



Enforcement News

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CENTRAL VALLEY REGION

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114
(916) 464-3291 • FAX (916) 464-4645
<http://www.waterboards.ca.gov/centralvalley>

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Contact: Robert Busby

Phone: 464-4666.

Central Valley Water Board issues Cleanup and Abatement Order More than 50 Dead and Decomposing Cows Found at Merced County Dairy

SACRAMENTO - The Central Valley Regional Water Quality Control Board (Water Board) has issued a Cleanup and Abatement Order (CAO) to the Rego Dairy #2 in Gustine, Merced County, after more than 50 decomposing cow carcasses were found partially buried in manure piles in the dairy's production area. The dairy is owned and operated by the Rego Family Trust.

A Water Board routine inspection of the property in February found numerous serious violations of the Federal Clean Water Act and State water quality regulations, including the Water Board's Dairy General Order (Order) waste discharge requirements.

"The unhealthy and dangerous conditions at this small dairy are severe," said Water Board Executive Officer Pamela Creedon. "The vast majority of dairy operators in the Central Valley Region work hard to follow good environmental practices and to abide by the Dairy General Order. This dairy's lack of good management practices and blatant disregard for the law impacts both surface and groundwater, posing dangers to public health and polluting the waters of the State of California."

In addition to the decaying cow carcasses, Water Board staff found violations at the dairy's wastewater lagoon, including eroded paths where wastewater had flowed off the property and into a nearby drainage ditch, excessive weeds and rodent holes, and multiple discarded veterinary medical supplies, including syringes. Water Board inspectors found evidence of cropland being used as a dumping area for manure wastewater from the lagoon. While manure can be applied to grow some crops, dumping is prohibited because it can pollute both surface water and groundwater.

Water Board staff found wastewater ponded in a corral and in the area where the cow carcasses were buried. Under the Order's waste discharge requirements, all water that has come in contact with animal waste must go to a wastewater retention system to minimize the contaminated water seeping into the ground.

Waste management of manure at the dairy, such as the manure piles where the cow carcasses were buried, violates rules banning the collection of, treatment, storage and discharge or disposal of wastes at a milk cow dairy that results in contamination of surface water or groundwater.

The dairy was also found to be in violation of record-keeping requirements and of the permitted limits for herd size.

The Water Board has directed the dairy owner to take a number of steps including:

- Immediately stop all off-property discharges of waste to surface water
- Begin removal of dead animals buried at the site by March 22, and complete removal by March 30th
- Submit proof of legal disposal of the carcasses by April 6
- Provide proper paperwork, sampling results, written confirmation of the number of mature cows at the dairy by March 30th
- Reduce the herd size to the number allowed under the Order by May 1.

The Water Board is considering further enforcement actions against the dairy, which may include the imposition of penalties or referral to the Attorney General's office.

The Water Board's Cleanup and Abatement Order and inspection report, including the violations and the Water Board's directives to the property owners are available at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/index.shtml#regocao