

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

ORDER NO. 97-108

WASTE DISCHARGE REQUIREMENTS
FOR
BULL HOLDING CORPORATION, OWNER/OPERATOR
MANURE COMPOSTING FACILITY

El Centro - Imperial County

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

1. Bull Holding Corporation, owner/operator (hereinafter referred to as the discharger), 35594 County Une Road, Yucaipa, California, 92399, submitted a report of waste discharge on April 21, 1995, for a proposed manure composting facility. This facility is located in Section 12, T16S, R14E, SBB&M. The street address of the facility is 1701 Bowker Road, El Centro, California, 92243. On June 28, 1995, the Regional Water Quality Control Board adopted Waste Discharge Requirements (Board Order No. 95-062) for this facility.
2. The proposed 44-acre facility is engaged in the composting and mixing of manure, and operation of a feed mill. The discharger mixes and composts a maximum of 35,000 tons/year of raw steer manure and a maximum of 15,000 tons/year of chicken manure. Raw steer manure is obtained from lots within the Imperial Valley and chicken manure is supplied by ranches throughout southern California. There are four ponds at the facility. Three of the ponds are used for storage of Acacia Canal water, while the fourth is utilized for the containment of stormwater and leachate (if any).
3. The composting process employs the aerated windrows system, wherein manure, greenwaste and various commercial fertilizers are blended in a predetermined formula and stacked in windrows. The windrows are sprinkled with water, followed by periodic mechanical agitation, which creates conditions conducive to microbiological activity. As microbiological activity accelerates, the temperature in the windrows rises to 145-150°F. The material is periodically aerated to provide the necessary oxygen. The complete composting process takes from four to seven weeks.
4. For the purpose of these waste discharge requirements, compost is defined as a product resulting from the controlled biological decomposition of manures (chicken or steer) or manure/s blended with greenwaste and/or commercial fertilizer. Greenwaste is defined as organic plant material including leaves, grass clippings, weeds, tree trimmings, garden wastes, untreated wood wastes and shrubbery cuttings. Commercial fertilizer is defined as those fertilizers which are traditionally used and accepted by the farming community. It does not include experimental fertilizer or any of the items listed in Prohibition No. 3.
5. The Acacia canal flows just outside the eastern boundary of the facility, while the Acacia lateral runs along the northern edge of the site.
6. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993 and designates the beneficial uses of ground and

surface waters in this Region.

7. The beneficial uses of waters in the All American Canal System are:

- a. Municipal Supply (MUN)
- b. Agricultural Supply (AGR)
- c. Aquaculture (AQUA)
- d. Fresh Water Replenishment of Salton Sea (FRSH)¹
- e. Industrial Service Supply (IND)
- f. Ground Water Recharge (GWR)
- g. Water Contact Recreation {REC 1}²
- h. Noncontact Water Recreation (REC 11)²
- i. Warm Water Habitat {WARM}
- j. Wildlife Habitat (WILD)
- k. Hydropower Generation (POW)
- l. Preservation of Rare, Endangered or Threatened Species (RARE)³

¹ Some very limited spillage of canal water occurs providing freshwater replenishment to Salton Sea

² Unauthorized use

³ Rare, endangered, or threatened wildlife exist in or utilizes some of these waterway(s). If the RARE beneficial use may be affected by a water quality control decision, responsibility of substantiation of the existence of rare, endangered, or threatened species on a case-by-case basis is upon the California Department of Fish and Game on its own initiative and/or at the request of the Regional Board; and such substantiation must be provided within a reasonable time frame as approved by the Regional Board.

8. The designated beneficial uses of ground waters in the Imperial Hydrologic Unit are:

- a. Municipal supply (MUN)
- b. Industrial supply (IND)

9. The beneficial uses of waters in the Imperial Valley Drains are:

- a. Fresh Water Replenishment of Salton sea (FRSH)
- b. Water Contact Recreation (REC I)
- c. Noncontact Water Recreation (REC II)
- d. Warm Water Habitat (WARM)
- e. Wildlife Habitat (WILD)
- f. Preservation of Rare, Endangered or Threatened Species (RARE)

10. Within the Imperial Valley area of the Imperial Hydrologic Unit, much of the ground water is too saline for municipal use.

11. There are no domestic wells within 1,000 feet of the discharge facilities described in Finding No. 5 above.

12. The Board has notified the discharger and all known interested agencies and persons of its intent to update waste discharge requirements for said discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.

13. The Board in a public meeting heard and considered all comments pertaining to this

discharge.

14. On February 22, 1995 the Imperial County Planning Commission adopted a Negative Declaration for this project (Res #1, project 1.0. #1141-94). The Negative Declaration indicated lack of substantial evidence to show that the project would have a significant effect on the environment.
15. Federal regulations for storm water discharges were promulgated by the U. S. Environmental Protection Agency on 16 November 1990 (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities which discharge storm water associated with industrial activity to obtain NPDES permits and to implement Best Conventional Pollutant Technology (BCT) to reduce or eliminate industrial storm water pollution.
16. The State Water Resources Control Board adopted Order No. 91-13-DWQ (General Permit No. CAS000001), as amended by Water Quality Order No. 92-12-DWQ, specifying waste discharge requirements for discharges of storm water associated with industrial activities, excluding construction activities, and requiring submittal of a Notice of Intent by industries to be covered under the Permit.
17. The discharger has stated that there will be no storm water discharges from the facility. All storm water generated at the facility will be retained on site by berms. Based on this information a National Pollutant Discharge Elimination Systems (NPOES) Permit for storm water discharges is not required for this facility.

IT IS HEREBY ORDERED, that Board Order No. 95-062 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

A. Prohibitions

1. Transporting, stockpiling, composting and processing operations shall not cause, or threaten to cause pollution, as defined in Section 13050 of the California Water Code.
2. The discharge of waste to land not owned or controlled by the discharger is prohibited.
3. Composting, stockpiling or otherwise accepting following materials is prohibited: demolition wastes, mixed construction debris, contaminated/uncontaminated soil, ash, sewage sludge, septic tank pumpings, paper waste, radioactive waste, industrial sludge, water treatment sludge, liquid wastes, animal carcasses, mammalian flesh, unprocessed/processed hide, blood, bone marrow, hazardous waste and designated waste.
4. The total amount of raw material, in-process inventory and finished product stored at the site shall not exceed 50,000 tons at any given time.
5. The discharge of waste to surface waters, surface drainage courses or to ground waters is prohibited.

B. Specifications

1. Public contact with waste shall be precluded through such means as fences, signs and other

alternatives acceptable to the Regional Board's Executive Officer.

2. This discharge shall not adversely impact the quality of any ground or surface waters.

C. Provisions

1. The discharger shall comply with "Monitoring and Reporting Program No. 97-108", and future revisions thereto, as specified by the Regional Board's Executive Officer.
2. The discharger shall ensure that all site operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
3. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
4. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
5. The discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.
6. The discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these waste discharge requirements. 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 waste discharge requirements by the Regional Board.
7. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
8. The discharger 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 premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this

Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.

9. Stockpiling and composting areas shall be at least:
 - a. 50 feet from property lines;
 - b. 500 feet from domestic supply wells;
 - c. 100 feet from non-domestic supply wells;
 - d. 150 feet from any surface water bodies, excluding Imperial Valley Drains but including ephemeral streams;
 - e. 50 feet from Imperial Valley Drains.
10. Within 90 days of the issuance of this Board Order, the discharger shall conduct a survey, and submit the results of this survey to Regional Board staff, to assure that the site has been properly graded and is adequately designed and constructed to retain all runoff from the composting operations and precipitation from a 100-year, 24-hour storm. Survey results must be included in an updated topographic map of the site, extending one-quarter mile beyond the property boundary. In accordance with the requirements for storm water pollution prevention under 40 CFR Parts 122, 123, and 124, the map must at a minimum, show the following:
 - a. The property boundary and all adjacent surface water bodies, including ephemeral streams.
 - b. Specific areas of the site used for on-loading and off-loading, sludge stockpiling and composting, and curing or storage of compost;
 - c. Site access road and all on-site roads;
 - d. Grades and elevations;
 - e. Berms; and
 - f. Water storage basins.

In addition to the above, the survey must include a statement from a California registered civil engineer, certifying that the site is adequately graded and constructed to retain all runoff from the composting operations and precipitation from a 100-year, 24-hour storm.

- 11 Annually, prior to the first day of November, any necessary erosion control measures shall be implemented and any necessary construction, maintenance, and/or repairs of drainage control facilities shall be completed to prevent erosion or flooding of the site.
12. The discharger must take adequate steps to ensure that there is no ponding of water at the site and that raw materials and/or compost are confined to storage and treatment areas.
13. The discharger shall immediately notify Regional Board staff of any flooding, slope failure or

other change in site conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures.

14. The discharger shall immediately remove and relocate any wastes which are discharged at this site in violation of these requirements.
15. A minimum freeboard depth of two feet shall be maintained at all times in all on-site ponds.
16. Ponds shall be managed to prevent breeding of mosquitoes in particular:
 - a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
17. The discharger shall maintain on-site, in an orderly manner, trucking manifests (or its equivalent), for five years. These should clearly indicate the amounts, dates and sources/destinations of all incoming/outgoing material. These documents shall be available for Regional Board staff review.
18. Within 90 days of the issuance of this Board Order the discharger shall sever and plug the existing subsurface tile grid system at the property boundaries and remove the existing tailwater box located in the northwest corner of the facility.
19. One hundred eighty days prior to the cessation of the composting operations at the facility, the discharger shall submit a proposal for assessing the extent of contamination caused by the operations of the facility; including, but not limited to assessing any contamination of soil, ground water and on-site ponds. Within 90 days of approval of the proposal by the Regional Board staff, the discharger shall submit to the Regional Board staff, results of the contamination assessment and a closure plan for staff approval. The closure plan shall be implemented immediately after staff approval.

I, Philip A. Gruenberg, 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 September 24, 1997

Original signed by

Executive Officer

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

REVISED MONITORING AND REPORTING PROGRAM NO. 97-108
FOR
BULL HOLDING CORPORATION,
OWNER/OPERATOR MANURE COMPOSTING
FACILITY
El Centro - Imperial County

Location of Discharge: Section 12, T16S, R14E, SBB&M

GENERAL MONITORING

1. The collection, preservation and holding times of all samples shall be in accordance with U.S. Environmental Protection Agency approved procedures. All analyses shall be conducted by a laboratory certified by the California Department of Public Health to perform the required analyses.
2. If the facility is not in operation, or there is no activity during a required reporting period, the Discharger shall forward a letter during that reporting period to the Regional Board indicating that status.

MATERIALS MONITORING

1. The materials monitoring program shall include the following information, submitted monthly:
 - a. Quantity (cubic yards and wet tons) and description of manure received from each source;
 - b. Quantity (cubic yards and wet tons) and description of greenwaste received from each source;
 - c. Quantity (cubic yards and wet tons) and description of fertilizer received from each source;
 - d. Quantity of composted material (cubic yards and wet tons) shipped off-site on a
 - e. monthly basis;
 - f. Estimated quantities of raw materials, in-process-inventory and finished products
 - g. remaining on-site at the end of each month.

OPERATION AND MAINTENANCE

<u>Activity</u>	<u>Reporting</u>
Document any erosion control or drainage problems and/or related maintenance	Annually

SURFACE WATER MONITORING

Representative samples from the Acacia Canal, upstream and downstream of the facility, shall be collected and analyzed in accordance with the following:

<u>Constituents</u>	<u>Unit</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
BOD	Mg/L ¹	Grab	Quarterly
TDS	mg/L	Grab	Quarterly
Nitrate (as Nitrogen)	mg/L	Grab	Quarterly
Total Nitrogen(as Nitrogen)	mg/L	Grab	Quarterly
Phosphate	mg/L	Grab	Quarterly
Fecal Coliform	MPN ²	Grab	Quarterly
Giardia lamblia ³	MPN	Grab	Quarterly
Cryptosporidium ¹	MPN	Grab	Quarterly

¹ mg/L - Milligrams Per Liter

² MPN - Most Probable Number

³ Required if analysis of the downgradient water sample from the Acacia Canal has a concentration of fecal coliform exceeding 400 MPN/L.

FLOOD PROTECTION MONITORING

1. The Discharger shall inspect all internal and external flood protection facilities at least quarterly and following each storm which generates any storm water flow through the drainage system. The results of these inspections shall be reported quarterly to the Regional Board. If significant damage to the flood protection facilities is found, the Discharger shall report this information to the Regional Board immediately by telephone, and transmit by letter within five business days of its occurrence the following information:
 - a. Location and extent of damage;
 - b. Interim measures to be taken to assure that no wastes are discharged from the facility;
and
 - c. Time schedule for repairs.
2. The discharge of any wastes other than those allowed in Order No. 97-108, or any other noncompliance with Order No. 97-108, shall be reported to the Regional Board immediately upon the discharger becoming aware that non-compliance has occurred along with details of the proposed cleanup measures and mitigation steps that will be taken in order to prevent future violations.

DAILY SURVEILLANCE MONITORING

Any discharge, observed through daily surveillance monitoring, of raw or processed manure or other compost material to the Acacia Canal as a result of truck spillage, equipment use, runoff, wind transport, or other means, shall be reported to the Regional Board, Imperial County Environmental Health & Consumer Protection Services, and Meadows Elementary School, within 24 hours of the observation.

REPORTING

1. The discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with waste discharge requirements.
2. Records of monitoring information shall include:
 - a. The date, exact place, and time of measurement(s); and
 - b. The individual(s) who performed the measurement(s).
3. Each report shall contain the following statement:

"I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
4. A duly authorized representative of the discharger may sign the documents if:
 - a. The authorization is made in writing by the person described above;
 - b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and
 - c. The written authorization is submitted to the Regional Board's Executive Officer.
5. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this monitoring report.
6. Monitoring reports shall be submitted to the Regional Board and Imperial County Environmental Health & Consumer Protection Services. Monthly monitoring reports shall be submitted by the 15th day of the following month. Quarterly monitoring reports shall be submitted by January 15, April 15, July 15 and October 15 of each year. Annual monitoring reports shall be submitted by January 15 of the following year.
7. Report by telephone or fax to the Regional Board, Imperial County Environmental Health & Consumer Protection Services, and Meadows Elementary School, within 24 hours of receipt of sampling results, all downstream values of fecal coliform exceeding 400 MPN.
8. Addresses and contact information necessary for compliance with this monitoring and reporting program are listed below:

Colorado River Basin Region
73-720 Fred Waring, Suite 100
Palm Desert, CA 92260
Tel: (760) 346-7491, Fax: (760) 341-6820

Jeff Lamoure, Deputy Director, and
Roger Berger, Drinking Water Specialist
Environmental Health & Consumer Protection Services
797 W. Main Street, Suite B
El Centro, CA 92243
Tel: (760) 336-8530, Fax: (760) 352-1309

Ron Jesse, Operations and Maintenance
Meadows Elementary School
2059 Bowker Road
El Centro, CA 92243
Tel: (760) 352-7512, Fax: (760) 337-1275

Ordered By: Original signed by
ROBERT PERDUE, Executive Officer

March 19, 2009
Date