

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

ORDER NO. 88-79  
FOR  
CENTRAL BRAVE AGRICULTURAL SERVICES  
Brawley - Imperial County

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. Central Brave Agricultural Services (hereinafter referred to as the discharger), P.O. Box 64, Brawley, California 92227, is the owner of the facility located at 4378 Highway 86, Brawley, CA 92227.
2. The discharger provided updated information for the discharge of wastewater on March 22, 1988.
3. The discharger is discharging a maximum 75 gallons per month of wastewater containing pesticide spray residue from aircraft of a commercial pesticide application operation. The wastewater drains from a washpad into a sump and is then pumped into an above ground tank. Wastewater in the above ground tank is then placed in aircraft reservoirs and sprayed over agricultural fields. The operation is located in the NW 1/4, NE 1/4, Section 5, T14S, R14E, SBB&M.
4. In June 1987, the discharger ceased the discharge of liquid wastes into the surface impoundment at the site.
5. The discharge from this operation has been subject to waste discharge requirements adopted in Board Order No. 81-56 on May 20, 1981.
6. The discharger's facility is subject to Article 9.5, Chapter 6.5, Division 20 of the Health and Safety Code (HSC), also known as the Toxic Pits Cleanup Act (TPCA), under which the definition of discharge, as defined in Section 25208.2(0 HSC, is as follows:

"... to place, dispose of, or store liquid hazardous wastes or hazardous wastes containing free liquids into or in a surface impoundment ..."
7. Owners/operators of surface impoundments subject to TPCA are required to submit a hydrogeological assessment report (HAR), to "cease discharge", and to either close or retrofit the surface impoundments depending on site specific conditions.
8. Section 25208.7, Article 9.5, Chapter 6.5, Division 20 of the Health and safety Code requires that all HARs be submitted on or before January 1, 1988.
9. Owners/operators of a surface impoundment that is within one-half mile upgradient from a potential source of drinking water (PSDW) are required to "cease discharge" by June 30, 1988 in accordance with Section 25208.4 HSC. In addition, the owners/operators are required to close the impoundment.

10. Owner/operators of a surface impoundment that is not within one-half mile upgradient from a potential source of drinking water (PSDW) are required to "cease discharge" by January 1, 1989, unless the surface impoundment is retrofitted. This is in accordance with the requirements of Section 25208,5 HSC. Retrofitting consists of installing double liners, a leachate collection system and ground water monitoring wells in accordance with the provisions of Article 4, Subchapter 15, Chapter 3, Title 23 of the California Code of Regulations.
11. By letter dated September 4, 1987, the discharger was requested to submit a HAR and a plan and time schedule for compliance with the "cease discharge" requirements to the Regional Board's office by December 1, 1987 in accordance with Article 9.5, Chapter 6.5, Division 20 of the Health and Safety Code. Said letter also requested that the "cease discharge" requirements be met by June 30, 1988, unless the discharger provides technical information that shows the facility is not within one-half mile upgradient of a potential source of drinking water.
12. On September 10, 1987, a preliminary site assessment report was received in the Regional Board's office. The report indicates that hazardous wastes are present in the surface impoundment. Consequently, the site remains subject to TPCA,
13. To date, the HAR and the plan and time schedule for compliance with the "cease discharge" requirements have not been received.
14. By letter dated March 21, 1988, the discharger was requested to submit a plan and time schedule for preparation of the HAR and for compliance with the "cease discharge" requirements.
15. The Water Quality Control Plan for the Colorado River Basin Region of California was adopted by the Board on November 14, 1984.
16. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of ground waters in the Imperial Hydrologic Subunit as municipal and industrial. However, shallow ground waters at the discharge location are saline and not beneficially used.
17. Section 67316, Article 26, Chapter 30, Division 4, Title 22 of the California Code of Regulations contains closure requirements for Class I surface impoundments and essentially includes:
  - a. Requirements for removal or decontamination of wastes and other materials;
  - b. Conditions under which nonliquid wastes and other materials may remain in place; and,
  - c. Post-closure maintenance and reporting requirements.
18. Section 2582, Subchapter 15, Chapter 3, Title 23 of the California Code of Regulations states that:

"(a) All free liquid remaining in a surface impoundment at the time of closure shall be removed and discharged at an approved waste management unit. All residual waste shall be treated to eliminate free liquid.

"(b) Following removal and treatment of liquid waste, impoundments shall be closed in one of two ways, as approved by the Regional Board:

(1) All residual wastes, including sludges, precipitates, settled solids, and liner materials contaminated by wastes, shall be completely removed from the impoundment and discharged to an approved waste management unit. Remaining containment features shall be inspected for contamination and, if not contaminated, may be dismantled. Any impoundments that have been contaminated shall be removed for disposal at an appropriate waste management unit. If, after reasonable attempts to remove such contaminated materials, the discharger demonstrates that removal of all remaining contamination is infeasible, the waste management unit shall be closed as a landfill pursuant to Section 2581 of this article.

(2) All residual wastes, including sludges, precipitates, settled solids, and liner materials, shall be compacted, and the waste management unit shall be closed as a landfill pursuant to Section 2581 of this article, provided that the closed waste management unit meets applicable standards for landfill waste management units in Articles 3 and 4 of this subchapter, and further provided that the moisture content of residual wastes, including sludges does not exceed the moisture-holding capacity of the waste either before or after closures. Surface impoundments which contain only decomposable wastes at closure may be closed as land treatment facilities under Subsections 2584(a)(2), (3), and (4) of this article."

19. The Regional Board has notified the discharger and interested agencies and persons of its intent to update waste discharge requirements for this discharge.
20. The Regional Board in a public meeting heard and considered all comments pertaining to the existing discharge.
21. These waste discharge requirements govern an existing facility, which the discharger is currently operating, and therefore is exempt from the provisions of the California Environmental Quality Act in accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations.

IT IS HEREBY ORDERED, the discharger shall comply with the following:

A. Discharge Specifications

1. Neither the treatment nor the discharge of wastewater shall create a pollution or nuisance as defined in Division 7 of the California Water Code.
2. No wastewater other than that described in Finding No. 3, above, shall be discharged into the above-referenced above ground tank.
3. None of the wastewaters defined in Finding No. 3, above, shall be discharged onto the ground surface, except onto the concrete wa ad or as spray on agricultural fields.
4. Discharge of pesticide wastes other than the wastewater described in Finding No. 3, above, is prohibited at the site.
5. There shall be no ponding of wastewater on the concrete washpad.


6. The onsite storage of waste-materials and containers containing pesticides, other than temporary storage for operational purposes, is prohibited at this site.
7. Empty pesticide containers shall be adequately rinsed and discharged at a disposal site approved by the Regional Board to accept this type of waste material.
8. Prior to the removal of any pesticide wastes from the surface impoundment, the discharger shall notify the Regional Board. The disposal location shall be at a site approved by the Regional Board to accept this type of waste material

#### B. Provisions

1. Prior to any modification in this facility which could result in material change in the type or quantity of wastewater discharged, or any material change in location of discharge, the discharger shall report in writing to the Regional Board
2. In the event of any change in control or ownership of land or waste disposal facilities owned or controlled by the discharger, the discharger shall:
  - a. Notify the Regional Board of such change; and
  - b. Transmit a copy of this Order to the succeeding owner or operator, and file a copy of the transmittal letter with this Regional Board.
3. The discharger shall comply with "Monitoring and Reporting Program No. 88- 79" and future revisions thereto, as specified by the Executive Officer.
4. The discharger shall forthwith submit a HAR in accordance with Section 25208.7(b) HSC.
5. By June 30, 1988, the discharger shall submit to the Regional Board, a report describing the design of the current discharge operation. The report should demonstrate adequate protection against an overflow of wastewater from the above ground tank.
6. In accordance with Section 25208.4 HSC the discharger shall "cease discharge" by June 30, 1988, unless technical information is provided to show that the surface impoundment is not within one-half mile upgradient of a potential source of drinking water. If the impoundment is not one-half mile upgradient of a potential source of drinking water, then the discharger shall "cease discharge" by January 1, 1989, in accordance with the requirements of Section 25208.5 HSC.
7. By September 1, 1988, the discharger shall submit to the Regional Board in accordance with Section 13267, Chapter 4, Division 7 of the California Water Code, a technical report prepared by a California Registered Civil Engineer or a Certified Engineering Geologist. This technical report should include a time schedule and plans for review and approval by the Executive Officer for closure of the surface impoundment in accordance with the Surface Impoundment Closure Requirements of Section 67316, Article 26, Chapter 30, Division 4, Title 22, of the California Code of Regulations. The report should comply with the applicable requirements of Section 2582, Subchapter 15, Chapter 3, Title 23 of the California Code of Regulations.

8. By December 1, 1988 the discharger shall begin closure work on the surface impoundment in accordance with the approved plan of closure. Completion of closure shall be by March 1, 1989, unless the submitted and approved report indicates need for an extended closure date.
9. This Order supersedes Board Order No. 81-56.
10. The discharger shall comply with all local, state, and federal laws and regulations.

I, Arthur Swajian, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region on May 12, 1988

  
Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

MONITORING AND REPORTING PROGRAM NO. 88-79  
FOR  
CENTRAL BRAVE AGRICULTURAL SERVICES  
Brawley - Imperial County

Location of Discharge: NW 1/4, NE 1/4, Section 5, T14S, R14E, SBB&M

MONITORING

The discharger shall report to the Regional Board concerning the following:

1. Quantity of wastewater discharged to above ground tank - report quarterly in gallons.
2. Changes or problems in the wastewater disposal operation during the preceding quarter.

REPORTING

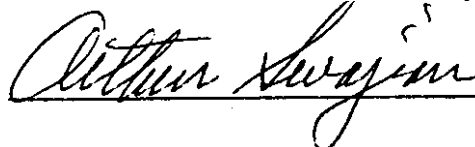
1. By June 30, 1988, a report describing design of the current discharge operation, in accordance with Provision No. 5 of Order No. 88-79.
2. By September 1, 1988, a technical report with time schedule and plans for closure of the surface impoundment in accordance with Provision No. 7 of Order No. 88-79.
3. By December 15, 1988, a report that closure operations have begun; and by March 15, 1989, a report that closure is completed, in accordance with Provision No. 8 of Order No. 88-79.

Quarterly monitoring reports shall be submitted to the Regional Board by January 15, April 15, July 15, and October 15 of each year.

Submit monitoring reports to:

California Regional Water Quality Control Board  
Colorado River Basin Region  
73-271 Highway 111, Suite 21  
Palm Desert, CA 92260

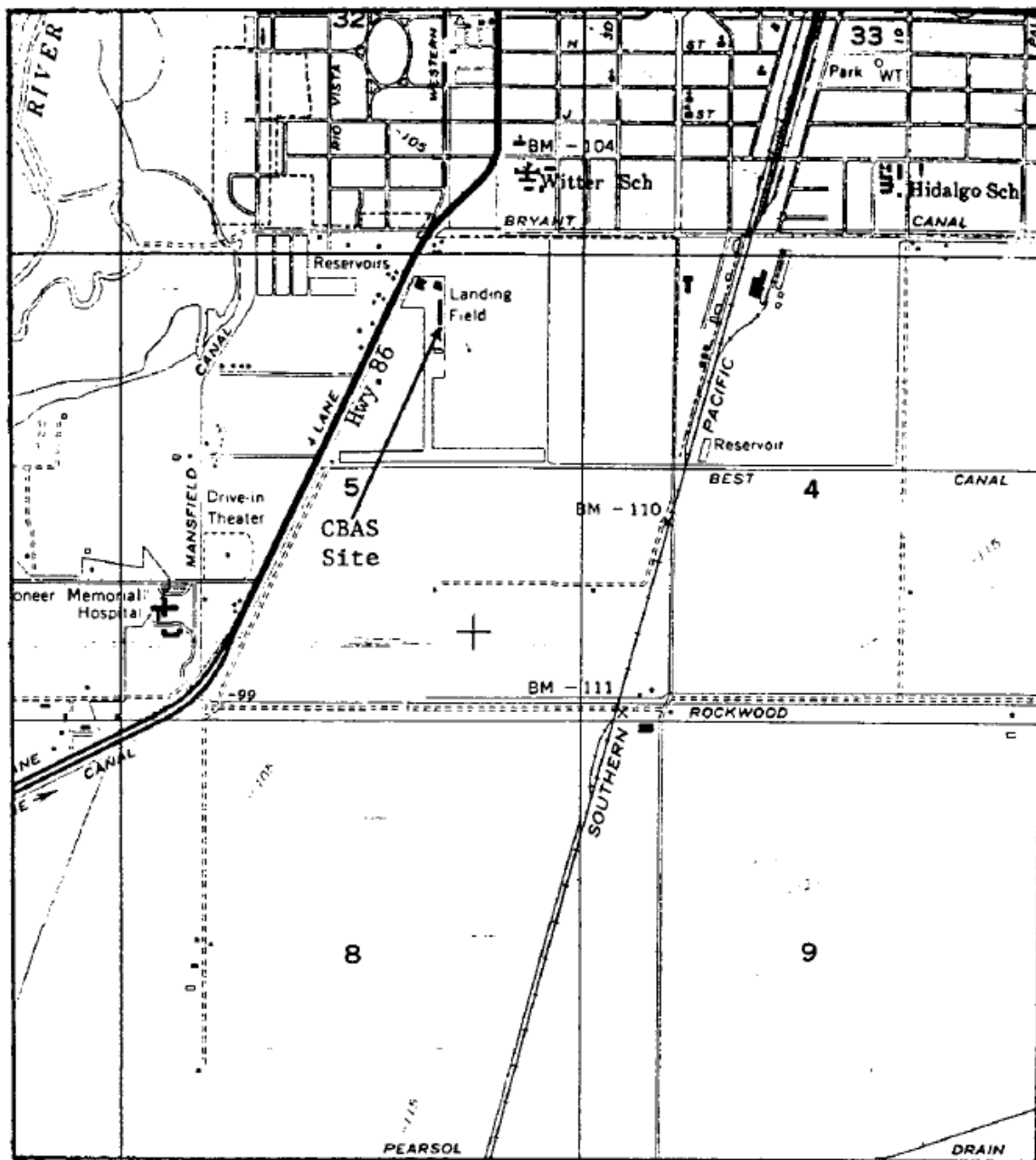
Ordered By:



May 12, 1988

Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - 7



SITE MAP  
CENTRAL BRAVE AGRICULTURAL SERVICE  
Brawley - Imperial County  
NW 1/4, NE 1/4, Section 5, T14S, R14E, SBB&M  
Brawley Topographic Map  
Order No. 88-79