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STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401

GENERAL WASTE DISCHARGE REQUIREMENTS
ORDER NO. R3-2005-0001

For

Fertilizer and Pesticide Handling Facilities in the Central Coast Region

The California Regional Water Quality Control Board, Central Coast Region (hereafter Board), finds that:

Purpose – The purpose of these General Waste Discharge Requirements is to:

a. Provide consistent and uniform methods of containment, transfer and disposal of dry and liquid fertilizer and pesticide wastes.
b. Facilitate implementation of Management Practices (MPs) for dry and liquid fertilizer and pesticide handling facilities.
c. Reduce the administrative burden of issuing individual waste discharge requirements to individual fertilizer and pesticide handling facilities.

General Waste Discharge Requirements – California Water Code Section 13263(i) allows a regional board to prescribe general waste discharge requirements for a category of discharges if it finds that all of the following criteria apply to the discharges in that category:

a. The discharges are produced by the same or similar operations.
b. The discharges involve the same or similar types of waste.
c. The discharges require the same or similar treatment standards.
d. The discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

Facility Description – Fertilizer and pesticide handling facilities vary in size and scope; however, there are typical processes that are common to most facilities. Facilities typically receive fertilizers, pesticides, or both from other sources and store them on the site. Liquid material is stored in tanks; dry material is usually stored in pre-packaged containers in storage buildings. Some facilities formulate their own products, though most do not. Facilities that formulate their own products must have structures to contain accidental releases. Pesticides and fertilizers are transferred by vehicle either directly to the agricultural field or to application equipment for use in the field. After application, equipment is often rinsed in the field. If application equipment is brought back to the facility for rinsing, the facility must have a wash rack with containment and storage for the rinse water. Rinse water can be reused in the field.

Type of Waste – Facilities that store, formulate, or handle bulk pesticides or fertilizers can produce wastes including product spills, leaks, residues and rinsewater. If discharged to the environment or otherwise handled improperly, these wastes can degrade the quality of surface waters and groundwaters.

Basin Plan – The Water Quality Control Plan, Central Coast Basin (Basin Plan), was adopted by the Regional Board on November 19, 1989, and approved by the State Water Resources Control Board (State Board) on August 16,

1990. The Regional Board approved amendments to the Basin Plan on February 11, 1994, and September 8, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of State Waters. This Order implements the Basin Plan.

Surface Waters – Pursuant to the Basin Plan, existing and potential beneficial uses of surface waters in the Central Coast Region include:

a. Municipal and domestic supply;
b. Agricultural supply;
c. Industrial process and service supply;
d. Ground water recharge;
e. Freshwater replenishment;
f. Navigation;
g. Hydropower generation;
h. Water contact recreation;
i. Non-contact water recreation, including aesthetic enjoyment;
j. Commercial and sport fishing;
k. Aquaculture;
l. Cold and warm fresh water habitat;
m. Inland saline water habitat;
n. Estuarine habitat;
o. Marine habitat;
p. Wildlife habitat;
q. Preservation of biological habitats of special significance;
r. Rare, threatened or endangered species;
s. Migration of aquatic organisms;
t. Spawning, reproduction and/or early development;
u. Shellfish harvesting; and
v. Areas of special biological significance.

Groundwater – Pursuant to the Basin Plan, existing and potential beneficial uses of groundwater within the Central Coast Region include:

a. Municipal and domestic supply;
b. Agricultural supply;
c. Industrial process and service supply

Pacific Ocean – The Basin Plan lists the following as beneficial uses of the Pacific Ocean:

a. Water contact recreation
b. Non-contact water recreation, including aesthetic enjoyment
c. Industrial water supply
d. Navigation
e. Marine habitat
f. Shellfish harvesting
g. Ocean commercial and sport fishing
h. Preservation of rare, threatened and endangered species.
i. Wildlife habitat.

Management Practices – Implementation of MPs reduces or prevents potential degradation of water quality by pesticides and fertilizers. This General Order requires enrollees to develop and implement site-specific MPs.

Monitoring and Reporting Program – Monitoring and Reporting Program No. R3-2005-0001 (General MRP) is part of the General Order and is included as Attachment A. The General MRP requires the Discharger to perform regular monitoring and reporting of hazardous wastes, fertilizer residues, rinsewater and spills. The Executive Officer may modify the General MRP to fit site conditions. The Executive Officer may require groundwater monitoring. The General MRP is necessary to ensure compliance with this General Order.

California Environmental Quality Act (CEQA) – These requirements are for existing facilities and their adoption is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15301, Chapter 3, Title 14, of the California Code of Regulations (Existing Facility Exemption). New or expanded facilities may not be covered by these requirements until a government agency has completed the lead agency responsibilities under CEQA.

IT IS HEREBY ORDERED, pursuant to authority in Sections 13263 and 13267 of the California Water Code, that all fertilizer and pesticide facilities enrolled in this General Order shall maintain compliance with the following:

A. APPLICATION PROCESS

1. An applicant seeking authorization under these General WDRs shall submit a complete *Notice of Intent* (NOI*) to Comply with the Terms of the General Waste Discharge Requirements for Fertilizer and Pesticide Facilities* and first annual fee (payable to the State Water Resources Control Board) to the Executive Officer. The NOI is included as Attachment B of these General WDRs. The information required with the NOI is equivalent to a Report of Waste Discharge.

2. The annual fee depends on the discharge's Threat to Water Quality and Complexity Rating, as defined in the fee schedule in California Code of Regulations Title 23, Division 3, Chapter 9, Article 1. Facilities will be assigned a threat to water quality and complexity rating upon review of their application. Dischargers must submit their required annual fee prior to enrollment in the General Order.

3. Coverage under this General Order will be effective when the applicant receives a letter of approval from the Executive Officer.

4. Facilities covered under these General WDRs shall submit an updated NOI to the Executive Officer when there is any change in the information submitted within its original NOI, or any change in activities at the facility that may affect potential discharges.

B. DISCHARGE PROHIBITIONS

1. Discharge of toxic substances in excess of drinking water standards; taste, odor, or color producing substances; and nitrogenous compounds in quantities which could result in a groundwater nitrate concentration above 10 mg/L as N, other than to impermeable containment vessels, is prohibited.

2. Discharge, overflow, bypass, leakage, seepage, and over-spray of any waste, rinsewater or contaminated site runoff water to drainageways and adjacent properties are prohibited.

3. Discharge of hazardous materials at the site, other than to impermeable containment vessels, is prohibited.

4. Discharge of wastes, dry or liquid fertilizer, pesticides or other chemicals to unpaved surfaces or paved surfaces with cracks or holes that may adversely affect surface or groundwater quality or cause groundwater quality objectives contained in the Basin Plan to be exceeded is prohibited.

C. DISCHARGE SPECIFICATIONS

1. Empty pesticide containers shall be disposed of only at a disposal site approved by the Regional Board to receive these wastes. Opened and non-waterproof containers shall be properly stored and protected to prevent spillage, overtopping and leakage which could impact surface or groundwater quality.

2. Fertilizer and pesticide waste shall be discharged to a regulated waste disposal site approved by the Board to receive hazardous or toxic waste, or recycled or treated onsite provided the Discharger demonstrates by analysis that the waste is non-hazardous and non-toxic.

3. Non-hazardous and non-toxic fertilizer storage tank sludge and fertilizer spill cleanup material may be applied to farmland using appropriate agronomic rates specified on the product label.

4. Residues from pesticide spill cleanup shall be discharged to an appropriate waste disposal site approved by the Board, unless the Discharger demonstrates by analysis that the material can be safely applied at non-regulated sites and the Executive Officer provides written approval.

5. Surface drainage shall be intercepted and diverted away from areas where the water may be contaminated by wastes or spilled fertilizer or pesticides.

6. All storm drainage contaminated as a result of operations at this facility shall be contained and properly disposed.

7. Collected and stored rinsewater containing pesticide or fertilizer residues shall be disposed of in accordance with the law and in a manner approved by the Executive Officer. If this rinsewater is applied to farmland or recycled on-site for landscaping irrigation, it shall be applied using the appropriate agronomic rates as specified on the product label.

8. Storage, transport and disposal of hazardous materials shall be in compliance with state and federal laws and regulations.

D. MANAGEMENT PRACTICES

The Discharger shall implement the following Management Practices, unless the Executive Officer approves equivalent Management Practices or determines that one or more of the following Management Practices are unnecessary at the Discharger's particular facility. The Executive Officer shall issue the approval or determination in writing, and may revoke the determination or approval at any time.

1. Liquid fertilizer and pesticides shall be transferred over an impervious surface equipped with a pump to transfer spilled product to a containment area.

2. Liquid fertilizer and pesticides shall be secured with impervious secondary containment structures.

3. Liquid fertilizer and pesticides shall be stored in structurally sound tanks that have been secured to prevent tampering.

4. Liquid fertilizer spills shall be cleaned up immediately unless the spill is contained in a paved and bermed area. Liquid fertilizer tanks shall be provided with an impermeable dual containment structure.

5. Sump pumps, pipes and connections shall be inspected periodically to ensure proper function.

6. Sumps shall be pumped when they reach 70% capacity to prevent overflow or minimize potential for leaks to soil or groundwater.

7. Collection pans shall be placed under potential drip points and shall be cleaned daily.

8. Dry fertilizer and pesticides shall be transferred over an impervious surface using available means to prevent wind-blown contact with surrounding soils.

9. Dry fertilizer and pesticides shall be stored in a covered area on an impervious surface that will prevent any contact with bare, unpaved soils.

10. Discharger shall immediately clean up any dry fertilizer spill on unpaved areas. Dry fertilizer spills in paved areas may be cleaned up at the end of working day provided there is no probability of rain on that day.

11. Dry and liquid fertilizer handling equipment shall be free of residue or stored over an impervious surface.

12. Personnel responsible for implementing MPs must be trained annually on topics such as spill response, good housekeeping, and material handling procedures. Training records shall be maintained at the facility and made available to Board staff for review upon request.

13. At least one trained individual must be at the facility at all times during operation to implement efficient spill response, housekeeping and material handling procedures.

E. PROVISIONS

1. Discharger shall maintain a copy of this Order at the site where it is available to operating personnel and regulatory authorities.

2. Discharger shall comply with all applicable items of the attached "Standard Provisions

and Reporting Requirements for Waste Discharge Requirements," dated January 1984 except for the following:

A. A, 4, 5, 6, 8, 10, 11, 13 through 17;
B. 2;
C. 2, 8, 9, 16, 18; and
D. 2

3. Discharger shall notify the Regional Board Executive Officer and the County Health Department of spills that pose danger to human health or the environment within 24 hours.

4. Any material discharged at this site in violation of this Order shall be cleaned up, removed, and used or disposed of properly.

5. Discharger shall have continuing responsibility for correcting any problems that may arise in the future as a result of this business operation or of water applied to Discharger's property during subsequent use of the land for other purposes.

6. Discharger shall comply with "Monitoring and Reporting Program No. R3-2005-0001," as specified by the Executive Officer. The Executive Officer may modify the monitoring and reporting program as needed.

7. Within 90 days of enrollment, discharger shall submit a Pollution Prevention Plan that describes the site-specific processes and Management Practices that will be used.

I, Roger W. Briggs, 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, Central Coast Region, on March 25, 2005.

Roger W. Briggs, Executive Officer

3-28-05
Date

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