



# California Regional Water Quality Control Board

## Los Angeles Region



**Winston H. Hickox**  
Secretary for  
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Protection

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**Gray Davis**  
Governor

### Los Angeles Regional Water Quality Control Board Minutes of the June 28, 2001 Board Meeting held at City of Simi Valley, City Council Chambers 2929 Tapo Canyon Road, Simi Valley, California

#### INTRODUCTION

1. The meeting was called to order by Chairman Nahai at 9:10 a.m.

#### Board Members Present

Susan Cloke, Francine Diamond, Robert Miller, H. David Nahai, Timothy Shaheen, Christopher Pak, and Bradley Mindlin

#### Board Members Absent

Larry Kosmont

#### Staff Present

Dennis Dickerson, Jorge Leon, Robert Sams, Michael Lauffer, Deborah Smith, Dennis Dasker, Ronji Harris, Laura Gallardo, Jack Price, Paula Rasmussen, Kwang-il Lee, Mark Pumford, David Hung, Arman Toumari, Gary Schultz, David Koo, Cassandra Owens, Hugh Marley, Jonathan Bishop, Melinda Becker, Parvaneh Khayat, Wendy Philips, David Bacharowski, Thanhloan Nguyen

#### Others Present

Robert Boehm, City of Ventura  
Barbara Macri-Ortiz, Atty. United Farm Workers  
Brian I. Wulf, Green Tech, Inc.  
Oscar Pena, Ventura Port District  
Kevin Gieschen, City of Simi Valley  
Andrew Prokopow, Ventura County  
Environmental Coalition  
J.A. Welker, Surf Side III, Port Hueneme  
John Flynn, County Supervisor  
Roger Lyon, Surftrider Foundation  
Tressa Koener, Rep. Assemblyman  
Tony Strickland

Don Watt, United Foods, Inc.  
J. Michael Wuestemann, Green Tech, Inc.  
Jacqy Gamble, Las Virgenes Municipal  
Water District  
Joe Castellano, Port Hueneme Channel  
Keeper  
M.A. Welker, Surf Side III, Port Hueneme  
Lee Quantance, The Beacon Foundation  
Barbara Hamrick, CA Department of Health  
Sondra Briggs, Surfside III Coalition  
Wesley Walton, Surfside III  
Roma Armbrust, Ormond Beach Observers

*California Environmental Protection Agency*



*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.*

**Pledge of Allegiance.**

1. Roll Call

*A roll call was taken.*

2. Order of Agenda.

*The Executive Officer, Dennis Dickerson recommended the following changes to the Agenda.*

- *Item 10.1 and 10.2 (Pictsweet Mushroom Farms), to be heard immediately following the Uncontested Items Calendar.*
- *Removed Item 8.4 (Mobil Oil Corporation), to be heard at a future meeting.*
- *Removed Item 8.5 (City of Los Angeles DWP Harbor Generating Station), will be heard at a future meeting.*
- *Request Item 13, Status of Halaco Information Item, to be heard immediately following the lunch break.*

MOTION: By Ms. Diamond, seconded by Mr. Shaheen and approved on a voice vote.

3. Introduction of new staff.

*Dennis Dickerson introduced Carey Wilder, and Toni Calloway to the Board.*

4. Approval of Regular Meeting Minutes of May 24, 2001, and May 31, 2001.

MOTION: By Ms. Diamond, seconded by Ms. Cloke, and approved on a voice vote.

5. Board Member Ex Parte Communication Disclosure.

*There was nothing reported.*

6. Public Forum.

*There were no speakers for the Public Forum.*

7. Consent Calendar.

*There was a motion to adopt the consent calendar as 8.1 and 9.1 through 9.10. (Prior to the adoption of the consent calendar, Ms. Cloke asked staff to closely look at the possibility of the discharger hooking up to the sanitary sewer for Item 8.1, Honeywell, Inc.)*

MOTION: By Ms. Cloke, seconded by Mr. Mindlin, and approved on a voice vote.

## ENFORCEMENT

10. Consideration of tentative Waste Discharge Requirements and a Time Schedule Order for United Foods, Incorporated (Pictsweet Mushroom Farms).

- 10.1 Waste Discharge Requirements  
10.2 Time Schedule Order

*Paula Rasmussen, Chief of the Enforcement and Groundwater Permitting section, gave the staff presentation. She gave background information, stating that the WDR was presented to the Board in February 2001, and the Board continued the WDR, and directed staff to return to the Board with a WDR accompanying a Time Schedule Order.*

*Ms. Rasmussen described the cultivation process of Pictsweet, and the amount of water usage. She stated that most of the water is used to produce steam for heating, and excess storm water runoff extends to percolation ponds. She also described the circumstances in which discharge to ground water occurs. Ms. Rasmussen informed the Board that a substantial amount of comments have been received, and staff has responded to comments, with the exception of CALPIRG, who has concerns about "reporting failures" and possible pollution. She mentioned the comments from the City of Ventura, United Farm Workers, and the Ventura Harbor Sheraton. She summed up her presentation summarizing the WDR and Time schedule order for Pictsweet. Staff recommended the Board adopt the WDR and TSO with the change sheet.*

*Ms. Cloke asked for clarification on the Best Management Practices that will be used.*

*Don Watt, United Foods, gave background on the mushroom farm, and it's water usage. He mentioned that no other mushroom farms are subject to the requirements in this permit. He clarified that the facility is not a composting facility nor a feedlot. He stated that the water leaves the farm in the form of "steam".*

*Sharon Rubalcava, Weston Benshoof, counsel for United Foods, Inc., stated, water is not discharged, but stored in holding ponds, and reused, then brought back into the system and used for compost. She informed the Board that the ponds will have liners by next October. Ms. Rubalcava indicated that she does not believe discharge limitations are appropriate because there is no discharge. She does not believe that ground water monitoring is appropriate either, because there is no discharge. She asked the Board to eliminate the ground water limitations from the permit, and requested the Basin Plan Standards be imposed in the permit instead.*

*Mr. Bob Collacott, Pictsweet Mushroom Farm, stated that the permit covers discharge of over 50 gallons of waste per day, and Pictsweet is in compliance with the permit. He said the average daily water usage at the farm is 127,000 gallons per day, and reiterated there are no storm water discharges from the mushroom farm.*

*The Board took a break at 11:20 a.m.  
The Board reconvened at 11:39.*

*Oscar Pena, Ventura Port District, mentioned \$5 million dollars is generated per year from port leases, but the problem is composting operations create an unbearable stinch in the harbor hotel. This is a potential for hardship due to the air pollution in the environment from the mushroom farm. He asked the Board to create maximum permitting requirements for Picsweet.*

*Bob Bain, City of Ventura City Attorney, spoke about the nuisance conditions due to waste discharge. He said the facility is causing severe problems to the Ventura community. He also stated that BMPs are necessary for the mushroom farm.*

*Mr. Shaheen asked for clarification about City ordinances.*

*Mr. Bain indicated that the City is looking at what can be done to address the odor problems within the City's jurisdiction, and will exercise it's rights within the City's jurisdiction to address the problems and concerns.*

*Barbara Macri-Ortiz, Attorney representing United Farm Workers talked about the ponds, stating that 6 ponds at the site were full of water when she was there visiting the previous day, and this included 3 holding ponds and 1 inactive pond.*

*Jorge Leon, Staff Counsel, covered the major legal issues related to the WDR. He talked about the mushroom farm's fire, and it's relation to water quality issues. He mentioned that no cost benefit analysis is necessary for this matter, and that 13267 has no relation to this matter.*

*There was much discussion by the Board with regard to this matter. A motion was made to adopt the staff recommendation subject to the change sheet by staff with the following revisions:*

- *Time Schedule Order references to dates when the word "by" appears, replace with "on or before ", and in paragraph one the words "by no later than" be deleted and replaced by the words "on or before"*
- *Paragraph 1, October 29, 2003 be deleted, and the same change in paragraph 9, April 29, 2003 to be changed to October 30, 2002*
- *In paragraph E., page 10.2-8, the date of February 1, 2002 be deleted, and replaced with December 31, 2001*
- *Delete paragraph 7 altogether*
- *Paragraph 6, second sentence after "measure", insert "set forth in Section 4A, B, C, and E*
- *Reference to the TSO., page 7, delete the words "interim leachate control", and change to "In the event the measures," after "the measures" insert the words*

*“required under Section 4 hereof”, then after the words “are not completed,” delete the words “in the time frame approved by the Executive Officer”, replace with “within the time limits set forth in Section 4”, the rest should be deleted..*

- *Include statement on “vested rights”*

MOTION: By Mr. Mindlin, seconded by Ms. Diamond, and approved on a voice vote.

### INFORMATION ITEMS

13. Status of Halaco.

*Dennis Dickerson, Executive Officer gave an update to the Board on the status of the Halaco site located in the City of Oxnard. He talked about Halaco’s regulatory history, and the fire at the site on April 7, 2001. He gave a summary of Board staff’s actions against Halaco. He also mentioned the issues raised by Halaco, and Halaco’s dispute against the Regional Board’s authority to issue or renew WDRs. He stated that Halaco submitted formal comments to the Board on July 18, 2000. Mr. Dickerson stated that Halaco is a site that clearly has operated under numerous violations.*

*John Flynn, Ventura County Supervisor, mentioned that he was at the meeting because of his concern about the Halaco issue, and to show support to the Regional Board.*

*Dave Gable, General Manager at Halaco discussed the background history and operations at Halaco.*

14. Board Member Communications.

15. Executive Officer’s Report.

16. Closed Session.

17. Adjournment of Current Meeting.

*The meeting adjourned at 7:52 p.m. The next regular meeting is scheduled for September 13, 2001, at the Metropolitan Water District of Southern California, Board Room, located at 700 North Alameda Street, in Los Angeles, at 9:00 a.m.*

Minutes adopted at the \_\_\_\_\_ Regular Board meeting  
submitted/amended.

Written and submitted by: \_\_\_\_\_.

