



Public Meeting

Central Valley Regional Water Quality Control Board

Friday –15 October 2004 - 8:30 a.m.
Central Valley Regional Water
Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and to make decisions based on the information received.

Persons who want to submit written comments or evidence on any agenda item must comply with the **Meeting Procedures** described at the end of the listing of **Agenda** items. Persons wishing to speak at the meeting should complete an attendance card and provide it to staff. Although otherwise filling out the attendance card is voluntary, we do appreciate receiving a card from all persons in attendance.

Persons applying for, or actively supporting or opposing, waste discharge requirements before the Board must comply with legal requirements if they or their agents have or propose contributing more than \$250 to a Board member for an election campaign. Contact the Board office for details if you fall into this category.

Items showing times will begin no sooner than indicated. Items are numbered for identification purposes only and may not be considered in order. They may, however, be delayed by previous items. Closed Session business is normally conducted during the lunch break, although the Board may adjourn to Closed Session at any time. Depending on the extent of Closed Session items, the lunch break may be lengthy. The Board Chair will announce prior to any Closed Session the anticipated time that the public session will resume.

Technical questions regarding agenda items should be directed to the responsible staff person whose name and direct phone number are indicated by the agenda item. If no staff person is listed, or for general questions and requests for agenda material, please contact Janice Tanaka at (916) 464-4839.

The facility is accessible to people with disabilities. Individuals requiring special accommodations are requested to contact Ms. Tanaka at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Board agendas and the approved minutes of Board meetings are posted on the Regional Board's website at http://www.swrcb.ca.gov/rwqcb5/board_meetings.

Copies of the items to be considered by the Board may be downloaded from the following Website, <http://www.swrcb.ca.gov/rwqcb5/tentative> organized by agenda item number.

A listing of pending applications for Water Quality Certifications, pursuant to section 401 of the Federal Clean Water Act, may be obtained from the Regional Board's Web Page at http://www.swrcb.ca.gov/rwqcb5/public_notices or by calling Pat Gillum at (916) 464-4709.

The **Agenda** for this meeting begins on the next page.

TIME LIMITATIONS

In order to move the Board meeting along in a timely manner, and assure time for adequate consideration of items later in the Agenda, the Chair may enforce maximum time limitations on each item. The goal is to complete all presentations, cross-examination, Board deliberation and voting within the allotted time. Allotted times are listed on the agenda following each item. Please consider the allotted time when preparing your presentations. Items with specific times listed will not be heard before that time but may be heard later.

FRIDAY –15 OCTOBER 2004 – 8:30 A.M.

1. Introductions and pledge of allegiance.
2. Meeting Rules and Procedures
3. Executive Officer's Report [Available on the internet at: http://www.swrcb.ca.gov/rwqcb5/monthly_board_report/]
4. Board Member Communication
5. Public Forum - *Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting (5 minute time limit per subject) 8:30 a.m.*
6. The Board will be asked to approve items 11 through 18 with no discussion if no one is here to testify about them; see pages 3 & 4 for a description/listing of items – **8:30 a.m.**
7. Delegation of Board Functions in the Event of Absence of a Quorum - *Delegate Authority to Chair or Board Member Subcommittee for Hearing Panels and Litigation* [Kenneth Landau (916) 464-4839]

NPDES PERMITS

8. Stockton Port District, Port of Stockton, San Joaquin County – *Consideration of Renewal of Municipal Storm Sewer System NPDES Permit* [Brett Stevens (916) 464-4642] (**Time Limit – 45 minutes**)

WASTE DISCHARGE REQUIREMENTS

9. Port of Stockton, West Complex Dock Dredging Project, San Joaquin County – *Consideration of Adoption of Waste Discharge Requirements (Continuation of 9 September hearing)* [Alex Baillie (916) 464-4684] (**Time Limit – 120 minutes**)

ENFORCEMENT

10. Florin Perkins Landfill, Inc.; Nancy C. Cleavinger, Trustee of the Nancy C. Cleavinger Revocable Trust; Audrey A. Hunt, Trustee of the Audrey A. Hunt Revocable Trust; Janet E. Harvey, Trustee of the Janet E. Harvey Revocable Trust; Sally R. Davis, and Successor In Trust, Trustee of the Sally R. Davis Trust; Audrey A. Hunt and Nancy C. Cleavinger, Trustees, under a Testamentary Trust for Sally R. Davis under the terms of the will of Robert Earl Davis as established by Decree of Distribution entered on March 28, 1991; Virginia A. Palmer, Trustee of the Virginia A. Palmer Revocable Trust; Gail Christine Brown, Trustee of the Donald Bruce Brown and Gail Christine Brown Revocable Trust, Jackson Road Landfill, Sacramento County — *Consideration of Cease and Desist Order* [John Moody (916) 464-4641] (**Time Limit – 30 minutes**)

UNCONTESTED ITEMS CALENDAR

Uncontested items are expected to be routine and noncontroversial; recommendations will be acted on without discussion. If any interested party, Board, or staff member requests discussion, the item may be removed from the Uncontested Items Calendar and taken up in the regular agenda order, or in an order determined by the Board Chair – 8:30 a.m.

11. City of Stockton and County of San Joaquin, San Joaquin County – *Consideration of Approval of Storm Water Management Plan for Phase I Municipal Storm Sewer NPDES Permit* [Brett Stevens (916) 464-4642]
12. County of Sacramento and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Sacramento and Rancho Cordova – *Consideration of Approval of Storm Water Quality Improvement Plan for Municipal Separate Storm Sewer Systems (MS4) Permit* [Christine Palisoc (916) 464-4663]

ENFORCEMENT

13. California Department of Corrections, Deuel Vocational Institution, San Joaquin County - *Consideration of Administrative Civil Liability Order and Supplemental Environmental Project* [Lincoln King (916) 464-4633]
14. City of Manteca Wastewater Quality Control Facility, San Joaquin County - *Consideration of Amending Cease and Desist Order No. R5-2004-0029* [Patricia Leary (916) 464-4623]

NPDES PERMITS

15. Uncontested NPDES Permits
 - a. Sacramento County Sanitation District No. 1, Walnut Grove Wastewater Treatment Plant, Sacramento County. (revision)
 - b. Paradise Irrigation District, Water Treatment Plant, Butte County (revision)
 - c. Mt. Lassen Trout Farms, Inc., & PG&E Company, Mt. Lassen Trout Farms' Millseat Facility, Shasta County. (renewal)
 - d. Mt. Lassen Trout Farms, Inc., & PG&E Company, Mt. Lassen Trout Farms' Volta Facility, Shasta County. (renewal)
 - e. Mt. Lassen Trout Farms, Inc., & Dale Family Partnership, Mt. Lassen Trout Farms' Dales Facility, Tehama County. (renewal)
 - f. Mt. Lassen Trout Farms, Inc., & Lel& R. & Shirley E. Davis, Mt. Lassen Trout Farms' Jeffcoat East Facility, Tehama County. (renewal)
 - g. Mt. Lassen Trout Farms, Inc., & Lel& R. & Shirley E. Davis, Mt. Lassen Trout Farms' Jeffcoat West Facility, Tehama County. (renewal)
 - h. Mt. Lassen Trout Farms, Inc., & Fred & Nancy Cline, Mt. Lassen Trout Farms' Meadowbrook Facility, Tehama County. (renewal)
 - i. Mt. Lassen Trout Farms, Inc., & Marion Jones, Mt. Lassen Trout Farms' Willow Springs Facility, Tehama County. (renewal)
 - j. Quincy Community Services District, Wastewater Treatment Plant and Collection System, Plumas County. (renewal)
 - k. City of Corning and Eco Resources Inc., Corning Wastewater Treatment Plant, Tehama County. (renewal)

WASTE DISCHARGE REQUIREMENTS

16. Uncontested Change of Name and/or Ownership
 - a. Long Beach Oil Development Company, UDF Lease, South Belridge Oil Field, Kern County, Order No. 58-186
 - b. Vita-Pakt Citrus Products Co., Fruit Processing & Dehydrating Plant, Fresno County, Order No. 96-119
 - c. Pleasure Cove Resort, Richard and Judith Delooze, and the United States Department of Interior, Bureau of Reclamation, Napa County, Order No. 98-086
 - d. Danone Waters of North America, Dannon Natural Spring Water Bottling Facility, Siskiyou County, Order No. 5-01-233
 - e. City of Lathrop and Richland Communities, Inc., Wastewater Treatment Facility No. 1 (Crossroads), San Joaquin County, Order No. 5-01-251
 - f. Plains Exploration & Production Company, Cagle-USL Lease, East Coalinga Extension Oil Field, Fresno County, Order No. R5-2002-0167

17. Uncontested Rescissions
 - a. Alpine Forest Park, Inc., Kern County, Order No. 72-255
 - b. Sunrise Handy Market, Tulare County, Order No. 88-004
 - c. Murrieta Westlands Trust and managed by Westside Resource Conservation District, Fresno County, Order No. 94-299
18. Uncontested Waste Discharge Requirements
 - a. Sierra Cedar Products, Incorporated, Former Feather River Forest Products Site, Enhanced Bioremediation Pilot Study, Marysville, Yuba County (new)
 - b. Kruger Foods, Inc. – SMS Briners Vegetable Brining Facility, Closure, Post Closure and Corrective Action of Surface Impoundments, San Joaquin County (update)
 - c. Stanislaus County Department of Public Works, Fink Road Class II and Class III Landfills, Class II Surface Impoundments, Stanislaus County (update)
 - d. Forward Inc. and Allied Waste Inc., Closure of French Camp Landfill, San Joaquin County (update)
 - e. Conti Group Companies, Incorporated, French Camp Grain Elevator, Enhanced Remediation Pilot Study, San Joaquin County (revision)
 - f. County of Madera and Madera Disposal Systems, Inc., for Construction and Operation, Fairmead Municipal Solid Waste Landfill, Madera County (revision)
 - g. County of Merced, for Construction and Operation, Highway 59 Solid Waste Landfill, Merced County (revision)
19. The Regional Board may meet in closed session on Thursday or Friday to consider personnel matters [Authority: Government Code Section 11126(a)]; to deliberate on a decision to be reached based upon evidence introduced in a hearing [Authority: Government Code Section 11126(c)(3)]; or to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation [Authority: Government Code Section 11126(e)]. Litigation items that may be discussed are:
 - a. CVRWQCB, et al. v. Aerojet-General Corp., et al, Sacramento Co. Sup. Ct. No. 286073, consolidated with Nos. 288302 and 291981; CVRWQCB, et al. v. Aerojet-General Corp., et al., USDC (EDCal) No. CIV-S-86-0064-EJG (consolidated with U.S. v. Aerojet-General Corp., et al., USDC (EDCal) No. CIV-S-86-0063-EJG. (Aerojet Cleanup)
 - b. American States Water Co., et al., v. CVRWQCB, et al., Sacramento Co. Sup. Ct. No. 99AS05947. (Aerojet Cleanup-water supply)
 - c. Sacramento Regional Co. Sanitation Dist. v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 98CS01702.
 - d. State of Calif., CVRWQCB, et al. v. Iron Mountain Mines, Inc., et al., USDC (EDCal) No. CIV-S-91-1167-DFL-PAN and U.S. v. Iron Mountain Mines, Inc., et al., USDC (EDCal) No. S-91-0768 DFL/JFM. (IMM Cleanup)
 - e. State of Calif. ex rel CIWMB, et al. v. Edward J. Filbin, et al. (Westley Tire Fire).
 - f. San Francisco Baykeeper, Inc., et al. v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 99CS02722. (Toxic Hot Spots)
 - g. Coalition for Alternatives to Kiefer Landfill v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 01CS00728. (Landfill WDRs)
 - h. CVRWQCB v. A Greener Globe Corp., et al., Placer Co. Sup. Ct. No. SCV11383. (Landfill WDRs)
 - i. CVRWQCB v. Sonora Mining Corp., et al., Tuolumne Co. Sup. Ct. No. CV 486 (Jamestown Mine).
 - j. Original Sixteen to One Mine, Inc. v. CVRWQCB, Sierra Co. Sup. Ct. No. 5511. (NPDES permit)
 - k. City of Brentwood v. CVRWQCB, Contra Costa Co. Sup. Ct. No. 2-0160. (MMP Order)
 - l. State of Calif., City of Lodi v. M&P Investments, et al., USDC (EDCal) No. CIV S-00-2441 FCD. (Lodi PCE plumes)
 - m. City of Merced, et al., v. R.A. Fields, CVRWQCB, U.S. Court of Appeals (Ninth Cir.) D.C. No. CV-F 92-5627 (REC/DLB) EDCal; City of Merced, et al., v. R.A. Fields, et al., USDC (EDCal) No. CV-F 92-5627 REC/DLB. (Merced PCE plumes)
 - n. National Park Service, El Portal WWTF, Administrative Civil Liability Order No. 5-01-031. (NPDES discharge)
 - o. Deltakeeper, et al v. CVRWQCB, Sacramento Co. Sup. Ct. No. 03CS00032 (Ag Waiver CEQA lawsuit).
 - p. City of Stockton v. SWRCB et al., San Joaquin Co. Sup. Ct. No. CVO20665 (NPDES permit).
 - q. City of Vacaville v. SWRCB et al., Solano Co. Sup. Ct. No. FCSO20945 (NPDES permit).
 - r. Petition of City of Chico, Butte County, Edmund and Juli Johnson, California Park Association Review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575, A-1575 (a), A-1575 (b), A-1575(c) (Humboldt Road Burn Dump).
 - s. County of Sacramento v. SWRCB and CVRWQCB, Sacramento Co. Sup. Ct. No. 03CS01521
 - t. State of California, CVRWQCB v. AKT Development Corporation and Sunridge Development, LLC.(Referral to AG).
 - u. California Farm Bureau v. SWRCB and CVRWQCB, Sacramento Co. Sup. Ct., 04CS00264 (2004 Ag Waiver lawsuit)
 - v. Deltakeeper et al v. CVRWQCB and SWRCB, Sacramento Co. Sup. Ct., 04CS00235 (2004 Ag Waiver lawsuit)

- w. City of Vacaville v. SWRCB and CVRWQCB and California Association of Sanitation Agencies v. SWRCB and CVRWQCB, Contra Costa Co. Sup. Ct., Case No. CIV MSN03-0956.(NPDES permit)
- x. Kern Ridge Growers, LLC v. SWRCB and CVRWQCB, Kern Co. Sup. Ct., Case No. S-1500-CV 252327NFT.
- y. Petition of UC Davis, Review of NPDES Permit and Cease and Desist Order (Order Nos. R5-2003-003 and R5-2003-004) (NPDES Permit revisions, filed April 19, 2004).
- z. Petition of City of Manteca, Review of NPDES permit and Cease and Desist Order (Order Nos. R5-2004-0028 and R5-2004-0029) (NPDES permit, filed April 19, 2004).
- aa. Petition of City of Galt, SWRCB/OCC File A-1627 (NPDES permit)
- bb. Deltakeeper et al v. SWRCB and CVRWQCB, Sac. Co. Sup. Ct (2004 Timber Waiver Lawsuit).
- cc. Ameripride Services, Inc. v. CVRWQCB, et al., Sacramento Co. Sup. Ct. No.04CS00426 (PCE plume)
- dd. Petitions regarding Lodi PCE sites SWRCB/OCC File A-1639, 1639(a), 1639(b), 1639(c) (Review of Cleanup and Abatement Order2004-0043)
- ee. Petitions of Butte Environmental Council, SWRCB/OCC File A-1657 and A-1657 (a) (Review of Remedial Action Plans and Waste Discharge Requirements at the Humboldt Road Burn Dump)
- ff. MANA v. State Water Resources Control Board and Regional Water Quality Control Board, Sac. County Superior Court No. 04CS00871
- gg. City of Woodland v. SWRCB and CVRWQCB, Yolo County. Sup. Ct.. Case No. PT04-759 (NPDES Permit R5-2003-0031 and CDO R5-2003-0032, and SWRCB Order WQO 2004-0010
- hh. DeltaKeeper, et al. v. SWRCB and CVRWQCB, Sacramento Co. Sup Ct. Case No. 04CS01228 (Roseville Reclamation Permit)