

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION
ORDER NO. R4-2003-0125**

**WASTE DISCHARGE REQUIREMENTS
FOR
AGRI SERVICE, INC.
COMPOSTING FACILITY
NEWHALL, LOS ANGELES COUNTY
(File No. 02-135)**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds that:

1. Agri Service, Inc. (ASI) proposes to operate a greenwaste composting operation on approximately 9.5 designated acres of a 98-acre site located at 22925 Coltrane Road in Newhall, near Weldon Canyon Road (Figure 1). The site is owned by Safe Harbor Investments which has a main office at 8405 Pershing Drive, Suite 301, Playa del Rey, California. ASI's main office is located at 380 South Melrose, #341, Vista, California.
2. California Water Code (CWC) § 13260(a) requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, that could affect the quality of the waters of the State, shall file a Report of Waste Discharge (ROWD) with the Regional Board having jurisdiction. CWC § 13264 prohibits that person from discharging the waste until waste discharge requirements (WDRs) are issued therefor by the Regional Board.
3. The diversion of greenwaste, as defined in this Regional Board Order, from disposal in landfills is a desirable goal, but only if such diversion does not result in pollution of surface or groundwater.
4. The ASI facility will compost wastes, including agricultural waste, non-treated wood, and residential or community garden greenwaste as defined in Finding No. 5 below.
5. The definitions for terms and phrases having a special meaning under this Order are listed below.
 - a. Greenwaste - Consists of waste from plants, including leaves, clippings, cuttings, grass trimmings, weeds, shrubbery, bushes, trees, residential or community garden wastes, and untreated wood wastes.
 - b. Compost - A mixture of decaying organic matter used to amend and condition soil.
 - c. Composting Management Facility (CMF) - The entire facility at which composting operations or related activities are conducted. In the case of ASI, the 98-acre site referenced in Finding No. 1, above.
 - d. Composting Management Unit (CMU) - An area of land, or a portion of a composting management facility, in which compost or raw material is discharged or stored. In the case of ASI, approximately the 9.5-acre area referenced in Finding No. 1, although the term also includes containment and ancillary features including drainage control and monitoring appurtenances (Figure 2).

- e. Discharger - Any person who discharges waste that could affect the quality of the waters of the State, and includes any person who owns a CMU or who is responsible for the operation of a CMU.
 - f. Agricultural Waste - Consists of plant waste coming directly from an agricultural commodity, and is the product of farms and ranches and by-products processed from these products. Agricultural waste includes agricultural, floricultural, silvicultural, and vermicultural wastes.
 - g. Process Water - Potable water brought to the site to be used at the facility for the processing of greenwaste. Process water is to be stored in large above-ground tanks within the CMU.
 - h. Wastewater - Water used in the process of composting greenwaste. Wastewater is to be contained in either of the two retention basins at the CMU and recycled.
6. This Regional Board finds that this greenwaste operation represents no foreseeable threat to the beneficial uses of surface water or groundwater so long as it meets, and continues to meet, the requirements of this Order. Therefore, for such a greenwaste operation, the more stringent monitoring, siting, construction, and design standards applicable to a Class II waste pile, under title 27 of the California Code of Regulations, are not considered necessary to manage the minimal threat posed by the discharge.
 7. This greenwaste composting operation project will be constructed and operated pursuant to Conditional Use Permit (CUP) No. 96-113-5 granted by the County of Los Angeles (County). As lead agency, the County adopted a Mitigated Negative Declaration for the project in accordance with the California Environmental Quality Act (Public Resources Code § 21000 et seq.).
 8. According to CUP No. 96-113-5, the CMU has a minimum slope of 1% and ranges to 5%. All of the runoff water will be conveyed to retention basins, which will be located in the central portion of each of the production areas.
 9. Based on data collected from groundwater wells located at a neighboring property, depth to groundwater at the ASI facility is estimated to be in excess of 150 feet. The groundwater in the underlying Towsley Formation is of limited use in the area due to limited volume and high natural salt content. Therefore groundwater monitoring is not required at this time.
 10. Imported soil within the CMU greenwaste composting pads consisting of a silty clay loam, has been reworked and recompactd to a minimum thickness of 12-inches.
 11. According to condition No. 11 of CUP No. 96-113-5, ASI must provide an irrevocable \$50,000 letter of credit to the Director of Planning to be used by the County at the county's discretion to perform emergency clean-up operations if and when such clean-up operations become necessary.

12. ASI's CMU has a maximum design handling capacity of 150 tons per day (tpd) and an estimated daily average of 100 tpd.
13. The proposed composting method is a grid/windrow process method. The compost waste material is ground within 96 hours of receipt to avoid odor generation and build-up of flammable materials. The ground compost is then placed in windrow piles and maintained for approximately four to eight weeks with a moisture level of approximately 50 percent. Each windrow pile is approximately 150 feet long by 11 feet wide by 7 feet high. The windrows are approximately 15 feet apart, and have a density of approximately 800 pounds per cubic yard. The active compost processing time ranges from a minimum of four weeks to a maximum of eight weeks.
14. During the composting process a moisture content of 40-55%, aerobic conditions, and temperatures of at least 55 degree Celsius (131 degree Fahrenheit) will be maintained for a period of 15 days or longer for pathogen reduction purposes. New windrows will be turned by a front-end loader twice a week for the first two weeks. Temperatures of the windrows will be taken on a daily basis. Windrows will be turned every week thereafter until the initial decomposition is completed.
15. The compost curing area will hold the compost removed from the windrows after the active composting period is completed (during the final stages of the screening process). Curing compost will be held in this area for approximately four to eight weeks.
16. Composted material will be screened to sort fine product from oversized material. The compost materials will be used as mulch for water conservation, erosion control, and weed control.
17. As part of its operation, ASI may generate wastewater which will be contained within retention basins. In addition, agricultural commodities accepted at the CMU might contain agronomic levels of pesticides, herbicides, and fungicides such that stormwater runoff from the composting operation could pose a threat to surface water quality. The composting process has been shown to enhance the degradation of pesticides through microbial action, and stormwater runoff is controlled as described in section E. Provisions, of this Order.
18. ASI proposes as a water quality protection measure to install a basin near the entrance of the CMF (Figure 2) for the purpose of desilting rainwater runoff collected from surrounding slopes prior to releasing it to the Los Angeles County storm water drainage system.
19. On June 13, 1994, the Regional Board adopted a revised Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) which was amended on January 27, 1997 by Regional Board Resolution No. 97-02. The Basin Plan designates beneficial uses of ground and surface waters, sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State anti-degradation policy (Statement of Policy with Respect to Maintaining High Quality Waters in California, State Water Resources Control Board [State Board] Resolution No. 68-16, October 28, 1968), and describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates by reference applicable State Board and Regional Board plans and policies

and other pertinent water quality policies and regulations. The Regional Board prepared the 1994 update of the Basin Plan to be consistent with previously adopted State Board and Regional Board plans and policies. This Order implements the plans, policies, and provisions of the Basin Plan.

20. The ASI CMF is located within the San Fernando Hydrologic Area of the Los Angeles - San Gabriel River Hydrologic Unit. The existing beneficial uses (both surface water and groundwater) of the San Fernando Subunit are municipal and domestic supply, agricultural supply, industrial service supply, and industrial process.
21. Land uses within a one mile radius of the CMF include an equestrian facility and gun club to the north, Sunshine Canyon Landfill to the south, open land to the west, and Interstate 5 and open land to the east.
22. Pursuant to § 402(p) of the federal Clean Water Act and 40 CFR Parts 122, 123, and 124 the State Board adopted Order No. 97-03-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001, "*Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*". These regulations require that specific categories of facilities which discharge stormwater associated with industrial activity obtain an NPDES permit and implement Best Conventional Pollutant Technology to reduce or eliminate industrial storm water pollution (See Provision E. 28).
23. In accordance with the Governor's Executive Order No. D-22-01, dated February 8, 2001, requiring any proposed activity to be reviewed to determine whether such activity will cause additional energy usage, Regional Board staff have determined that implementation of these WDRs will not result in a significant change in energy usage.
24. The Regional Board has notified ASI and all known interested agencies and persons of its intent to issue WDRs for this discharge and has provided them a public meeting and an opportunity to submit comments.
25. The Regional Board in a public meeting heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED that, in order to meet the provisions contained in division 7 of the CWC and regulations adopted thereunder, ASI shall comply with the following:

A. Specifications

1. The treatment or disposal of wastes at the ASI CMU shall not cause nuisance or pollution as defined in CWC § 13050.
2. Greenwaste shall be confined to the ASI CMU as defined in Findings No. 5(a) and 5(d).
3. Composting and storage of waste shall be limited to the areas designated for such activities (Figure 2). Any revision or modification of the CMU, or any proposed change in operations at the CMU, must be submitted in writing to the Regional Board Executive Officer (Executive Officer) for review and approval before the proposed change in operations or modification of the CMU is implemented.

B. Prohibitions

1. The discharge or deposit of liquid and solid waste other than greenwaste, agricultural waste, non-treated wood, residential or community garden greenwaste at this CMF is prohibited.
2. The composting, stockpiling, screening, processing and transporting operations shall not cause or threaten to cause a nuisance or pollution as defined in CWC § 13050.
3. Odors from greenwaste composting shall not create an off site nuisance.
4. ASI is prohibited from accepting, treating or composting the following wastes:
 - a. Municipal solid waste;
 - b. Sludge (including sewage sludge, water treatment sludge, and industrial sludge);
 - c. Septage;
 - d. Liquid waste;
 - e. Animal waste, including dead animals;
 - f. Oil and grease derived from petroleum products;
 - g. Hazardous, designated, and other wastes determined by the Regional Board to pose a potential threat to water quality;
 - h. Hot, burning waste materials or ash;
 - i. Treated or painted wood;
 - j. Paper waste;
 - k. Medical wastes as defined in Health and Safety Code § 117690; and
 - l. Explosives or combinations of waste or materials that could spontaneously burn or explode.
5. Discharge of materials other than stormwater and non-stormwater discharges authorized through enrollment in the general NPDES permit Order No. 97-03-DWQ, either directly or indirectly, to waters of the State are prohibited.
6. The discharge of waste in a manner causing flow, ponding, or surfacing on land beyond the CMU is prohibited, unless authorized by this Regional Board.
7. Neither the treatment nor the discharge of waste at the CMU shall create a condition of pollution, contamination, or nuisance, as defined by CWC § 13050.

8. No pesticides, herbicides, and fungicides shall be applied to the finished product so as to cause the compost to be a threat to the waters of the State. Pest or weed control practices at the CMU shall be reported to, and approved by the Executive Officer, prior to their implementation.

C. Discharge Specifications

1. ASI must reduce or prevent pollutants associated with the CMU in stormwater discharges through development and implementation of a waste management plan that:
 - a. Identifies and evaluates sources of pollutants associated with activities at the CMU that may affect the quality of stormwater discharges from the CMF, and
 - b. Identifies and implements site-specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in stormwater discharges.
2. The discharge to retention basins shall only consist of CMU process water, wastewater, and stormwater runoff.
3. The discharge from the CMU shall not cause or contribute to an exceedance of the water quality objectives of the San Fernando Hydrologic Area.
4. The discharge of treated wastewater shall not cause a violation of the prohibitions contained in the Basin Plan.
5. Once wastewater contained within the retention basins exceeds concentrations described in the Basin Plan objectives for stormwater runoff it will be removed from the CMU for treatment or disposal by a method approved by the Executive Officer. (See Provision E.29)

D. Facility Design and Operation Specifications

1. Retention Basins

All retention basins shall have a liner consisting of soil composed of at least 20% clay fraction compacted to a minimum thickness of 12 inches with a maximum permeability of 1×10^{-6} centimeters per second or equivalent as approved by the Executive Officer.

2. Proper Operation

- a. ASI shall at all times properly operate and maintain all facilities and systems to achieve compliance with conditions of this Order.
- b. ASI shall implement the operation and waste management measures described in the findings of this Order or other measures proposed by ASI which the Executive Officer determines provide equivalent protection of water quality.
- c. ASI shall grind incoming material within 96 hours and add agricultural lime (a calcium compound) as necessary to control odors and pH levels.

3. Flood Protection

All waste treatment, containment, and disposal facilities shall be protected against 100-year peak stream flows as defined by the County of Los Angeles flood control agency.

4. Runoff Protection

All waste treatment, containment, and disposal facilities (including retention basins) shall be protected against erosion, overland runoff, and other impacts resulting from a 25-year frequency 24-hour storm.

5. Monitoring and Reporting

ASI shall comply with the attached monitoring and reporting program (M&RP) No. CI-8642, which is incorporated herein by reference, and future revisions thereto as specified by the Executive Officer. Monitoring results shall be reported at the intervals specified in M&RP No. CI-8642.

6. Freeboard

ASI shall maintain a minimum of one foot of freeboard in all retention basins at all times.

7. Certification Report

By December 15, 2003, ASI shall submit a report, prepared and signed by a California registered civil engineer, certifying that the CMF has adequate structural best management measures including runoff containment capacity to achieve compliance with this Order.

E. Provisions

1. The CMU operational areas shall be designed to enhance the lateral drainage of free liquids, including compost wastewater from cleaning operations and precipitation.
2. The CMU shall be sloped so that runoff drains toward either of the two retention basins in the central portion of the CMU for wastewater, one to catch runoff from the western portion and the other to catch runoff from the eastern portion so that no uncontrolled runoff shall leave the CMU.
3. Any increase or change in the annual average volume of material to be composted at the CMU must be submitted in writing to the Executive Officer for review and approval.
4. If any portion of the CMU is to be closed, ASI shall notify the Executive Officer at least 180 days prior to beginning any partial or final closure activities.
5. Ninety days prior to the cessation of composting operations at the CMF, ASI shall submit a letter describing any proposed future operations at the CMF.
6. Upon ceasing composting operations at the CMF, all waste, all natural geologic material contaminated by waste, and all surplus or unprocessed composting material shall be removed from the CMF and disposed of in a manner approved by the Executive Officer.

7. Surface drainage run-on from tributary areas, or from surface or subsurface sources, shall not contact or percolate through composting material or amendment additives discharged at this CMU.
8. Any nonhazardous liquid collected in the proposed retention basins may be reapplied to the windrows.
9. The size, operating condition, and locations of the windrows and curing piles shall be managed according to the Los Angeles County Fire Department approval or specified conditions.
10. ASI shall submit, within 60 days of the adoption of this Order, a load checking program for approval by the Executive Officer.
11. ASI shall remove and relocate any unacceptable wastes that arrive at the CMF in violation of these requirements.
12. Water used for the process of composting greenwaste and CMU maintenance shall be limited to the amount necessary for composting and for dust control.
13. If there is any fire at the CMF, ASI shall report by telephone to Regional Board staff within 24 hours after ASI becomes aware of the incident. Also, a written report shall be filed with the Regional Board within seven (7) days, containing at least the following information:
 - a. A map showing the location(s) of the fire;
 - b. A description of the nature of the fire;
 - c. Firewater runoff or wastewater handling procedures; and a
 - d. Description of future fire prevention measures.
14. Prior to any change in ownership or management of this operation, ASI shall transmit a copy of this Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
15. ASI shall file a ROWD at least 120 days prior to the following:
 - a. Addition of a new process or product by an industrial facility resulting in a change in the character of the wastes.
 - b. Significant change in the treatment or disposal methods (e.g., change in the method of treatment which would significantly alter the nature of the waste).
 - c. Change in the disposal area from that described in the findings of this Order.
 - d. Increase in the number of facilities beyond that specified in this Order.

- e. Other circumstances which result in a material change in character, amount, or location of the waste discharge.
 - f. Any planned change in the regulated facility or activity which may result in non-compliance with this Order.
16. If irrigation of vegetation is used at the CMU, it shall be managed to assure that there is no runoff.
17. ASI shall ensure that all site-management personnel are familiar with the contents of this Order, and shall maintain a copy of this Order at the CMF.
18. This Order does not authorize violation of any federal, state, or local laws or regulations.
19. ASI shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
- a. Enter upon the CMF, including the CMU, regulated by this Order, or the place where records must be kept under the conditions of this Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Order;
 - c. Review hauler manifests, or equivalent, and destination of compost shipments.
 - d. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - e. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Order or as otherwise authorized by the CWC, any substances or parameters at the CMU.
20. ASI shall comply with all of the conditions of this Order. Any noncompliance with this Order constitutes a violation of the CWC and is grounds for enforcement action.
21. ASI shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by ASI to achieve compliance with this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures.
22. This Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
23. ASI shall comply with the following:
- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

- b. ASI shall retain records of all monitoring information, including all calibration and maintenance records. Copies of all reports required by this Order, and records of all data used to complete the application for this Order, shall be retained for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the Executive Officer.
 - c. Records of monitoring information shall include:
 1. The date, exact place, and time of sampling or measurements.
 2. The individual(s) who performed the sampling or measurements.
 3. The date(s) analyses were performed.
 4. The individual(s) who performed the analyses.
 5. The results of such analyses.
24. All monitoring systems shall be readily accessible for sampling and inspection.
 25. ASI is the responsible party for compliance with these WDRs and the M&RP for the CMU. ASI shall comply with all conditions of these WDRs. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability or in modification or revocation of these WDRs by the Regional Board.
 26. ASI shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with specifications of this Order. Such specifications are subject to periodic revisions as may be warranted.
 27. ASI may be required to submit technical reports as directed by the Executive Officer.
 28. Within 60 days of the adoption of this Order ASI shall submit a Notice of Intent (NOI) to the State Board to be enrolled under the statewide general NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS00000I. ASI shall implement a stormwater pollution prevention plan (SWPPP) at the CMF as required by the general NPDES permit.
 29. Within 60 days of the adoption of this Order, ASI shall submit to the Regional Board a technical report for approval by the Executive Officer concerning a complete description of proposed wastewater sampling locations and a proposed wastewater characterization program. Wastewater samples shall be obtained at sampling stations prior to being mixed with any other water(s). The minimum sampling frequency for each wastewater sampling station is on a semi-annual basis.
 30. In accordance with CWC § 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification. All discharges of waste into the waters of the State are privileges, not rights.
 31. This Order includes the attached *Standard Provisions Applicable to Waste Discharge Requirements* (*Standard Provisions*, Attachment W) which are incorporated herein by reference. If there is any conflict between provisions stated herein and the attached "Standard Provisions", the provisions set forth herein shall prevail.

I, Dennis A. Dickerson, 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, Los Angeles Region, on September 11, 2003.

Ordered by: _____
Dennis A. Dickerson
Executive Officer