



Public Meeting

Central Valley Regional Water Quality Control Board

5/6 December 2002
Central Valley Regional Water
Quality Control Board
3443 Routier Rd., Suite A
Sacramento, CA 95827

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.

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) 255-3039.

The facility is accessible to people with disabilities. Individuals requiring special accommodations are requested to contact Ms. Tanaka at (916) 255-3039 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>.

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) 255-3397.

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.

THURSDAY, 5 DECEMBER 2002 – 8:30 a.m.

INTRODUCTIONS

1. Introductions, pledge of allegiance, and approval of minutes of the 450th Regular Meeting of 5/6 September 2002.
2. Meeting Rules and Procedures
3. CalEPA Customer Service Award
4. Executive Officer's Report [available on the Internet at http://www.swrcb.ca.gov/rwqcb5/monthly_board_report]
5. Budget – *A Status Report*
6. Board Member Communications - *Regional Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction. There will be no voting or formal action taken.*
7. 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.*

TIMED AGENDA ITEMS

As a service to the public, and in an effort to administer the December Board meeting in an efficient manner, we are instituting a timed agenda process. Items with specific agenda times will be heard as close as possible to the indicated time, and they will not begin before the indicated time. Other regular agenda items will be heard before and after the timed agenda items as time allows.

9:30 AM: OTHER BUSINESS

8. Bay Protection and Toxic Cleanup Plan - *Consideration of a Resolution to Adopt a Regional Cleanup Plan for Pesticide Hotspots in the Delta.* [Michelle McGraw (916) 255-0744] **(Time limit – 60 minutes)**

1:30 PM: WASTE DISCHARGE REQUIREMENTS

9. Waste Discharges from Irrigated Lands - *Consideration of an Initial Study and Negative Declaration, and a Resolution to Conditionally Waive Waste Discharge Requirements* [Amanda Smith (916) 255-6316] **(Time limit 150 minutes)**

REGULAR AGENDA ITEMS**ENFORCEMENT**

10. Tuolumne Utilities District, Tuolumne County – *Consideration of Revised Master Wastewater Recycling Permit and Cease and Desist Order* [Wendy Wyels (916) 255-31350] **(Time limit – 75 minutes)**

OTHER BUSINESS

11. Discharges from Silvicultural Activities – *Status Report on Action Planned for January 2003 Board Meeting* [Jim Pedri (530) 224 4845]

NPDES PERMITS

12. ~~Marley Cooling Tower Company, Groundwater Extraction and Treatment System, Stockton, San Joaquin County – Consideration of NPDES Permit Renewal [Sudhakar Talanki (916) 255-3078]~~
THIS ITEM HAS BEEN REMOVED FROM AGENDA.

ENFORCEMENT

13. Anadarko Petroleum Corporation, Boeing Satellite Systems, Inc., Calpine, Cypress Amax Minerals Company, Freeport McMoran, Inc./Aminoil, Inc., Geothermal Inc., Geothermal Kinetics, Inc., Hughes Aircraft Company/Thermogenics, Inc., IMC Global, Maxus Energy Corporation, MCR Geothermal, MSR Public Power Agency, Natomas, Northern California Power Agency, Ocean Energy Resources Inc., Pacific Gas and Electric Company, Phelps Dodge, Phillips Petroleum Company, Republic Geothermal, Sacramento Municipal Utility District, Santa Fe Geothermal Inc./Occidental Geothermal, Inc., Shell Oil Company, State of California Department of Water Resources, Sunoco, Thermal Power, and Union Oil Company of California dba Unocal, Geothermal Inc. Facility, Class II Surface Impoundments and Disposal Trenches, Closure, Post-Closure Maintenance and Groundwater Cleanup, Lake County – *Consideration of a Resolution Approving an Initial Study and Adopting a Mitigated Negative Declaration and of a Cleanup and Abatement Order and Monitoring and Reporting Program* [Bill Brattain (916) 255-3122]

FRIDAY, 6 DECEMBER 2002 – 8:30 a.m.**INTRODUCTIONS**

14. Introductions and pledge of allegiance.
15. Meeting Rules and Procedures
16. 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.*
17. The Board will be asked to approve items 24 through 30 with no discussion if no one is here to testify about them; see pages 4 & 5 for description/listing of items – **8:30 a.m.**

TIMED AGENDA ITEMS

As a service to the public, and in an effort to administer the December Board meeting in an efficient manner, we are instituting a timed agenda process. Items with specific agenda times will be heard as close as possible to the indicated time, and they will not begin before the indicated time. Other regular agenda items will be heard before and after the timed agenda items as time allows.

9:00 AM: WASTE DISCHARGE REQUIREMENTS

18. Waste Discharges from Confined Animal Facilities - *Consideration of a Resolution to Conditionally Waive Waste Discharge Requirements* [Polly Lowry (916) 255-6301] (**Time limit 90 minutes**)

1:30 PM: NPDES PERMITS

19. County of Sacramento and Cities of Citrus Heights, Elk Grove, Folsom, Galt and Sacramento; Storm Water Discharges from Municipal Separate Sewer System, Sacramento County - *Consideration of NPDES Permit Renewal* [Brett Stevens (916) 255-3442] – (**Time Limit 90 minutes**)

REGULAR AGENDA ITEMS

OTHER BUSINESS

20. Control of Mercury in Clear Lake - *Continuation of Hearing to Consider a Resolution to Adopt Proposed Amendments and Certify Environmental Documents.* [Patrick Morris (916) 255-3121]

NPDES PERMITS

21. University of California, Davis, Davis Campus, Main Wastewater Treatment Plant, Yolo and Solano Counties – *Consideration of NPDES Permit Renewal and Cease and Desist Order* [Kathy Harder (916) 255-3378].
22. ~~U.S. Bureau of Reclamation, Sliger Mine, El Dorado County – *Consideration of NPDES Permit Renewal and Cease and Desist Order* [Trinh Pham (916) 255-3061].~~ **THIS ITEM HAS BEEN REMOVED FROM THE AGENDA**

OTHER BUSINESS

23. City of Folsom Sanitary Sewer Collection System, Sacramento County – *A Status Report* [Karen Niiya (916) 255-3362].

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.

ENFORCEMENT

24. Placer County Sanitation Area No. 28, Zone No. 6, Sheridan Wastewater Treatment Plant, Placer County – *Consideration of NPDES Permit Renewal and Cease and Desist Order* [Elizabeth Thayer (916) 255-3071].
25. El Dorado Irrigation District, Deer Creek Wastewater Treatment Plant, El Dorado County – *Consideration of NPDES Permit Renewal and Cease and Desist Order* [Kyle Ericson (916) 255-3364].
26. ~~TRC Companies Inc. and GBF Holdings, LLC., Contra Costa Sanitary Landfill, Contra Costa Landfill – *Consideration of Rescission of Cease and Desist Order* [Ross Atkinson (916) 255-3814]~~ **THIS ITEM HAS BEEN REMOVED FROM THE AGENDA**

NPDES PERMITS

27. Uncontested NPDES Permits
- a. United States Department of the Air Force, Aircraft Control And Warning Site Groundwater Treatment System, Former Mather Air Force Base, Sacramento County (renewal)
 - b. Defense Distribution Depot San Joaquin, Sharpe Groundwater Remediation System, San Joaquin County (renewal)
 - c. Stimpel-Wiebelhaus Associates dba SWA At Mountain Gate and Curtis Partners LLP, Shasta County (renewal)

WASTE DISCHARGE REQUIREMENTS

28. Uncontested Waste Discharge Requirements Rescissions
- a. Elm-Morton Apartments, Fresno County, Order No. 72-50
 - b. Lodi Nut Company, Inc., San Joaquin County, Order No. 87-183
 - c. Jaxon Enterprises Jasper Gravel Pit, Glenn County, Order No. 92-125

- d. Johns Manville Manufacturing Inc., Johns-Manville Asbestos/Cement Pipe Corp. and Formosa Plastics, USA, San Joaquin County, Order No. 94-051
 - e. Synagro West, Inc., David Fowler, Tony Souza, Vaqueros Farms, Inc., and Contra Costa County, Byron Hot Springs Biosolids Application to Land, Contra Costa County, Order No. 94-362
 - f. United States Air Force, Mather Soils Bioremediation Facility, Former Mather Air Force Base, Sacramento County, Order No. 95-221
 - g. United States Air Force, Castle Soils Bioremediation Treatment Facility, Former Castle Air Force Base, Merced County, Order No. 96-251
 - h. Del Monte Foods Plant No. 25, Fresno County, Order No. 98-068
 - i. NEC Electronics Inc., Roseville Manufacturing Facility, Placer County, Order No. 99-018
 - j. Mirant Delta, LLC, Contra Costa Power Plant Sludge Disposal, Contra Costa County, No. 5-01-248
 - k. Pacific Ultrapower Chinese Station Power Plant, Joint Venture General Partnership of Covanta Energy, Constellation Energy and North America Power, Tuolumne County, Order No. R5-2002-0025
29. Uncontested Change of Name and/or Ownership
- a. Brush Creek Mine, Sierra County, Order No. 75-026
 - b. Gardner's Point Mine, Brush Creek Mining Company and Speckert Mining Company, Sierra County, Order No. 85-021
 - c. Fig Garden Packing Inc., Fig Packing Facility, Fresno County, Order No. 94-135
 - d. Keaton Best Western Motel, Keaton Best Western County Motel, Yolo County, Order No. 98-015
 - e. Sensient Technologies Corporation, Dehydrated Flavors Plant, Merced County, Order No. 98-088
 - f. Charles M. Somers, Bonita M. Bahre, Gregory Graves, and the David J. and Sharon J. Usher Revocable Clayton Regency, LLC, Clayton Regency Mobile Home Park, Contra Costa County, Order No. 5-01-35
 - g. Trust, Clay Station 1200, Sacramento County, Order No. R5-2002-0170
30. Uncontested Waste Discharge Requirements
- a. Lake County Public Services Department, Eastlake Sanitary Landfill, Class III Landfill, Class II Surface Impoundment, Lake County (revision)
 - b. Western Placer Waste Management Authority, Western Regional Sanitary Landfill Facility, Class II and Class III Landfills, Placer County (revision)
 - c. North County Recycling Center and Sanitary Landfill Facility, San Joaquin County (revision)
 - d. Teichert Aggregates, Tracy Rock Plant, San Joaquin County (revision)
 - e. Mountain Of Attention Sanctuary, Johannine Daist Communion, Lake County (revision)
 - f. Calaveras County Water District and La Contenta Investors, La Contenta Wastewater Treatment and Reclamation Facility, Calaveras County (revision)
 - l. Valley Waste Disposal Company, Broad Creek No. 2 Facility, Midway-Sunset & Buena Vista Oil Fields, Kern County (revision)
 - g. Amador City, Wastewater Treatment and Export System, Amador County (update)
 - h. Alpine Packing Company, Inc., Wastewater Treatment System, San Joaquin County (update)
 - i. Ford Construction Company, Inc., Foothill Materials, Inc., Hogan Quarry, Calaveras County (new)
 - j. Calaveras Materials, Inc. and Harold J. Schmidt, Hughson Plant, Stanislaus County (new)
31. *The Regional Board may meet in closed session to consider personnel matters [Authority: Government Code Section 11126(a)], to discuss either matters in litigation or decisions to initiate litigation [Authority: Government Code Section 11126(e)], or to deliberate on a decision to be reached based upon evidence introduced in a hearing [Authority: Government Code Section 11126(c)(3)] Items that may be discussed Heilman v. SWRCB, CVRWQCB et al. (1) CVRWQCB et al. v. Aerojet-General Corporation, et al, County of Sacramento Superior Court Case No. 286073, Consolidated with Case Nos. 288302 and 291981; CVRWQCB, et al. v. Aerojet-General Corporation, et al., U.S. District Court (Eastern District of California) Case No. CIVS-86-0064-EJG (consolidated with U.S. v. Aerojet-General Corp., et al., U.S. District Court (Eastern District of California) Case No. CIVS-86-0063-EJG; American States Water Company, et al., v. CVRWQCB et al., Sacramento County Superior Court Case No. 99 AS 05947; (2) Sacramento Regional County Sanitation District v. State Water Resources Control Board, et al., Sacramento County Superior Court Case No. 98CS0170; (3) State of California, Department of Toxic Substances Control and CVRWQCB v. Iron Mountain Mines, Inc. et al., U.S. District Court, Eastern District of Calif., Case No. CIV-S-91-1167-DFL-PAN and United States v. Iron Mountain Mines, Inc. et al., U.S. District Court, Eastern District of Calif., Case No. S-91-0768 DFL/JFM; (4) State of California ex rel California Integrated Waste*

Management Board et al. v. Edward Joseph Filbin et al. (Filbin Tire Fire); (5) National Park Service, El Portal Wastewater Treatment Facility, Administrative Civil Liability Order No. 5-01-031; (6) San Francisco Baykeeper, Inc., et al. v. California State Water Resources Control Board, et al., Sacramento County Superior Court Case No. 99CS02722; (7) Coalition for Alternatives to Kiefer Landfill v. California State Water Resources Control Board, et al., Sacramento County Superior Court Case No. 01CS00728; (8) City of Turlock, Municipal Services Department v. SWRCB and CBRWQCB, Stanislaus County Superior Court Case No. 291436 and SWRCB Petition SWRCB/OCC File A-1382; (9) People of the State of California by and through the California Regional Water Quality Control Board, Central Valley Region, v. California Ammonia Company, a California Corporation, Case No. CV 013950; (10) CVRWQCB v. A Greener Globe Corp., et al., Placer County Superior Court Case No. SCV11383, CVRWQCB v. Sonora Mining Corporation, et al. (Jamestown Mine), Tuolumne County Superior Court Case No. CV 486; (11) Original Sixteen to One Mine, Inc. v. CVRWQCB (Case No. 5511, County of Sierra); (12) City of Brentwood v. Central Valley RWQCB, Contra Costa County Superior Court No. 2-0160; (13) People of the State of California and City of Lodi vs. M&P Investments, et al., Eastern District No. CIV S-00-2441 FCD; (14) R. Lawson Enterprises dba Wildrose Vineyards and Robert Lawson v. CRWQCB-CVR, San Joaquin County No. CV 017290; (15) City of Merced and Redevelopment Agency of the City of Merced v. R.A. Fields, CVRWQCB, Ninth Circuit Ct. Of Appeals, D.C. No. CV-F 92-5627 (REC/DLB) ED CA; City of Merced, et al., v. R.A. Fields, et al., (U.S. Dist. Ct. E.D. Calif.) No. CV-F 92-5627 REC/DLB; (16) In the Matter of the Petition of the City of Vacaville, SWRCB/OCC File A-1375; (17) In the matter of the Petition of the City of Stockton, File No. SWRCB/OCC A-1483; (18) In the matter of the Petition of the City of Turlock, File No. SWRCB/OCC A-1382; (19) WaterKeepers Northern California and California Public Interest Research Group v. California RWQCB—Central Valley Region Sacramento County Superior Court Case No. 02CS00289; (20) In the matters of the Petitions of Meridian Beartrack Company et al., File Nos. SWRCB/OCC A-1369, A-146