



Public Meeting

Central Valley Regional Water Quality Control Board

Thursday - 23 June 2005 – 8:30 a.m.
Joe Serna/Cal EPA Building, Coastal Hearing Room
1001 I Street, 2nd Floor
Sacramento, CA 95814

Friday - 24 June 2005 – 8:30 a.m.
Regional Water Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and to make decisions based on the information received.

Persons who want to submit written comments or evidence on any agenda item must comply with the **Meeting Procedures** described at the end of the listing of **Agenda** items. Persons wishing to speak at the meeting should complete an attendance card and provide it to staff. Although otherwise filling out the attendance card is voluntary, we do appreciate receiving a card from all persons in attendance.

Persons applying for, or actively supporting or opposing, waste discharge requirements before the Board must comply with legal requirements if they or their agents have or propose contributing more than \$250 to a Board member for an election campaign. Contact the Board office for details if you fall into this category.

Items showing times will begin no sooner than indicated. Items are numbered for identification purposes only and may not be considered in order. They may, however, be delayed by previous items. Closed Session business is normally conducted during the lunch break, although the Board may adjourn to Closed Session at any time. Depending on the extent of Closed Session items, the lunch break may be lengthy. The Board Chair will announce prior to any Closed Session the anticipated time that the public session will resume.

Technical questions regarding agenda items should be directed to the responsible staff person whose name and direct phone number are indicated by the agenda item. If no staff person is listed, or for general questions and requests for agenda material, please contact Janice Tanaka at (916) 464-4839.

The facility is accessible to people with disabilities. Individuals requiring special accommodations are requested to contact Ms. Tanaka at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Board agendas and the approved minutes of Board meetings are posted on the Regional Board's website at http://www.waterboards.ca.gov/centralvalley/board_meetings

Copies of the items to be considered by the Board may be downloaded from the following Website, <http://www.waterboards.ca.gov/centralvalley/tentative> organized by agenda item number.

A listing of pending applications for Water Quality Certifications, pursuant to section 401 of the Federal Clean Water Act, may be obtained from the Regional Board's Web Page at or by calling Pat Gillum at http://www.waterboards.ca.gov/centralvalley/public_notices (916) 464-4709.

IMPORTANT INFORMATION FOR THE THURSDAY, 23 JUNE 2005 MEETING AT THE JOE SERNA JR./CAL EPA BUILDING

All visitors are required to sign in and receive a badge prior to attending meeting. Valid picture identification may be required due to the security level, so please allow up to 15 minutes for this process. Individuals who require special accommodations are requested to contact Adrian Perez, Office of Employee Assistance, at (916) 341-5880. TTY users may contact the California Relay service at 1-800-735-2929 or voice line at 1-800-735-2922.

An audio broadcast of this meeting will be heard via the World Wide Web at <http://www.calepa.ca.gov/Broadcast/>.

For a map to the Joe Serna Jr./CalEPA Building, see website at <http://www.calepa.ca.gov/EPABldg/location.htm>.

The **Agenda** for this meeting begins on the next page.

TIME LIMITATIONS

In order to move the Board meeting along in a timely manner, and assure time for adequate consideration of items later in the Agenda, the Chair may enforce maximum time limitations on each item. The goal is to complete all presentations, cross-examination, Board deliberation and voting within the allotted time. Allotted times are listed on the agenda following each item. Please consider the allotted time when preparing your presentations. Items with specific times listed will not be heard before that time but may be heard later.

**Thursday – 23 June 2005 – 8:30 a.m.
CalEPA Building, 2nd Floor, Coastal Hearing Room, Sacramento**

1. Introductions, approval of the April Minutes and pledge of allegiance.
2. Meeting Rules and Procedures
3. Executive Officer's Report (http://www.waterboards.ca.gov/centralvalley/monthly_board_report)
4. Board Member Communications - Regional Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction. There will be no voting or formal action taken.

NPDES PERMITS

5. [Placer County Department of Facility Services, Placer County Sewer Maintenance District No. 1, Wastewater Treatment Plant](#), Placer County – *Consideration of NPDES Permit Renewal and Cease and Desist Order* [Richard McHenry (916) 464-4655] (**Time Limit – 60 minutes**)

10:00 A.M. - JOINT MEETING WITH STATE WATER RESOURCES CONTROL BOARD**OTHER BUSINESS**

6. [Conditional Waiver of Waste Discharge Requirements For Discharges From Irrigated Lands Within The Central Valley Region](#) – *Information Report* [Wendy Cohen (916) 464-5817] (**Time Limit – 120 minutes**)

THE FOLLOWING ITEMS WILL START NO EARLIER THAN 1:00 P.M.

7. Public Forum - *Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting (5 minute time limit per subject) 1:00 p.m.*

BASIN PLANNING

8. [Amendments to the Basin Plan for the Control of Mercury in Cache Creek, Bear Creek, Sulphur Creek, and Harley Gulch](#) – *Consideration of a Resolution to Adopt Proposed Amendments and Certify Environmental Documents* [Patrick Morris (916) 464-4621] (**Time Limit – 90 minutes**)

ENFORCEMENT

- ~~9. City of Tracy Wastewater Treatment Plant, San Joaquin County – *Consideration of Administrative Civil Liability Order* [Jim Marshall (916) 464-4772] (**Time Limit – 90 minutes**)~~ **This item has been removed from this agenda and will not be heard.**

**Friday – 24 June 2005 – 8:30 a.m.
Central Valley Regional Water Board, 11020 Sun Center Dr., #200 Rancho Cordova**

10. Introductions and pledge of allegiance.
11. Meeting Rules and Procedures
12. Staff Recognition

13. Public Forum - Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting **(5 minute time limit per subject) 8:30 a.m.**
14. The Board will be asked to approve items 22 through 31 with no discussion if no one is here to testify about them; see pages 3 & 4 for a description/listing of items.

OTHER BUSINESS

15. [Planada Community Services District, Wastewater Treatment Facility](#), Merced County – Consideration of Administrative Civil Liability Order [Dale Harvey (559) 445-6190] **(Time Limit – 30 minutes)**

ENFORCEMENT

16. [Consideration of a Referral to the Attorney General to file an enforcement action under California Water Code Section 13350, for collection of judicial civil liability against Hilmar Cheese Company or whether the Board should maintain the action administratively](#). [Ton Vorster (916) 464-4746] **(Time Limit – 120 minutes)**
17. ~~William Isaac and Linkside Place, LLC. Linkside Place Subdivision, Butte County – Consideration of an Administrative Civil Liability [Scott Zaitz (530) 224-4784] [Scott Zaitz (530) 224-4784] **(Time Limit – 45 minutes)** **This item has been removed from this agenda and will not be heard.**~~

WASTE DISCHARGE REQUIREMENTS

18. [South Kern Industrial Center, LLC for Operation Biosolids Storage and Composting Facility](#), Kern County – Consideration of Waste Discharge Requirements [Dane Johnson (559) 445-5525] **(Time Limit – 60 minutes)**

ENFORCEMENT

19. [City of Dixon, Wastewater Treatment Facility](#), Solano County – Consideration of a Cease and Desist Order [Anne Olson (916) 464-4616] **(Time Limit – 90 minutes)**

NPDES PERMITS

20. [Tsar Nicoulai Caviar LLC. and Ralph F. Nix Revocable Trust](#), Wilton, Sacramento County - Consideration of Negative Declaration and New NPDES Permit [Pat Leary (916) 464-4623] **(Time Limit – 60 minutes)**

OTHER BUSINESS

21. Regional Board Budget – A Status Report [Richard Loncarovich (916) 464-4640]

UNCONTESTED ITEMS CALENDAR

Uncontested items are expected to be routine and noncontroversial; recommendations will be acted on without discussion. If any interested party, Board, or staff member requests discussion, the item may be removed from the Uncontested Items Calendar and taken up in the regular agenda order, or in an order determined by the Board Chair – 8:30 a.m.

OTHER BUSINESS

22. [City of Maricopa](#), Kern County – Consideration of a Resolution Approving and Accepting the City of Maricopa's Declaration of Potential Water Pollution and a Time Schedule [Jarrod Ramsey- Lewis (559) 445-5569]
23. [South Shafter Community](#), Kern County – Consideration of a Resolution Approving and Accepting the Kern County Health Officer's Declaration of Potential Water Pollution and a Time Schedule [Jarrod Ramsey-Lewis (559) 445-5569]

ENFORCEMENT

24. [Sulara Enterprises, Inc., Drilling Mud Disposal Facility](#), Glenn County – Consideration of Order Rescinding Cease and Desist Order [Dale Stultz (530) 224-4786]

25. [California Department of General Services, Office of State Printing](#), Sacramento County – *Consideration of NPDES Permit Renewal and Time Schedule Order* [Renan Jauregui (916) 464-4742]
26. [City of Vacaville, Gibson Canyon Creek Wastewater Treatment Plant](#), Solano County – *Consideration of a Cease and Desist Order* [Bill Brattain (916) 464-4622]
27. [City of Loyalton, Wastewater Treatment Plant](#), Sierra County - *Consideration of a Cease and Desist Order* [Tim O'Brien (916) 464-4616]

NPDES PERMITS

28. [Uncontested NPDES Permits](#)
 - a. [Metropolitan Stevedore Company, Port of Stockton](#), San Joaquin County (renewal)
 - b. [San Joaquin County Service Area 31, Flag City Wastewater Treatment Plant](#), San Joaquin County (amendment)
 - c. [Rockwell International Corporation and Porterville Unified School District, Groundwater Cleanup System](#), Tulare County (renewal)
 - d. [Southern California Edison Company, Balsam Meadows Hydroelectric Project, Eastwood Powerhouse Facility](#), Fresno County (renewal)

WASTE DISCHARGE REQUIREMENTS

29. [Uncontested Change of Name and/or Ownership](#)
 - a. Merrill and Charlene Minto dba Mountain View Mobile Acres, Butte County. Order No. 89-170
30. [Uncontested Rescissions](#)
 - a. Kinder Morgan Energy partners, L.P. through its operating partner SFPP, L.P., Holt Petroleum Release Site, Interim Groundwater Remediation System, Holt, San Joaquin County, Order No. 5-00-217
 - b. Port of Stockton, West Complex Dock Dredging Project, San Joaquin County, Order No. R5-2004-0137
 - c. Tosco Corporation and UNOCAP, Coalinga Pump Station, Fresno County, Order No. 98-180
31. [Uncontested Waste Discharge Requirements](#)
 - a. [Millennium Holdings, LLC., Rising Star Waste Rock Containment Facility](#), Shasta County (new)
 - b. [Amador Water Agency and Mace Meadows Golf and Country Club, Inc., Buckhorn Water Treatment Plant and Reuse Site](#), Amador County (new)
 - c. [County of Kern for Operation and Construction Bakersfield Metropolitan \(BENA\) Sanitary Landfill](#), Kern County (revision)
 - d. [Weimar Institute, Inc., Wastewater Treatment Facility](#), Placer County (revision)
 - e. [Chincholo Setmilt California, LLC/JT Investments Fruit Processing Facility](#), San Joaquin County (revision)
 - f. [Calaveras County Department of Public Works, Rock Creek Municipal Solid Waste Class II Landfill and Class II Surface Impoundment](#), Calaveras County (revision)
 - g. [Chevron USA, Incorporated, for Closure Midway Solid Waste Disposal Site](#), San Luis Obispo County (revision)
 - h. [County of Tulare for Operation Woodville Municipal Solid Waste Landfill](#) Tulare County (update)
32. The Regional Board may meet in closed session on Thursday or Friday to consider personnel matters [Authority: Government Code Section 11126(a)]; to deliberate on a decision to be reached based upon evidence introduced in a hearing [Authority: Government Code Section 11126(c)(3)]; or to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation [Authority: Government Code Section 11126(e)]. Litigation items that may be discussed are:
 - a. CVRWQCB, et al. v. Aerojet-General Corp., et al, Sacramento Co. Sup. Ct. No. 286073, consolidated with Nos. 288302 and 291981; CVRWQCB, et al. v. Aerojet-General Corp., et al., USDC (EDCal) No. CIV-S-86-0064-EJG (consolidated with U.S. v. Aerojet-General Corp., et al., USDC (EDCal) No. CIV-S-86-0063-EJG. (Aerojet Cleanup)
 - b. Sacramento Regional Co. Sanitation Dist. v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 98CS01702.
 - c. State of Calif., CVRWQCB, et al. v. Iron Mountain Mines, Inc., et al., USDC (EDCal) No. CIV-S-91-1167-DFL-PAN and U.S. v. Iron Mountain Mines, Inc., et al., USDC (EDCal) No. S-91-0768 DFL./JFM. (IMM Cleanup)
 - d. State of Calif. ex rel CIWMB, et al. v. Edward J. Filbin, et al. (Westley Tire Fire).
 - e. San Francisco Baykeeper, Inc., et al. v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 99CS02722. (Toxic Hot Spots)
 - f. Coalition for Alternatives to Kiefer Landfill v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 01CS00728. (Landfill WDRs)
 - g. CVRWQCB v. A Greener Globe Corp., et al., Placer Co. Sup. Ct. No. SCV11383. (Landfill WDRs)

- h. CVRWQCB v. Sonora Mining Corp., et al., Tuolumne Co. Sup. Ct. No. CV 486 (Jamestown Mine).
- i. Original Sixteen to One Mine, Inc. v. CVRWQCB, Sierra Co. Sup. Ct. No. 5511. (NPDES permit)
- j. State of Calif., City of Lodi v. M&P Investments, et al., USDC (EDCal) No. CIV S-00-2441 FCD. (Lodi PCE plumes)
- k. City of Merced, et al., v. R.A. Fields, CVRWQCB, U.S. Court of Appeals (Ninth Cir.) D.C. No. CV-F 92-5627 (REC/DLB) EDCal; City of Merced, et al., v. R.A. Fields, et al., USDC (EDCal) No. CV-F 92-5627 REC/DLB. (Merced PCE plumes)
- l. National Park Service, El Portal WWTF, Administrative Civil Liability Order No. 5-01-031. (NPDES discharge)
- m. Deltakeeper, et al v. CVRWQCB, Sacramento Co. Sup. Ct. No. 03CS00032 (Ag Waiver CEQA lawsuit).
- n. City of Stockton v. SWRCB et al., San Joaquin Co. Sup. Ct. No. CVO20665 (NPDES permit).
- o. City of Vacaville v. SWRCB et al., Solano Co. Sup. Ct. No. FCSO20945 (NPDES permit).
- p. Petition of City of Chico, Butte County, Edmund and Juli Johnson, California Park Association Review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575, A-1575 (a), A-1575 (b), A-1575(c) (Humboldt Road Burn Dump).
- q. County of Sacramento v. SWRCB and CVRWQCB, Sacramento Co. Sup. Ct. No. 03CS01521
- r. State of California, CVRWQCB v. AKT Development Corporation and Sunridge Development, LLC.(Referral to AG).
- s. California Farm Bureau v. SWRCB and CVRWQCB, Sacramento Co. Sup. Ct., 04CS00264 (2005 Ag Waiver lawsuit)
- t. Deltakeeper et al v. CVRWQCB and SWRCB, Sacramento Co. Sup. Ct., 04CS00235 (2005 Ag Waiver lawsuit)
- u. City of Vacaville v. SWRCB and CVRWQCB and California Association of Sanitation Agencies v. SWRCB and CVRWQCB, Contra Costa Co. Sup. Ct., Case No. CIV MSN03-0956.(NPDES permit)
- v. Petition of UC Davis, Review of NPDES Permit and Cease and Desist Order (Order Nos. R5-2003-003 and R5-2003-004) (NPDES Permit revisions, filed April 19, 2005).
- w. Petition of City of Manteca, Review of NPDES permit and Cease and Desist Order (Order Nos. R5-2005-0028 and R5-2005-0029) (NPDES permit, filed April 19, 2005).
- x. Petition of City of Galt, SWRCB/OCC File A-1627 (NPDES permit)
- y. Deltakeeper et al v. SWRCB and CVRWQCB, Sac. Co. Sup. Ct (2005 Timber Waiver Lawsuit).
- z. Ameripride Services, Inc. v. CVRWQCB, et al., Sacramento Co. Sup. Ct. No.04CS00426 (PCE plume)
- aa. City of Lodi petition regarding Lodi Central Area PCE sites SWRCB/OCC File A-1639(c), (Review of Cleanup and Abatement Order R5-2004-0043) Lodi News Sentinel v. RWQCB
- bb. Petitions of Butte Environmental Council, SWRCB/OCC File A-1657 and A-1657 (a) (Review of Remedial Action Plans and Waste Discharge Requirements at the Humboldt Road Burn Dump)
- cc. MANA v. State Water Resources Control Board and Regional Water Quality Control Board, Sac. County Superior Court No. 04CS00871
- dd. City of Woodland v. SWRCB and CVRWQCB, Yolo County. Sup. Ct.. Case No. PT04-759 (NPDES Permit R5-2003-0031 and CDO R5-2003-0032, and SWRCB Order WQO 2005-0010
- ee. DeltaKeeper, et al. v. SWRCB and CVRWQCB, Sacramento Co. Sup Ct. Case No. 04CS01228 (Roseville Reclamation Permit)
- ff. City of Yuba City v. SWRCB and RWQCB (NPDES Permit)