



Humboldt Creamery Transfer of Ownership

Humboldt Creamery is regulated under a National Pollutant Discharge Elimination System (NPDES) permit. The facility is located by the Eel River in Fernbridge. Humboldt Creamery Association has owned and operated as a dairy cooperative processing facility since 1929. Products produced in the facility include dry condensed milk, evaporated products, ice cream, frozen deserts, and fluid milk.

Process wastewater generated by Humboldt Creamery consists of milk, tanker truck washout, acid and caustic rinse water, boiler blow down, waste products from the wash down processes, and the cleaning of dairy processing equipment. All discharges at Humboldt Creamery are regulated by NPDES Permit Order No R1-2008-0020, adopted by the Regional Water Board on January 29, 2009.

Humboldt Creamery filed for Chapter 11 Bankruptcy in 2009, leading to an auction of all assets to the highest bidder.



Humboldt Creamery

On August 26, 2009, Humboldt Creamery was officially sold to Foster Farms Dairy Inc. On November 5, 2009, Regional Water Board staff received a written request to transfer the NPDES permit Order No R1-2008-0020, along with all responsibility, coverage, and liability from The Humboldt Creamery Association to Foster Farms Dairy Inc. Humboldt Creamery's operations continue under the new management at decreased levels of production, with plans to return to former production levels as the economy allows.

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Enforcement Report

Diana Henrioulle

Date Issued	Discharger	Action Type	Violation Type	Status as of March 3, 2010
12/31/09	Pacific Gas and Electric Company Humboldt Power Plant	ACLC	MMP violations of WDRs for period 2/28/01 to 12/31/2008	On 2/1/10 Discharger paid the \$6,000 liability.

Comments: On December 31, 2009, the Regional Water Board Assistant Executive Officer (AEO) issued Administrative Civil Liability Complaint (ACLC) No. R1-2009-0131 to Pacific Gas and Electric Co, Humboldt Bay Power Plant for violations subject to Mandatory Minimum Penalties (MMPs). From February 28, 2001 through December 31, 2008, the Discharger violated effluent limitations in their Waste Discharge Requirements (WDRs) seven times, for a penalty of \$6,000. On February 1, 2010, the Discharger paid the \$6,000 into the State Pollution Cleanup and Abatement Account.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 3, 2010
1/13/10	DG Fairhaven Power, LLC	13267(b)	Unpermitted waste discharge, incomplete reports, and ground water quality objective exceedances.	Ongoing

Comments: On January 13, 2010, the Regional Water Board Executive Officer (EO) issued a Water Code Section 13267(b) Order No. R1-2010-0010 to DG Fairhaven Power, LLC for violations of their General Storm Water Permit and their National Pollutant Discharge Elimination System Permit, incomplete reports, and ground water impacts. The Order required that the Discharger submit technical information by February 15, 2010; the Discharger subsequently requested, and staff granted, an extension to March 17, 2010.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 3, 2010
1/14/10	SCWA Russian River County Sanitation District Wastewater Treatment Facility	ACLC	MMP violations of WDRs for period 6/1/07 through 5/31/09	Discharger has made partial payment and indicated intent to propose a Project.

Comments: On January 14, 2010, the Regional Water Board AEO issued ACLC No. R1-2010-0011 to Sonoma County Water Agency and Russian River County Sanitation District for violations subject to MMPs associated with discharges from its Wastewater Treatment Facility. From June 1, 2007 through May 31, 2009, the Discharger violated WDR effluent limitations 21 times, leading to a penalty of \$45,000. The Discharger paid \$6,000, and will propose SEP or CP by March 8, 2010 to address the balance of the liabilities.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 3, 2010
1/14/10	Humboldt Redwood Co., LLC	NOV	Timber Permit violations	Ongoing

Comments: On January 14, 2010, the Regional Water Board Timber Harvest and Nonpoint Source Division Chief issued a Notice of Violation to Humboldt Redwood Co., LLC for failure to submit an Annual Inspection Report and Incomplete Notice of Termination for a timber harvest plan. The NOV requested that the Discharger submit the required report to complete the Notice of Termination.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 3, 2010
1/20/10	Portosan Co., LLC (also known as United Site Services)	ACLC	Failure to submit the Annual Storm Water Report for 2007/2008 and 2008/2009	ACLC is being rescinded as reports were submitted on time.

Comments: On January 20, 2010, the Regional Water Board AEO issued ACLC No. R1-2010-0013 to Portosan Co., LLC for failure to submit the Annual Storm Water Reports for 2007/2008 and 2008/2009. The discharger was able to demonstrate that the reports had been submitted on time; the Regional Water Board AEO will issue a rescission order.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 3, 2010
2/3/10	City of Crescent City	ACLC	MMP and discretionary effluent violations of their WDRs	Discharger has indicated intent to propose a Project.

Comments: On February 3, 2010, the Regional Water Board AEO issued an ACLC to the City of Crescent City for violations subject to MMPs and discretionary penalties associated with discharges from its wastewater treatment facility. From June 1, 2007 through June 30, 2009, the Discharger violated WDR effluent limitations subject to MMPs 150 times, violated effluent limitations subject to discretionary penalties 27 times, and submitted late annual reports, resulting in a proposed penalty of \$185,000 plus \$10,000 staff costs, equaling \$195,000. The Discharger has indicated intent to waive its right to a hearing and propose a Compliance Project.

Date Issued	Discharger	Action Type	Violation Type	Status as of March 3 2010
2/22/10	City of Santa Rosa Subregional Water Reclamation System	13267(b)	Unpermitted waste discharges	Report due April 1, 2010

Comments: On February 22, 2010, the Regional Water Board EO issued a Water Code Section 13267(b) Order No. R1-2010-0027 to the City of Santa Rosa Subregional Water Reclamation System for unpermitted discharges to Copeland Creek resulting from over-irrigation with reclaimed wastewater and potable water. The Order requires that the Discharger submit technical information, by April 1, 2010, describing administrative procedures, inspection criteria, etc. associated with the use of recycled water in Rohnert Park and at Sonoma State University.

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Progress on Program Targets for Fiscal Year 09/10

Catherine Kuhlman

Below is a chart summarizing progress to date on our commitments to USEPA and the SWRCB.

09/10 Target	Status as of March 2010
Adopt Klamath TMDL (1)	Scheduled for March Board Meeting
Address 20 pollutant/water body combinations in Klamath	Same as above
Adopt DO objective for Klamath	Same as above
Adopt 3 Klamath, Trinity and Lost implementation plans	Same as above
Visit 71 SWAMP sites	26 – on track for spring sampling
Conduct 195 SWAMP	78 – on track

09/10 Target	Status as of March 2010
analyses	
Remove/add 22 combinations to 303 d list	Complete
Inspect 13 major NPDES permittees	4 inspections – on track for spring inspections
Inspect 3 minor NPDES	Complete - 5 inspections
Inspect 50 NPDES construction storm water sites	Complete - 71 inspections
Inspect 35 NPDES industrial storm water sites	11 inspections – inspections by USEPA contractor not yet in data base – on track
Audit 2 phase 2 programs	Review to be done by USEPA contractors
Inspect 180 non-15 facilities	73 – on track for spring inspections
Inspect 15 Land Disposal sites	Complete – 18 inspections
Renew 2 major NPDES permits	Complete – 3 issued
Renew 8 minor NPDES permits	2 + low threat general permit + MS4 – on track for April and June Board Meetings
Renew 5 Non 15 permits past review date	Complete – 13 issued
Revise 1 land disposal WDR	0 – May slip past June 30 as staff was taken off task to review a closure plan for Blue Ledge Mine funded with stimulus money
100% of MMPs past 18 months addressed	93%
10 new ground water clean up sites in active remediation	Complete -10
12 UST sites closed	Complete - 20
3 SLIC sites closed	Complete - 5

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