

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

Minutes
17/18 October 2002
451st Regular Meeting
City of Fresno
City Council Chambers
Fresno, CA

BOARD MEMBERS PRESENT

Robert Schneider, Chair, Karl Longley, Vice Chair, Mark Salvaggio, Alson Brizard, Cher Kablanow, Beverly Alves, Members, Gary Carlton, Board Member, SWRCB

BOARD MEMBERS ABSENT

Robert Fong, Christopher Cabaldon

STAFF PRESENT

Tom Pinkos, Ken Landau, Loren Harlow, Dennis Westcot, Bert VanVoriss, Lonnie Wass, JoAnn Kipps, Steve Rosenbaum, Rudy Schnagl, Jim Martin, Ronald Holcomb, Polly Lowry, Wendy Wyels, Janice Tanaka; Frances McChesney and Catherine George, Staff Counsels

OTHERS PRESENT

John Wright, Selma-Kingsburg Fowler
Tess Dunham, CA Farm Bureau
Paul Martin, Western United Dairyman
Chuck Ahlem, Dairy Quality Assurance Program
Jim Marnotti
Bill Jennings, DeltaKeeper
Brent Newell
J.P. Catievela
Lora Tombose
Jeff Paalgard
Ken Critch
Kirt Ford
Nat Dellavalle
Lynn Kow
Rodney Camper
Michael Payne

Steve Nash
Tim O'Haleran
Tim Southern
Jeff Dubrowski,
Nancy Ewark,
Daphne Washington
Mr. Kahazian
Tom Heller
Bill Jennings, DeltaKeeper
Brian Staub
Bob Murdoch,
Charles Kelly
Warren Alfred
Dave Brent
Harry Critchfield

THURSDAY, 17 OCTOBER 2002

PUBLIC FORUM

John Wright, Selma-Kingsburg-Fowler CSD, reported that treatment facility had received the US EPA 2002 National Award for Outstanding Operations and Maintenance, and thanked JoAnne Kipps and the Regional Board for a cooperative effort in improving water quality.

WORKSHOP

Consideration of Options for Regulating Discharges from Confined Animal Facilities – *A Workshop*

A public hearing was held. Polly Lowry and Lonnie Wass presented the staff report. Additional testimony was given by Tess Dunham, Paul Martin and Steve Nash representing the Dairy Industry, Chuck Ahlem and Jim Marnotti, representing the Dairy Stewardship Program, Brent Newell and Bill Jennings representing the Environmental Community, J.P. Catievela, Lora Tombose, Jeff Paalgard, Ken Critch, Kirt Ford, Nat Dellavalle, Lynn Kow, Rodney Camper, and Michael Payne.

This was a workshop for the Board's information. No action was taken.

BASIN PLANNING

Triennial Review of the Water Quality Control Plan for the Tulare Lake Basin - *Consideration of a Resolution to Adopt Triennial Review Issue List, Workplan and Response to Comments*

Amendment to the Water Quality Control Plan for the Tulare Lake Basin, Revise Water Quality Objectives for Bacteria -*Consideration of a Resolution to Adopt Proposed Amendments and Certify Environmental Documents*

Amendment to the Water Quality Control Plan for the Tulare Lake Basin for Clarification, Consistency and Update the Language - *Consideration of a Resolution to Adopt Proposed Amendments and Certify Environmental Documents*

A public hearing was held. Pam Buford presented the staff report. Additional testimony was provided by Tim O'Haleran and Tim Southern.

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| R5-2002-0175 | MOTION | By Mr. Longley, seconded by Mr. Salvaggio to adopt the Triennial Review Issue List, Workplan and Response to Comments. Unanimously approved. |
| R5-2002-0176 | MOTION | By Mr. Longley, seconded by Mr. Salvaggio to adopt the proposed resolution for Water Quality Objectives for Bacteria. Unanimously approved. |
| R5-2002-0177 | MOTION | By Mr. Longley, seconded by Mr. Salvaggio to adopt the proposed resolution for Clarification, Consistency and Updating Language. Unanimously approved. |

WASTE DISCHARGE REQUIREMENTS

County of Kern For Operation and Construction, Bakersfield Metropolitan (BENA) Sanitary Landfill, Kern County - *Consideration of Updated Waste Discharge Requirements*

A public hearing was held. Ronald Holcomb presented the staff report.

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| R5-2002-0178 | MOTION | By Mr. Longley, seconded by Mr. Salvaggio to adopt the proposed order. Unanimously approved. |
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County of Kern For Operation and Construction, Shafter-Wasco Sanitary Landfill, Kern County - *Consideration of Revised Waste Discharge Requirements*

A public hearing was held. Ronald Holcomb presented the staff report. Additional testimony was given by Jeff Dubrowski, Nancy Ewark, Daphne Washington and Mr. Kahazian.

R5-2002-0179

MOTION

By Mr. Salvaggio, seconded by Mr. Longley to adopt the proposed order. Unanimously approved.

OTHER BUSINESS

Central Valley Meat Company and Lawrence and Shirley Coelho, Kings County – *Consideration of Administrative Civil Liability*

This item was settled prior to today's Board Meeting.

Stockton Cogeneration Company, San Joaquin County – *Consideration of Resolution amending NPDES Permit*

A public hearing was held. Ken Landau presented the staff report. Additional testimony was given by Tom Heller and Bill Jennings.

R5-2002-0179

MOTION

By Mr. Salvaggio, seconded by Mr. Longley to adopt the proposed order. Unanimously approved.

Waste Discharge Requirement Waivers Allowed to Lapse Under SB390 – *Consideration of Approving Staff Proposal*

Ken Landau presented the staff report. This was for the Board's information. No action was taken.

FRIDAY, 18 OCTOBER 2003

EXECUTIVE OFFICER'S REPORT

JoAnne Kipps was presented the Supervisor of the Year Award.

Al Brizard acknowledged the efforts of the San Joaquin River DO TMDL Steering Committee in obtaining funding for studies of the problem. (EO Report Item 14)

Al Brizard asked for an update on Musco Olive (EO Report Item 22). Tom Pinkos reported that recent staff inspection had continued to find odor and other problems. An NOV has been issued. An ACL Complaint is expected to be issued in time for the January 2003 Board meeting.

Al Brizard asked about the current status of Con Agra (EO Report Item 24). Tom Pinkos reported there had been no significant developments. Odor complaints continue to be received from neighbors. Staff has met with the APCD, and the APCD has agreed to take the lead on odor nuisance conditions.

Al Brizard asked for additional details on the Folsom sewage spills (EO Report Item 38). Ken Landau explained the major referenced spill was from Folsom Prison, which owned and operated its own sewage collection system. The prison has a history of spills resulting from blockages caused by inmates. Staff is considering contacting the prison about physical improvements to reduce spills to the American River.

Karl Longley asked why enforcement actions were being taken by other agencies, and not by the Board (EO Report Items 27-32). Ken Landau explained that Regional Board staff worked cooperatively with other agencies to document violations, but that enforcement was often prosecuted through an enforcement task force that includes the US Attorney, AG, and several District Attorneys.

Karl Longley asked if Lindsay Olive Growers was an appropriate location for a new dairy (EO Report Item 47). Lonnie Wass explained the proposal was being evaluated and would be brought to the Board in a few months.

Cher Kablanow asked if mitigation measures had been developed for the dredging in the Deep Water Ship Channel (EO Report Item 13). Ken Landau stated that the information would be forwarded to Ms. Kablanow.

BOARD MEMBER COMMUNICATION

Karl Longley reported that the California Water Institute is hosting workshop Understanding Surface Water Monitoring Requirements in Sacramento on 12/13 December.

Cher Kablanow reported that she had attended the Water Education Foundation's Northern California Water Facilities and Fisheries Tour, and commended Jim Pedri for a fine tour of Iron Mountain Mine.

Bob Schneider reported that the WQCC will be split into Northern and Southern California meetings, with the Northern meeting held November 7/8 and the Southern meeting held November 18/19.

Bob Schneider also reported that the first Regional Board meeting of 2003 will be held on 31 January. Janice Tanaka will send out a list of proposed meeting dates for the rest of the calendar year for Board member review.

Al Brizard mentioned that the SWRCB publication on the Water Rights process was very informative.

PUBLIC FORUM

Brad Phillips, with the Families Protecting Neighborhood, expressed concern about the plans for a new Clovis Wastewater Treatment Plant to be located near a school, and with a discharge to an ephemeral waterway. He urged a joint Fresno/Clovis plan to collect and treat wastewater.

UNCONTESTED CALENDAR

ENFORCEMENT

City of Visalia, Wastewater Treatment Facility, Tulare County – *Consideration of Rescission of Cease and Desist Order*

A public hearing was held. No one appeared to contest the proposed order.

R5-2002-0188	MOTION	By Mr. Longley, seconded by Mr. Brizard to adopt the proposed order. Unanimously approved by role call vote.
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NPDES PERMITS

Uncontested NPDES Permits

J.F. Enterprises Worm Farm and Burchell Nursery, Inc., Stanislaus County

A public hearing was held. No one appeared to contest the proposed order.

R5-2002-0189	MOTION	By Mr. Longley, seconded by Mr. Salvaggio to adopt the proposed order. Unanimously approved.
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WASTE DISCHARGE REQUIREMENTS

Uncontested Waste Discharge Requirements Rescissions

Synagro West, Inc., Richard Emigh Livestock, Order No. 95-140-11

Synagro West, Inc., Richard Emigh Livestock (II), Order No. 95-140-23
Synagro West, Inc., Freese Brothers, Order No. 95-140-24
Synagro West, Inc., Hamilton Brothers, Order No. 95-140-25
Synagro West, Inc., Meyer & Anderson, Order 95-140-29
Synagro West, Inc., Mark Esperson, Order 95-140-31
Synagro West, Inc., Tom Schene, Order 95-140-32
Synagro West, Inc., HKM Farms, Order 95-140-22
Synagro West, Inc., Duncan McCormack, Order 95-140-26
Synagro West, Inc., DR Field II, Order 95-140-45
Patterson, Benjamin H., Midway-Sunset Oil Field, Kern County
Pima Gro Systems, Inc. (a.k.a. Synagro West, Inc.), Merced County
Central Lease, Inc., Andrews Lease, Edison Oil Field, Kern County
Stockdale Oil and Gas, Inc., Kern Front Oil Field, Kern County
Gotland Oil, Inc., Hardesty-Vica Lease, Semitropic Oil Field, Kern County
Sprock Family Trust, Bill Sossamon, Vesta Sossamon, Pioneer Chlor Alkali Company, Inc., All Pure Chemical, for Closure and Post-Closure of Unclassified Surface Impoundments, Yuba County

A public hearing was held. No one appeared to contest the proposed order.

R5-2002-0190 MOTION By Mr. Longley, seconded by Mr. Brizard to adopt the proposed order. Unanimously approved.

Uncontested Change of Name and/or Ownership

Deer Creek, North, Bastian, Kern County, Order No. 00-16306
Capitol Age of Enlightenment for Northern California, Cobb, Lake County, Order No. 88-079
Louisiana-Pacific Corporation, Class III Landfill, Butte County, Order No. 90-266
Producers Packing Corporation, Fresno County, Order No. 94-135
El Dorado Mobile Home Park, Robinson/McClory Properties, Kings County, Order No. 96-028
Safety-Kleen (Buttonwillow), Inc., Kern County, Order No. 96-094
GWF Power Systems, L.P., Wilbur Avenue West Power Plant (Site III), Contra Costa County, Order No. 98 013
Pinecrest Permittees Association and United States Forest Service, Pinecrest Wastewater Treatment Plant, Tuolumne County, Order No. 5-01-061

A public hearing was held. No one appeared to contest the proposed order.

R5-2002-0191 MOTION By Mr. Longley, seconded by Mrs. Alves to adopt the proposed order. Unanimously approved.

Uncontested Waste Discharge Requirements

R5-2002-0192 City of Chico, Sycamore Pool Operations – Big Chico Creek, Butte County
R5-2002-0193 Fresno County Service Area No. 34, Millerton New Town, Fresno County
R5-2002-0194 Petro Resources, Inc., SP-Section 29 Lease, Midway-Sunset Oilfield, Kern County
R5-2002-0195 Petro Resources, Inc., SP-Section 33 Lease, Midway-Sunset Oilfield, Kern County
R5-2002-0196 Pyramid Oil Company, Section 28 Lease, Midway-Sunset Oilfield, Kern County
R5-2002-0197 Pyramid Oil Company, Pike Lease, Midway-Sunset Oilfield, Kern County
R5-2002-0198 City of Wasco, Wastewater Treatment Facility, Kern County
R5-2002-0199 County of Fresno and River Ranch, L.L.C. For Clean Closure, Mendota Solid Waste Disposal Site, Fresno County

A public hearing was held. No one appeared to contest the proposed orders.

MOTION By Mr. Longley, seconded by Mrs. Kablanow to adopt the proposed orders. Unanimously approved.

R5-2002-0186

MOTION

By Mr. Longley, seconded by Mrs. Kablanow to adopt the proposed Cease and Desist Order. Unanimously approved by role call vote.

WASTE DISCHARGE REQUIREMENTS

County of Sacramento Public Works Agency, Kiefer Landfill Facility, Class III Landfills, Sacramento County – *Consideration of Revised Waste Discharge Requirements*

A public hearing was held. No one appeared to contest the proposed order.

R5-2002-0186

MOTION

By Mr. Longley, seconded by Mr. Salvaggio to adopt the proposed order. Unanimously approved.

The Board met in closed session to discuss ongoing litigation.

The Board adjourned to the 5/6 December regular meeting.