
Central Valley Regional Water Quality Control Board

22 August 2022

David Frazier
4243 W. Stuhr Road
Newman, CA. 95360

NOTICE OF APPLICABILITY

**WATER QUALITY ORDER 2020-0012-DWQ
GENERAL WASTE DISCHARGE REQUIREMENTS FOR COMMERCIAL
COMPOSTING OPERATIONS
D.A.T.T. COMPOSTING, GLOBAL ID T10000017231
MERCED COUNTY**

D.A.T.T. (Discharger) was issued a *Notice of Applicability* (NOA), dated 12 June 2019, to obtain coverage under the *General Waste Discharge Requirements for Composting Operations, Order WQ 2015-0121-DWQ* for composting operations at the D.A.T.T. composting facility (Facility). Subsequent to the issuance of the NOA, the State Water Resources Control Board adopted *General Waste Discharge Requirements for Commercial Composting Operations, Order WQ 2020-0012-DWQ* (Revised General Composting Order) amending Order WQ-2015-0121-DWQ. A copy of the Revised General Order can be found here:

https://www.waterboards.ca.gov/water_issues/programs/compost/

A Notice of Intent (NOI) for the Revised General Order was received on 10 August 2022, which indicated that Discharger wanted to change its enrollment from a Tier II facility under Order WQ 2015-0121-DWQ to a Tier I facility that composts manure under the Revised General Order.

This revised NOA was developed after review of the NOI and the *Groundwater Protection Monitoring Plan* as described in the attached memorandum, which is a part of this NOA. The Facility meets the conditions of the Revised General Order. The previous NOA (2015-0121-DWQ-R5F012) and its Tier II requirements are hereby rescinded, except for enforcement purposes. The Facility is now covered under the Revised General Order as a Tier I facility that composts manure. The new enrollee identification number is **2020-0012-DWQ-R5F005**. The Discharger must comply with all Tier I requirements for facilities that compost manure of the Revised General Order.

To fully comply with this NOA, be familiar with the contents of the enclosed memorandum and all requirements of the Revised General Order. The Discharger is responsible for implementing all operations in a manner that complies with the Revised General Order. Any noncompliance with the Revised General Order constitutes a violation of the Water Code, and is grounds for enforcement action, and/or termination of enrollment under this General Order.

D.A.T.T. must comply with the following requirements:

1. Tier 1 composting operations that propose to compost manure as a feedstock must meet all specifications listed in PROHIBITIONS; SPECIFICATIONS 1(a); SPECIFICATIONS 2–9; and DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS – ALL TIERS.
2. Within 90 days of issuance of this NOA, the Discharger shall implement the approved *Groundwater Protection Monitoring Plan*. Revisions to this plan may be required in the future if it is determined that additional wells are required.
3. Submit a post-construction certification report to the Central Valley Water Board within 60 days of completing all construction activities associated with all applicable containment and monitoring structures, as required for compliance with this Revised General Order and the MRP.
4. Prior to any facility expansion, a technical report with design information will need to be submitted for approval at least 90 days prior to new construction of working surfaces, stormwater (detention) basins, berms, ditches, or any other water quality protection containment structure. The design information must include water balance calculations for detention ponds and wastewater conveyance features.
5. Any expansion of facility operation must meet the requirements of the Revised General Order prior to commencement of composting operations in any new area.
6. A revised NOI is required at least 90 days prior to:
 - adding a new feedstock, additive, or amendment;
 - changing construction material or construction specifications;
 - changing a monitoring program; or
 - changing an operation or activity not described in the approved NOI and technical report.

Attachment B of the General Order includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Regional Water Control Board. The *Annual Monitoring and*

Maintenance Report as identified in the General Order must be submitted annually by 1 April each year.

All reports and other correspondence must be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents are to be uploaded to the Geotracker database with confirmation of the upload emailed to centralvalleyfresno@waterboards.ca.gov. The Geotracker facility identification number is **T10000017231**.

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Attention:	Title 27 Unit
Discharger Name:	D.A.T.T.
Facility Name:	D.A.T.T. Composting
County:	Merced County
CIWQS Place ID:	828925

If you have any questions regarding this NOA, please contact Daniel Benas at (559) 445-5500 or Daniel.Benas@waterboards.ca.gov.



for Patrick Pulupa
Executive Officer

Enclosures: Staff Memorandum

cc: Esther Canal Esther.Canal@countyofmerced.com
John Kramer jkramer@condorearth.com
Mike Nunes mike@jmlordinc.com

Central Valley Regional Water Quality Control Board

TO: SCOTT J. HATTON
Supervising Engineer



FROM: KRISTEN S. GOMES
Senior Water Resource Control Engineer
PE No. 79025



DANIEL B. BENAS
Water Resource Control

DATE: 22 August 2022

SUBJECT: **REVIEW OF GROUNDWATER PROTECTION MONITORING PLAN AND APPLICABILITY OF COVERAGE UNDER STATE WATER RESOURCES CONTROL BOARD WATER QUALITY ORDER 2020-0012-DWQ, D.A.T.T. COMPOSTING, MERCED COUNTY, GLOBAL ID T10000017231**

D.A.T.T. (Discharger) was issued a *Notice of Applicability* (NOA), dated 12 June 2019, to obtain coverage under the *General Waste Discharge Requirements for Composting Operations, Order WQ 2015-0121-DWQ* for composting operations at the D.A.T.T. composting facility (Facility). Subsequent to the issuance of the NOA, the State Water Resources Control Board adopted *General Waste Discharge Requirements for Commercial Composting Operations, Order WQ 2020-0012-DWQ* (Revised General Composting Order) amending Order WQ-2015-0121-DWQ. The Revised General Order was adopted on 7 April 2020 and contains several revisions. Order WQ 2015-0121-DWQ required all facilities that compost manure to enroll as a Tier II facility regardless of if they met the quantity restrictions and siting criteria of a Tier I facility.

D.A.T.T. submitted a Notice of Intent for coverage under the Revised General Order as a Tier 1 facility on 10 August 2022.

SITE CONDITIONS

The Facility is located on the 3000 block of West Washington Road. The closest cross street is Harmon Road in El Nido, Merced County. The Facility is approximately 21 acres in size. Compost windrows are constructed on the southern portion of the facility, while the western portion of the facility is used for stockpiling the finished product. The Facility composts manure and carbonaceous bedding material (e.g., rice hulls, sawdust or similar material) obtained from Foster Farms Manure Storage Facility and the total

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

facility capacity is 12,500 tons, which equates to 25,000 cubic yards. All stormwater flows via sheet flow to the stormwater management area located in the northern area of the facility.

According to the USDA Natural Resources Conservation Service, surface geologic material is FrA-Fresno Loam, which is underlain by unconsolidated flat-lying alluvial deposits similar to flood basin deposits, older alluvium, and shallow clay beds (above the Corcoran Clay). The hydraulic conductivity values of the native soils in the area range from 1×10^{-4} to 1×10^{-6} cm/s.

Groundwater flow is generally towards the west. The technical report did not include highest anticipated groundwater elevation. D.A.T.T. proposes to collect this information upon the installation of the groundwater monitoring system.

GROUNDWATER PROTECTION MONITORING PLAN

Condor Earth submitted the *Groundwater Protection Monitoring Plan*, dated 13 June 2018 as an attachment to its 13 June 2018 NOI. The *Groundwater Protection Monitoring Plan* was not implemented at that time since hydraulic conductivity testing had not yet been conducted, and it was uncertain as to whether the installation of groundwater monitoring wells was necessary. With the issuance of the Revised General Order, D.A.T.T. can enroll as a Tier I facility that composts manure, which allows them to meet different requirements for the working surfaces and for stormwater storage with the implementation of the *Groundwater Protection Monitoring Plan*. The *Groundwater Protection Monitoring Plan* proposes installing a groundwater monitoring network consisting of a total of three groundwater monitoring wells near the three corners of the triangular shaped site. All three wells will be constructed according to California Well Standards and the monitoring well construction requirements of the Merced County Department of Environmental Health.

The proposed wells will have a 10 to 25-foot screened interval and would be screened across the top of the water table. The SGMA Data Viewer (<https://sgma.water.ca.gov/>) indicates that groundwater is approximately 80 feet below ground surface in the vicinity of the composting facility. Well locations and top-of-casing elevations will be surveyed by a licensed surveyor.

Groundwater samples would be collected quarterly and analyzed for the required constituents listed in the *Monitoring and Reporting Program (MRP)*, which is included as *Attachment B* in the Revised General Order. The results of all monitoring activities would be reported annually, which is consistent with the reporting requirements of the MRP.

TIMELINE FOR COMPLIANCE

Within 90 days of the date of the NOA, the *Groundwater Protection Monitoring Plan*, dated 13 June 2018, must be implemented. If the groundwater flow direction is different than expected and the northern property boundary is no longer the suspected

downgradient point of compliance, then the installation of additional monitoring wells may be required.

MONITORING AND REPORTING

The Discharger will regularly inspect and maintain all containment, control, monitoring structure, and monitoring systems in accordance with the MRP. The frequency of inspections should be sufficient to prevent discharges of feedstocks, compost (active, curing, or final product), or wastewater from creating, threatening to create, or contributing to conditions of contamination, pollution, or nuisance.

The Discharger is required to conduct a monitoring program as prescribed in the applicable portions of the MRP. Sections that apply are A1, A2, A4, A5, B and C. Results of monitoring will be reported annually in the *Annual Monitoring and Maintenance Report*, which will be submitted by **1 April** of each year as long as the NOA is in effect.

RECOMMENDATION

The D.A.T.T. composting facility meets the criteria to enroll under the Revised General Order as a Tier I facility that composts manure. NOA 2015-0121-DWQ-R5F012, issued on 12 June 2019, should be rescinded and replaced with a NOA for the Revised General Order. *Order WQ 2015-0121-DWQ* required full compliance for existing facilities by 4 August 2022.

D.A.T.T. must comply with the following requirements:

1. Tier 1 composting operations that propose to compost manure as a feedstock must meet all specifications listed in PROHIBITIONS; SPECIFICATIONS 1(a); SPECIFICATIONS 2–9; and DESIGN, CONSTRUCTION, AND OPERATION REQUIREMENTS – ALL TIERS.
2. Within 90 days of issuance of an NOA, the Discharger shall implement the approved Groundwater Protection Monitoring Plan. Revisions to this plan may be required in the future if it is determined that additional wells are required.
3. Submit a post-construction certification report to the Central Valley Water Board within 60 days of completing all construction activities associated with all applicable containment and monitoring structures, as required for compliance with this Revised General Order and the MRP.
4. Prior to any facility expansion, a technical report with design information will need to be submitted for approval at least 90 days prior to new construction of working surfaces, stormwater (detention) basins, berms, ditches, or any other water quality protection containment structure. The design information must include water balance calculations for detention ponds and wastewater conveyance features.

5. Any expansion of facility operation must meet the requirements of the Revised General Order prior to commencement of composting operations in any new area.