

State of California  
Regional Water Quality Control Board  
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT  
December 10, 2008

- ITEM: 10
- SUBJECT: General Waste Discharge Requirements for Existing Dairy Animal Feeding Operations in the San Diego Region (tentative Order No. R9-2008-0130) (Cathryn Henning)
- PURPOSE: Consider adoption of tentative Order No. R9-2008-0130.
- PUBLIC NOTICE: The public was notified of this agenda item by posting an announcement on the Regional Board home web page on November 5, 2008 that the tentative Order was available for review. An announcement was also mailed to the owners/operators of the existing dairies on November 5, 2008 (Supporting Document No.1). These actions satisfy the requirement of Water Code section 13167.5 for a 30-day notice.
- DISCUSSION: Tentative Order No. R9-2008-0130 (Supporting Document No. 2) would establish General Waste Discharge Requirements (WDRs) for discharges of manure and process wastewater from the eight existing dairy animal feeding operations in the San Diego Region. The eight dairies eligible for regulation under the proposed WDRs are: Dowle Dairy and T.D. Dairy in Ramona; Stiefel Dairy and Wesselink Dairy in Winchester; John Konym Dairy in Valley Center; Frank J. Konym Dairy in San Pasqual Valley; Van Ommering Dairy in Lakeside; and Bert Verger Dairy in Escondido. The dairy locations are shown on Supporting Document No. 3.
- The eight eligible dairies are currently regulated under individual orders; four of which prescribe NPDES requirements, and four of which prescribe non-NPDES requirements. Three of the NPDES orders are planned for rescission (Agenda Items X, X, and X), and new non-NPDES requirements are needed to replace them. For efficiency sake, one Order prescribing General WDRs for all eight of the dairies was prepared obviating the need for individual Orders. The General WDRs will be a more efficient and consistent tool for regulating the eight dairies compared to the eight individual orders currently in effect. All dairies have common components and associated issues that can be effectively regulated by general WDRs. The tentative Order would accomplish the following objectives: a) simplify the application process for dischargers;

- b) reduce time needed for staff to prepare, and the Regional Board to adopt, individual WDRs for similar dairy operations; and
- c) enhance the protection of surface water by prohibiting discharges of wastewater to surface waters.

The General WDRs cover existing dairies and potential expansions to those dairies up to 1999 mature dairy cows. The General WDRs also prohibit the direct or indirect discharge of waste and/or storm water from the production area to surface waters.

If the three NPDES orders are rescinded and the General WDRs are adopted, T.D. Dairy, Frank J. Konyon Dairy, and Van Ommering Dairy will be automatically enrolled under the General WDRs. If the NPDES Order for Stiefel Dairy is rescinded in the future, that dairy will be automatically enrolled under the General WDRs when the NPDES Order is rescinded. The other four dairies regulated under individual non-NPDES requirements would be required to complete a Report of Waste Discharge (application) and submit all necessary documents for Regional Board review before being enrolled under the General WDRs. If enrolled under the General WDRs, the individual WDR Orders for those dairies would be rescinded at the time of enrollment.

All eight dairies are confined animal facilities and, as such, must comply with the regulations set forth in sections 22560 through 22565 of the California Code of Regulations which are incorporated into the General WDRs. These regulations require all dairy waste management systems to be designed, operated, and maintained to collect and ultimately discharge process wastewater and manure in a manner that prevent overflows to surface waters and minimize impacts to groundwater.

KEY ISSUES:

1. If adopted, those dairies with NPDES orders rescinded will be automatically enrolled under the General WDRs, while all other dairies will need to complete an application and submit all necessary documents for Regional Board review before being enrolled under the General WDRs.
2. Tentative Order No. R9-2008-0130 prohibits the direct or indirect discharge of waste and/or storm water from the production area to surface waters.
3. Manure and process wastewater systems are required to be designed, operated, and maintained to comply with sections 22560 through 22565 of the California Code of Regulations for confined animal facilities.

LEGAL CONCERNS:

None

**Agenda Item 10**

**December 10, 2008**

**SUPPORTING  
DOCUMENTS:**

1. Announcement notifying owners/operators of dairies in the San Diego Region of tentative Order No. R9-2008-0130
2. Tentative Order No. R9-2008-0130 and attachments:  
Attachment A. Monitoring and Reporting Program  
Attachment B. Application for Enrollment  
Attachment C. Key Terms and Definitions  
Attachment D. Acronyms
3. Location of Dairy Animal Feeding Operations in the San Diego Region

**RECOMMENDATION:**

Regional Board staff recommends adoption of tentative Order No. R9-2008-0130.

## SUPPORTING DOCUMENT NO. 1

Announcement notifying owners/operators  
of dairies in the San Diego Region of  
tentative Order No. R9-2008-0130

## SUPPORTING DOCUMENT NO. 2

Tentative Order No. R9-2008-0130

Attachment A. Monitoring and Reporting  
Program

Attachment B. Application for Enrollment

Attachment C. Key Terms and Definitions

Attachment D. Acronyms

# SUPPORTING DOCUMENT NO. 3

Location of Dairy Animal Feeding  
Operations in the San Diego Region