

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

Minutes
27 October 2000 – 8:30 a.m.
435th Regular Meeting
Fresno Education Department
Fresno, California

BOARD MEMBERS PRESENT

Steve Butler, Chairman, Robert Schneider, Vice Chair, Chuck Ahlem, Susan Azevedo, Karl Longley, Craig Pedersen, Members; John Brown, SWRCB Liaison member.

STAFF PRESENT

Gary Carlton, Tom Pinkos, Ken Landau, Loren Harlow, Lonnie Wass, Bert Van Voris, Jack Del Conte, William Croyle, Rudy Schnagl, Victor Izzo, Phillip Crader, Patricia Jones, Shelton Gray, JoAnne Kipps, Stanley Gilbert, Howard Hold, Janice Tanaka; Frances McChesney and Tim Regan, Counsel SWRCB

OTHERS PRESENT

Tyler Koschnick, Sepro Corporation
Roy Whitson, Elf Atochem Inc.
Lars Anderson, USDA-ARS
Leanna Sweha, Department of Boating and Waterways
Don Waltz, Department of Boating and Waterways
Patrick Thalken, Department of Boating and Waterways
Tim Antz, Department of Boating and Waterways
Bill Jennings, DeltaKeeper
Bruce Harter, GASP
Cynthia Paine, Nuestro Elementary School
David Robertson, Yuba City Landowners
John Micheli, Harter Packing
Tom Tucker, Harter Packing
Andrea Matarazzo, Harter Packing
Ron Crites, Brown and Caldwell
Chester Andrew, Madera County Farm Bureau
Tom Lindemann, First Western Marketing
William Weintraub, Tri Valley Growers
Bradley Sharp, Tri Valley Growers
Adin A. Hester, Olive Growers Council
Dennis Grady, County of Amador
Bob Giragosian, Kern Ridge Growers
Robert Hartsock, Edmundson Acres Mutal Water Company
Glenn Holder, Kern Ridge Growers
Kevin Barnes, City of Bakersfield
James Roberts, Bureau of Reclamation
Jon Cooper, RAM Environmental Engineering

Dan Cismowski, Merced County Agriculture
Sheri Clark, Fresno County
Jill Jefferson, Kinder Morgan Energy Partners
Lloyd D. Hedenland, 70H Technical Services
Jodi Smith, Baker Petrolite
David Stringfield, Hanford, Porterville, Bakersfield
Norma Rulison, Dudley Kettleman Land Owners
Donna Kirkland, Fresno
Susan Lucich, Fresno
Sue Gornick, E and J Gallo Winery
Richard Harriman, Franklin Tract Landowners
John Dearth, City of Merced
Gerald Davidson, City of Merced
Steve Nord, City of Merced
Debbi Livermore-Gonzales, City of Merced
Michael J. Brechmann, BSK Labs
Penny Carlo, Carollo Engineers
Joe Hollstein, City of Ceres
Robert Blaser, Willdan
Roberto Velazquez, Strathmore
James Favini, Madera
Roland Ferretti, Madera
Wex Croxen, Madera
Richard Bennett, Madera
Brooke Miller, Clovis
Jamie Prettyman, Clovis
Nathan Fielding, Clovis
Orval Ratzlaff, Fresno
Ethel Ratzlaff, Fresno
Teresa Hunter, Fresno
Mary June Weaver, Fresno

Sue Ahlers, Yuba City
 Kal Takhar, Yuba City
 Bruce D. Capaul, Yuba City
 Harminder Takhar, Yuba City
 Parminder Dharni, Yuba City
 Jaswant S. Bains, Yuba City
 Paul Deol, Yuba City
 Kam Takhar, Yuba City

Jerry Paine, Yuba City
 Phil Blomgren, Yuba City
 Gregg Ahlers, Yuba City
 Surjit S. Bains, Yuba City
 Satmann Singh, Yuba City
 Scott Johnson, Stockton

INTRODUCTIONS

1. The minutes of the 434th Regular Meeting of 15 September 2000 were approved as written.

MOTION: By Mr. Pedersen, seconded by Mr. Longley, to approve the minutes as proposed. Unanimously approved.

2. **Public Forum**

Mr. Richard Harriman, Franklin Tract Landowners Association, addressed the Board regarding application issues. Norma Rulerson, Susan Lucich, and Sue Gornick addressed the Board regarding Fresno Gallo Winery odor problems

UNCONTESTED CALENDAR

3. **Madera County Maintenance District No. 22A, Oakhurst Wastewater Treatment Facility, Madera County – Consideration of Cease and Desist Order**

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

5-00-216

MOTION: By Mr. Longley, seconded by Mr. Schneider, to adopt the Cease and Desist order. Unanimously approved by roll call vote.

4. **Uncontested NPDES Permits**

5-00-217 Kinder Morgan Energy Partners, L.P., through its Operating Partner SFPP L.P., Holt Petroleum Release Site, Interim Groundwater Remediation System, San Joaquin County

5-00-218 Sierra Pacific Industries, Burney Division, Sawmill-Cogeneration Facility, Shasta County

MOTION: By Mr. Longley, seconded by Mr. Pedersen, to adopt the proposed orders. Unanimously approved.

5. **Uncontested Waste Discharge Requirements Rescissions**

- a. Belridge Farms and Packing Company, Kern County, Order No. 85-294
- b. Sierra Business Park, Pacific Calaveras Development Corporation, and Toyon Sanitation District, Inc., Calaveras County, Order No. 86-010
- c. City of Tracy, K&L Farms Sludge Application, San Joaquin County, Order No. 91-160
- d. A&H Farms, Fresno County, Order No. 94-137
- e. Sacramento Municipal Utilities District Financing Authority, Rio Linda Cogeneration Power Plant, Sacramento County, Order No. 94-290, NPDES No. CA0083585
- f. Sacramento Ethanol Partners, L.P., Rio Linda Ethanol Plant, Sacramento County, Order No. 94-291, NPDES No. CA0083593

- g. County of Sacramento, Rio Cosumnes Correctional Center Wastewater Treatment Plant, Sacramento County, Order No. 97-002, NPDES No. CA0079961
- h. Kemwater North America Company, Antioch Facility, Contra Costa County, Order No. 99-060, NPDES NO. CA0081248

5-00-219

MOTION: By Mr. Longley, seconded by Mr. Pedersen, to adopt the proposed order. Unanimously approved.

6. Uncontested Change of Name and/or Ownership for Waste Discharge Requirements

- a. Pickrell, D.J Antelope Hills Oil Field Pickrell-Williams & Pickrell-Mitchel Leases, Kern County, Order No. 69-111
- b. Alamo Oil Company Commanche Point Oil Field, Tejon Lease Kern County, Order No. 70-179
- c. Alamo Oil Company Commanche Point Oil Field, Tejon Ranch Lease, Kern County, Order No. 70-181
- d. North of the River Sanitary District Fruitvale Oil Field, KCL Lease, Kern County, Order No. 77-056
- e. Sun-Maid Growers of California, Inc., Kingsburg Plant and Selma-Kingsburg-Fowler County Sanitation District Fresno County, Order No. 84-035
- f. Victor Fine Foods Treatment Plant and Class II Surface Impoundment, Golden Gate Fresh Foods, Inc., San Joaquin County, Order No. 90-047.
- g. French Camp Landfill, City of Stockton, San Joaquin County, Order No. 94-304.
- h. Austin Road Landfill Facility, Class III Landfill, City of Stockton, San Joaquin County, Order No. 96-175.
- i. Boghosian Raisin Packing Company, Inc. and Selma-Kingsburg-Fowler County Sanitation District, Fresno County, Order No. 97-27
- j. Penn Valley Mobile Home Park dba Creeks De Village, Paul and Barbara Heath, Nevada County, Order No. 98-010
- k. Austin Road Landfill, Groundwater Treatment System, City of Stockton, San Joaquin County, Order No. 98-121.

5-00-220

MOTION: By Mr. Longley, seconded by Mr. Ahlem, to adopt the proposed order. Unanimously approved.

7. Uncontested Water Reclamation Requirements

- 5-00-221 Initial Study and Negative Declaration for Lakeside Ditch Company and City of Hanford, Reclamation Project, Kings County
- 5-00-222 Lakeside Ditch Company and City of Hanford, Reclamation Project, Kings County
- 5-00-223 City of Hanford, 12th Avenue Southwest Reclamation Project, Kings County
- 5-00-224 William J. Mouren Farming, Inc., Reclamation Project, Kings County

MOTION: By Mr. Longley, seconded by Mr. Schneider, to adopt the proposed orders. Unanimously approved as amended.

8. Uncontested Waste Discharge Requirements

- 5-00-225 Baker Petrolite Corporation, Taft Production Facility, Kern County
- 5-00-226 County of San Joaquin Department of Public Works, County Service Area No. 44, Castello Estates aka Apricot Acres, San Joaquin County
- 5-00-227 Kellogg Supply, Inc., Db a Cascade Forest Products, San Joaquin County
- 5-00-228 California Department of Corrections, Effluent Storage Reservoir, Kings County
- 5-00-229 Mr. Stephen Schuster, Fairway Oaks Development, Butte County
- 5-00-230 Big Creek School District, Wastewater Treatment Facility, Fresno County

- 5-00-231 City of Avenal, Wastewater Treatment Facility, Kings County
- 5-00-232 Madera County Service Area No. 2 and United States Forest Service, Bass Lake Wastewater Treatment Facility, Madera County
- 5-00-233 County of Fresno and Chevron USA for Operation Coalinga Solid Waste Disposal Site, Fresno County
- 5-00-234 Orange Avenue Disposal, Inc. for Operation Orange Avenue Landfill, Fresno County
- 5-00-235 City of Bakersfield for Closure and Post-Closure Maintenance, City of Bakersfield Sanitary Landfill, Kern County
- 5-00-236 County of Tulare for Closure and Post-Closure Maintenance, Earlimart Municipal Solid Waste Landfill, Tulare County
- 5-00-237 Donald A. Rogers, dba Success Petroleum Company, Smith-Rhoads Lease, Deer Creek Oil Field, Tulare County
- 5-00-238 Donald A. Rogers, dba Success Petroleum Company, TBID Lease, Deer Creek Oil Field, Tulare County
- 5-00-239 H. Ronald Voelker, dba Keystone Oil Company, Community Lease, Deer Creek Oil Field, Tulare County
- 5-00-240 William H. Colvin, dba Deer Creek Oil Company, National Development-Merzoian Lease, Deer Creek Oil Field, Tulare County
- 5-00-241 Yosemite Junction Partners, Yosemite Junction Wastewater Treatment Facility, Tuolumne County
- 5-00-242 State of California Department of Parks and Recreation, Castle Crags State Park Shasta County
- 5-00-243 Special Order for County of Kern, Lebec Sanitary Landfill, Kern County
- 5-00-244 Sacramento Rendering Company, Sacramento County
- 5-00-245 Shadow Lakes LLC and Beth S. Lewis, Shadow Lake Mobile Home Community, San Joaquin County

MOTION: By Mr. Longley, seconded by Mr. Ahlem, to adopt the proposed orders. Unanimously approved as amended.

9. Ranking of Clean Water Act Sections 319(h) Grant Proposals – *Reconsideration of Approval*

A status report was given by Ken Landau.

MOTION: By Mr. Schneider, seconded by Mr. Longley, to adopt the proposed ranking. Unanimously approved.

10. Penn Mine Environmental Restoration Project, Calaveras County – *Consideration of a Resolution Authorizing the Executive Officer to Apply for Funds from the State Water Pollution Cleanup and Abatement Account*

No one appeared to contest the adoption of the proposed resolution.

- 5-00-254 MOTION: By Ahlem, seconded by Mr. Pedersen, to adopt the resolution authorizing the Executive Officer to apply for funds. Unanimously approved

11. City of Merced, Wastewater Treatment Facility, Merced County – *Consideration of NPDES Permit Renewal and Cease and Desist Order*

A public hearing was held. JoAnne Kipps presented the staff report. No one appeared to contest the proposed order.

5-00-246 MOTION: By Mr. Longley, seconded by Mr. Pedersen, to adopt the NPDES permit. Unanimously approved as amended.

5-00-247 MOTION: By Mr. Longley, seconded by Mr. Pedersen, to adopt the Cease and Desist order. Unanimously approved by roll call vote.

12. City of Merced, Wastewater Treatment Facility, Merced County – Consideration of Administrative Civil Liability Order

A public hearing was held. Patricia Jones presented the staff report. The staff report, exhibits, and case file were entered into the record. Additional testimony was presented by Steve Nord and Gerald Davidson, representing the City of Merced, and Michael J. Brechmann, BSK Labs.

5-00-248 MOTION: By Mr. Longley, seconded by Mr. Schneider, to adopt the ACL in the amount of \$12000. Unanimously approved

13. Kern Ridge Growers, LLC and Bruno Cauzza, Arvin Carrot Processing Facility, Kern County – Consideration of Waste Discharge Requirements and Cease and Desist Order

A public hearing was held. Patricia Jones and Bert Van Voris presented the staff report. The staff report, exhibits, and case file were entered into the record. Additional testimony was presented by Glen Holder, Kern Ridge Growers, and Robert Hartsock, Edmondsom Acres.

5-00-249 MOTION: By Mr. Longley, seconded by Mr. Schneider, to adopt the requirements as amended. Unanimously approved.

5-00-250 MOTION: By Mr. Longley, seconded by Mr. Schneider, to adopt the Cease and Desist Order as amended. Unanimously approved by roll call vote.

14. Harter Packing Company, Tut Brothers Farms, LLC, Lomo Cold Storage, A California General Partnership, Richland Ranches Ltd Of California, A California Corporation and Harter Tomato Products Company, Sutter County Resolution Approving Initial Environmental Study and Adopting a Negative Declaration for Expansion of the Harter Packing Company Wastewater Disposal Facility, Sutter County and revised Waste Discharge Requirements

A public hearing was held. William Croyle presented the staff report. Additional testimony was presented by Tom Tucker and John Micheli, Harter Packing Ron Crites, Brown and Caldwell, Andrea Matarazzo, David Robertson, Bruce Harter, Cynthia Paine, Harminder Takhar, Harminder Dharni, Kal Takhar, Surjit Baines, Jaswant Baines, Paul Deol, Kam Takhar, Jerry Paine, Bruce Capaul, Greg Ahlers, and Phil Blomgren.

5-00-251 MOTION: By Mr. Longley, seconded by Mr. Pedersen, to adopt the proposed resolution approving the initial study and negative declaration. Motion carried.

5-00-252 MOTION: By Mr. Pedersen, seconded by Mr. Longley, to adopt the revised requirements. Unanimously approved.

15. California Department of Boating and Waterways Waterhyacinth Control Program, Sacramento River and San Joaquin River Basins - Consideration of Adoption of New NPDES Permit

A public hearing was held. Rudy Schnagl presented the staff report. The staff report, exhibits, and case file were entered into the record. Additional testimony was presented by Leanna Sweha, Department of Boating and Waterways; Bill Jennings, DeltaKeeper; Scott Johnson, Pest Control Advisor; Roy Whitson, Elf Atochem Inc.; Tyler Koshnick; SePRO Corporation; and Lars Anderson, USDA-ARS.

MOTION: By Mr. Pedersen, seconded by Mr. Longley to table the proposed order. Unanimously approved.

16. Amador County, Buena Vista Landfill – Consideration of Administrative Civil Liability Order

A public hearing was held. Howard Hold presented the staff report. The staff report, exhibits, and case file were entered into the record. Additional testimony was presented by Dennis Grady, County of Amador.

5-00-253

MOTION: By Mr. Longley, seconded by Mr. Pedersen, to adopt the proposed order. Unanimously approved.

17. Tri Valley Growers, Inc. (TVG), Oberti Olive Facility, Madera County

a. Consideration of rescission of Waste Discharge Requirements Order No. 91-178 and Cease and Desist Order No. 94-202

b. Direction to the Executive Officer concerning whether to enter into a Prospective Purchaser Agreement (PPA) and Covenant Not to Sue TVG and California Olive Growers

A public hearing was held. Stanley Gilbert presented the staff report. Additional information was presented by William Weintraub and Bradley Sharp, Tri Valley Growers; Adin Hester, Olive Growers Council; Chester Andrew, Madera County Farm Bureau; Tom Lindemann, First Western Marketing Inc.; Richard Bennett, Roland Ferretti, James Favini, and Roberto Velazquez.

MOTION: By Mr. Longley, seconded by Mr. Ahlem, not to rescind the proposed orders and to direct the Executive Office to enter into a Prospective Purchaser Agreement with California Olive Growers. Unanimously approved.

18. Chairman Butler appointed a hearing panel consisting of Mr. Schneider, Mrs. Azevedo, and Mr. Longley until a quorum is appointed.

19. The Board adjourned at 7:00p.m. to the 8 December 2000 meeting in Sacramento.