampa, Lake Don Pedro Community Services District, LaGrange
Tim Callaway, Siskon Gold Corporation, Grass Valley
Robert C. Pease, Siskon Gold Corporation, Grass Valley
Steve Artus, Modesto Energy Limited Partnership, San Ramon
Les Oesterreich, Superior Packing Company, Davis
Martin Jeppeson, California Ammonia, Stockton
Bill Jennings, DeltaKeeper, Stockton
Michael Lozeau, San Francisco Baykeeper/DeltaKeeper, San Francisco
Craig Allison, Downey, Brand, Seymour, Rohwen, Sacramento
Anne Russell, Diehl-Rodewald, San Luis Obispo
Steven P. McDonald, Luce Forward Hamilton & Scripps, San Diego
James M. Wakefield, H. J. Baker, Stockton
Donald K. Rothenbaum, McLaren/Hart Environmental Engineering, Rancho Cordova
Ed Childers, McLaren/Hart Environmental Engineering, Rancho Cordova
David Braithwaite, McLaren/Hart Environmental Engineering, Rancho Cordova
Richard Hunn, CH2M Hill, Sacramento
John Buttz, CH2M Hill, Sacramento
Tim Hamaker, CH2M Hill, Redding
David Lawler, Lawler & Associates Applied Geoscience, Berkeley
Christopher Konrad, Jones & Stokes Associates, Sacramento
Lloyd Bracewell, Bracewell Engineering Inc., Oakland
Chris Bramer, Sierra Environmental Services, Martinez
Barbara Van Riper, Ophir Area Property Owners Assoc., Newcastle
Joyce Richter, Ophir Area Property Owners Assoc., Newcastle
Ron Otto, Ophir Area Property Owners Assoc., Newcastle
Lawrence D. Sanders, San Juan Ridge Taxpayers Assoc., Nevada City
Jerry Tecklin, San Juan Ridge Taxpayers Assoc., Nevada City
Robert Greensfelder, San Juan Ridge Taxpayers Assoc., Nevada City
Jesse A Folsom, Dixon
Randy Bailey, Lincoln

Mr. Schnabel read a statement by Board Member Karl Longley, in his absence, addressing the Board on the subject of containment zone policy implementation.

ELECTION OF 1997 OFFICERS

The nominating committee proposed the slate of Ed Schnabel as Chair, and Steven Butler as Vice Chair. The Board unanimously approved the slate of officers.

APPROVAL OF MINUTES

1. The minutes of the 406th Regular Meeting of 5 and 6 December 1996 were approved as written.

MOTION: By Mr. Pfanner, seconded by Mr. Porter, and unanimously approved.

UNCONTESTED ITEMS

2. NPDES Permits

97-001 California Department of Fish and Game, San Joaquin Fish Hatchery, Fresno County

97-002 County of Sacramento, Rio Cosumnes Correctional Center Wastewater Treatment Plant, Sacramento County

97-003 Stanislaus Farm Supply Groundwater Remediation and Stormwater Discharge, Stanislaus County

MOTION: By Mr. Wisdom, seconded by Mrs. Smith, and unanimously approved.

3. Waste Discharge Requirements

97-004 All-American Recycle Corporation, Soil Recycling Facility, Kern County (amended)

97-005 CalResources LLC, Belridge Oilsand Manufacturing Facility, Kern County

97-006 Millwood Packing, Inc., Citrus Packing Facility, Tulare County

97-007 Butte County Service Area No. 169, Pheasant Landing Subdivision, Butte County (amended)

97-008 J.R. Simplot Company and Occidental Chemical Corporation, Former Courtland Facility, Groundwater Treatment System, Yolo County (amended)

97-009 J.G. Boswell Company, Cotton Seed Delinting Facility, Class II Surface Impoundment, Kings County

97-010 Modesto Energy Limited Partnership, UAE Energy Operations Corp., and Edward J. and Mary Etta Filbin, Modesto Tire-To-Energy Facility, Class II Surface Impoundments, Stanislaus County

97-011 Calaveras Cement Company, Closure and Postclosure Maintenance of Landfill, Calaveras County

97-012 Happy Valley Primary School, Happy Valley Union School District, Shasta County

97-013 Delhi County Water District, Wastewater Treatment Facility, Merced County

97-014 Dole Dried Fruit and Nut Company, Kerman Receiving and Grading Station, Fresno County

97-015 Madera County Maintenance District No. 22A, Oakhurst Wastewater Treatment Facility, Madera County

MOTION: By Mr. Pfanner, seconded by Mr. Porter, and unanimously approved as amended.

4. Waste Discharge Requirements Rescissions

City of Redding, (Redding Municipal Airport), Shasta County, Order No. 82-037

Hidden Valley Sand and Gravel, Middletown Plant and Ken Hilger in Lake County, Order No. 86-233

Western Stone Products Ground Water Treatment System, Stanislaus County, Order No. 91-129

Jamestown Mine, Sonora Mining Company, Pathfinder Gold Corporation, Robert and Wanda Cameron, Harvard Gold Mining Company, Tuolumne County, Order No. 91-243

Bennett Petroleum, Coleman Community #35 Lease, Edison Oil Field, Kern County, Order No. 92-11005

A.H. Nahabedian, Nahabedian/Cauley Lease, Edison Oil Field, Kern County, Order No. 92-11014

U.S. Oil & Gas, Porter-McMillian Lease, Edison Oil Field, Kern County, Order No. 92-11035

Kernview Oil Corporation, Drilexco-Kruger Lease, Edison Oil Field, Kern County, Order No. 92-11057
Sequoia Exploration, Alexis Lease, Edison Oil Field, Kern County, Order No. 92-11066
Sequoia Exploration, Alexis/Day Buffalo Lease, Edison Oil Field, Kern County, Order No. 92-11067
Sequoia Exploration, Porter GZ8, Edison Oil Field, Kern County, Order No. 92-11068
Sequoia Exploration, Porter 1030 Lease, Edison Oil Field, Kern County, Order No. 92-11069
Sequoia Exploration, Porter Buffalo Lease, Edison Oil Field, Kern County, Order No. 92-11070
Sequoia Exploration, Jeppi Lease, Edison Oil Field, Kern County, Order No. 92-11071
Wilfred Stroud, Edison Oil Field, Theresa Lease, Kern County, Order. No. 92-11072
Beazer East, Inc., Groundwater Extraction and Treatment System, Butte County, Order No. 92-220
Valley Fruit & Nut, Valley Pistachio, Madera County, Order No. 93-060
Dinuba Timber Industries, Inc., dba Sequoia Forest Industries and North Fork Energy, Inc., North Fork Mill and Cogeneration Facility, South Fork of Willow Creek, Madera County, Order No. 93-227
KF Dairies, Inc., Tipton Facility, Tulare County, Order No. 94-110
Dominic Speno, Patterson Speno Wastewater Treatment Plant and KDN Enterprises, Stanislaus County, Order No. 95-100
Escalon Packers, Inc., San Joaquin County, Order No. 95-149
Teichert Land Company, Clements Site, San Joaquin County, Order No. 95-180

97-016 MOTION: By Mr. Butler, seconded by Mr. Pedersen, and unanimously approved.

ENFORCEMENT

5. Mariposa County, Don Pedro Sewer Zone 1, Wastewater Treatment Facility, Mariposa County - Consideration of Special Order Modifying Cease and Desist Order No. 94-282

A public hearing was held. The staff report was presented by Dale Harvey. The staff presentation, exhibits, and case file were entered into the record. Additional testimony was presented by Mike Edwards, Mariposa County Director of Public Works.

97-017 MOTION: By Mr. Wisdom, seconded by Mr. Porter, to adopt the Cease and Desist Order as amended. Motion carried.

Roll call vote - Ayes: Wisdom, Smith, Porter, Butler, Ahlem, Pedersen, Schnabel
Noes: Pfanner

6. City of Merced, Wastewater Treatment Facility, Merced County - Consideration of Cease and Desist Order

A public hearing was held. The staff report was presented by Bert Van Voris. The staff presentation, exhibits, and case file were entered into the record. No one appeared to contest the adoption of this order.

97-018 MOTION: By Mr. Pfanner, seconded by Mr. Ahlem, to adopt the Cease and Desist Order as amended. Unanimously approved by roll call vote.

7. Superior Packing Company and SDC Investment Inc., Wastewater Treatment Pond System, Dixon,

Solano County - Consideration of Cleanup and Abatement Order and Cease and Desist Order

A public hearing was held. The staff report was presented by Richard McHenry. The staff presentation, exhibits, and case file were entered into the record. Additional testimony was presented by Chris Bramer, Superior Packing consultant; Jesse Folsom; Anne Russell, attorney for Superior; and Craig Allison, attorney.

97-019 MOTION: By Mr. Pfanner, seconded by Mr. Porter, to adopt the Cleanup and Abatement Order as presented. Motion carried.

97-020 MOTION: By Mr. Pfanner, seconded by Mr. Porter, to adopt the Cease and Desist Order. Motion carried.

Roll call vote: Ayes - Wisdom, Smith, Porter, Pfanner, Ahlem, Pedersen, Schnabel Noes - Butler

On both the Cleanup & Abatement Order and Cease & Desist Order, the Board also instructed staff to report back in 60 days to allow the Board the opportunity to revise or rescind the Orders.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

8. Stockton Port District, Facility-Wide Storm Water and Non-Storm Water Discharges from the Port of Stockton, San Joaquin County

A public hearing was held. The staff report was presented by Pamela Barksdale. The staff presentation, exhibits, and case file were entered into the record. Additional testimony was received from Don Rothenbaum and El Childers, consultants; Alexander Krygsman, Port of Stockton Director; Steven McDonald, attorney for the Port; Michael Lozeau, San Francisco Baykeeper; Bill Jennings, DeltaKeeper; Nancee Murray, Department of Fish and Game counsel.

MOTION: By Mr. Butler, seconded by Mr. Pfanner, to postpone adoption to the next Board meeting. The Board instructed staff to recirculate the latest version of the permit for public comment, with a closing date of 7 February for comments, and directed staff to consider deletion of Finding 28 requiring documents be submitted by the Discharger to the Department of Fish and Game at the same time the documents are submitted to the Regional Board. Motion carried.

9. Siskon Gold Corporation, San Juan Ridge Mine East Workings, Nevada County

A public hearing was held. The staff report was presented by Jim Eckman. The staff presentation, exhibits and case file were entered into the record. Additional information was presented by Tim Callaway, Siskon Gold; Christopher Konrad, Jones & Stokes; Ray Patton, California State Parks; Sandy Frazell, ecologist; Lawrence Sanders and Jerry Tecklin, San Juan Ridge Taxpayers Association; and Eric Larsen, University of California @ Davis.

97-021 MOTION: By Mr. Wisdom, seconded by Mrs. Smith, to adopt the permit as amended.

Unanimously approved.

(Note: Items 5 through 9 were recorded by a certified court reporter.)

OTHER BUSINESS

10. The Board met in closed session during lunch to discuss ongoing litigation in the case of Committee to Save the Mokelumne River and California Sportfishing Alliance v. East Bay Municipal Utility District, et al., Sacramento County Superior Court, Case No. CV 369054 (Authorized under Government Code Section 11126)

11. City of Auburn Wastewater Treatment Plant, Placer County - Compliance Status Report and Acceptance of Stream Study Report

The staff report was presented by Jack DelConte. Additional information was provided by Thom Carmichael, Placer County Health Department; Nick Villa, Department of Fish and Game; Barbara Van Riper, Joyce Richter (read letter on behalf of Dick DalPino); and Ron Otto, Ophir Area Property Owners Association; Paul Ogden and Bernie Schroeder, representing the City of Auburn; John Buttz, CH2M Hill; and Randy Bailey.

MOTION: By Mr. Wisdom, seconded by Mr. Butler to accept the stream study as presented. Motion carried, with Mr. Pfanner abstaining from voting. The Board also directed the Interim Executive Officer to evaluate and report back to the Board on information submitted regarding plant violations. Mr. Schnabel asked the Board to consider the possibility of a connection ban in the future if violations persist.

12. Small Community Grant Project Priority List for 1996-97 - Consideration of Resolution Adopting the Priority List for the Central Valley Region

The staff report was presented by Paul Marshall, who presented a revised list for the Board's consideration.

97-022 MOTION: By Mr. Pedersen, seconded by Mr. Butler, to adopt the resolution and priority list as revised. Unanimously approved.

13. Community of Locke - Consideration of Resolution Approving and Accepting the County of Sacramento Health Officer's Declaration of Pollution Problem and Time Schedule for Compliance

No one appeared to contest the adoption of this resolution.

97-023 MOTION: By Mr. Porter, seconded by Mr. Pfanner, to adopt the resolution approving and accepting the County's declaration of pollution problem and time schedule for compliance. Unanimously approved.

14. Cleanup and Abatement Account - Consideration of a Resolution for Authorization to Revise a

Request for Funds from the State Water Pollution Cleanup and Abatement Account

A brief report was presented by Tom Pinkos.

97-024 MOTION: By Mr. Porter, seconded by Mr. Butler, to adopt the resolution as presented.
Unanimously approved.

15. The Board received the Executive Officer's Report.

16. The meeting adjourned at 6:25 p.m. to the 28 February 1997 meeting in Sacramento.