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November 17, 2010

VIA E-MAIL & U.S. MAIL

Pamela Creedon, Executive Officer
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Wendy Wyels,
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Re: Cease and Desist Order Proposed for the Board's December 2010 Consent Calendar, related to the Jackson Road Landfill for Nancy C. Cleavinger Revocable Trust, et al.

Dear Ms. Creedon, Ms. Wyels, and Mr. Landau:

This letter responds to Ms. Wyels's email correspondence of November 17, 2010, directed to my attention, in which she provided a revised version of the Cease and Desist Order ("Revised CDO") (enclosed herein) relating to the above-referenced matter. The Revised CDO sufficiently incorporates or responds to comments made by Nancy C. Cleavinger, on behalf of the Nancy C. Cleavinger Revocable Trust and each owner identified on the Revised CDO.

Accordingly, Ms. Cleavinger's substantive concerns having been resolved, Ms. Cleavinger approves of the Revised CDO to be placed on the California Regional Water Quality Control Board's, Central Valley Region ("Regional Board"), consent calendar at its meeting held on December 8, 2010, through December 10, 2010:

I, Nancy C. Cleavinger, Trustee of the Nancy C. Cleavinger Revocable Trust, hereby approve and consent to the enclosed Cease and Desist Order to be placed on the Regional Board's consent calendar at its meeting held on December 8, 2010, through December 10, 2010.

Nancy C. Cleavinger

Respectfully submitted,

Stacy Gillespie
Stacy E. Gillespie

Enclosure
cc: Alex Mayer (*w/enclosure via email amayer@waterboards.ca.gov*)
Patrick Pulupa (*w/enclosure via email ppulupa@waterboards.ca.gov*)
Nancy C. Cleavinger (*w/enclosure via email and first class mail*)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. __

CEASE AND DESIST ORDER

FOR
NANCY C. CLEAVINGER, TRUSTEE OF THE NANCY C. CLEAVINGER REVOCABLE TRUST; AUDREY A. HUNT, TRUSTEE OF THE AUDREY A. HUNT REVOCABLE TRUST; JANET E. HARVEY, TRUSTEE OF THE JANET E. HARVEY REVOCABLE TRUST; SALLY R. DAVIS AND MARTIN M. CHORICH, AS TRUSTEES OF THE SALLY R. DAVIS TRUST; AUDREY A . HUNT AND NANCY C. CLEAVINGER, TRUSTEES, UNDER A TESTAMENTARY TRUST FOR SALLY R. DAVIS UNDER THE TERMS OF THE WILL OF ROBERT EARL DAVIS AS ESTABLISHED BY DECREE OF DISTRIBUTION ENTERED ON MARCH 28,1991; GAIL CHRISTINE BROWN, SUCCESSOR TRUSTEE OF THE VIRGINIA A. PALMER REVOCABLE TRUST; GAIL CHRISTINE BROWN, TRUSTEE OF THE DONALD BRUCE BROWN AND GAIL CHRISTINE BROWN REVOCABLE TRUST

JACKSON ROAD LANDFILL
SACRAMENTO COUNTY

TO CEASE AND DESIST
FROM DISCHARGING CONTRARY TO REQUIREMENTS

The California Regional Water Quality Control Board, Central Valley Region, (hereafter referred to as "Central Valley Water Board" or "Board") finds that:

1. Nancy C. Cleavinger, Trustee of the Nancy C. Cleavinger Revocable Trust; Audrey A. Hunt, Trustee of the Audrey A. Hunt Revocable Trust; Janet E. Harvey, Trustee of the Janet E. Harvey Revocable Trust; Sally R. Davis and Martin M. Chorich, as Trustees of the Sally R. Davis Trust; Audrey A . Hunt and Nancy C. Cleavinger, Trustees, Under a Testamentary Trust for Sally R. Davis Under the Terms of the Will of Robert Earl Davis as Established by Decree of Distribution Entered on March 28,1991; Gail Christine Brown, Successor Trustee of the Virginia A. Palmer Revocable Trust; and Gail Christine Brown, Trustee of the Donald Bruce Brown and Gail Christine Brown Revocable Trust (hereafter known as "Discharger" or "property owners"), own the Jackson Road Landfill, a 25-acre, unlined, unclassified landfill located within the City of Sacramento. The landfill site is in Section 13, T8N, R5E (Assessor's Parcel No. 078-201-07) on Jackson Road near Florin Perkins Road.

2. In 2006, the property owners entered into a lease with Zanker Road Resouces Management (Zanker) concerning operation of a transfer station at the nearby Florin-Perkins Road Landfill. Pursuant to that lease, Zanker will facilitate closure of the Jackson Road Landfill, concurrently with the property owners, in accordance with applicable legal requirements and Orders of the Board.

3. The site originally operated as a gravel pit starting sometime before or during the 1940s. The north and south excavation boundaries are within 15 feet of the property line. Excavation along the western boundary was stopped approximately 25 feet from the

property boundary. Excavation along the eastern boundary, which is adjacent to property owned by Teichert Land Company (Teichert), extends to the property boundary.

4. The gravel pits were later used as a landfill, which was operated between 1979 and 1994 ~~by Florin Perkins Landfill, Inc.~~ under waste discharge requirements (WDRs Orders 78-37, 80-062, and 89-201). The landfill was permitted to accept inert, non-hazardous waste such as construction and demolition debris. Prior to 1989, the landfill was also allowed to accept up to 10 percent by volume of wood, metal, and paper. According to former landfill staff, the oldest waste is located in the northwestern portion of the landfill.

BOARD ADOPTED CLOSURE ORDERS

5. The landfill ceased operations in February 1994. Later that year, the Central Valley Water Board adopted closure WDRs Order 94-261, which prohibited discharge of additional waste to the landfill. The Order was issued to Florin Perkins Landfill, Inc., Sally R. Davis, Audey A. Hunt, Nancy C. Cleavinger, Janet E. Harvey, Virginia A. Palmer, and Gail C. Brown ~~(referred to as "the 1994 Dischargers")~~. The 1994 WDRs included a schedule for submittal of a Final Closure and Post-Closure Maintenance Plan by 1 November 1994 and closure of the landfill by 1 November 1995. However, t~~The 1994 Dischargers did not comply with t~~he closure schedule in the WDRs was not complied with.

6. The Central Valley Water Board then adopted WDRs Order R5-2003-0075 on 25 April 2003 to provide a new time schedule for closure of the Jackson Road Landfill. The WDRs required ~~the~~ parties listed as d~~2003 D~~ischargers (i.e., the property owners listed in Finding No. 1 of this Order and Florin Perkins Landfill, Inc.) to monitor for landfill gas and to close the landfill by 1 November 2004 in accordance with the Final Closure Plan for the facility.

7. Due to the scope of the project, the Final Closure Plan proposed closing the landfill in phases over a two-year period. The first phase consisted of filling and grading the site to establish a foundation for the landfill cover. The Final Closure Plan provided that this work would be conducted in 2003 and would require approximately 74,000 cubic yards of inert fill material, most of which would need to be imported from offsite. The second phase would include construction of the landfill cover and a storm water detention basin. The Final Closure Plan provided that this work would be conducted in 2004 and would require approximately 81,000 cubic yards of imported clean soil.

8. Following adoption of the 2003 WDRs, the attorney for the property owners submitted the Final Closure Design Report on 15 May 2003. The Final Design Report was approved by Board staff on 2 September 2003. However, following a site inspection on 5 November 2003, staff confirmed that closure construction had not yet begun. Staff issued an enforcement letter dated 10 December 2003 requiring Florin Perkins Landfill, Inc. to submit a revised closure schedule as an addendum to the Final Closure Design Report by 12 February 2004. The operator, Florin Perkins Landfill, Inc. did not submit the requested addendum or revised closure schedule and consequently never completed closure construction as required by the WDRs.

9. On 15 October 2004, the Board adopted Cease and Desist Order (CDO) R5-2004-0138 to require the parties named in the 2003 WDRs (i.e, the property owners named in Finding No. 1 of this Order and Florin Perkins Landfill, Inc.) to complete closure activities at the Jackson Road Landfill by 15 December 2006. The CDO also required that a landfill gas investigation be completed, landfill gas probes be installed, and the landfill gas be monitored as required by the 2003 WDRs.

10. The Executive Officer issued Administrative Civil Liability (ACL) Complaint R5-2005-0502 against the property owners and the landfill operator, Florin Perkins Landfill, Inc. for violations of WDRs Order R5-2003-0075. However, on 3 March 2005, the Executive Officer withdrew the ACL Complaint following the submission of information provided by the attorney for the property owners indicating that site operations were, by written agreement, under the exclusive control of Florin Perkins Landfill, Inc., and that the violations of CDO R5-2004-0138 were caused by the Florin Perkins Landfill, Inc's. failure to close the landfill site, and not the property owners.. The Executive Officer reissued the ACL Complaint (No. R5-2005-0506) naming only the operator, Florin Perkins Landfill, Inc., as the Discharger. The matter was subsequently heard by the Central Valley Water Board, and Florin Perkins Landfill Inc. was assessed a $650,000 liability (ACL Order R5-2005-0070).

11. Between 2004 and 2006, the property owners undertook eviction proceedings against both Florin Perkins Landfill, Inc. and Performance Excavators, Inc. to remove them from controlling and occupying the landfill site. The property owners state that they regained control of the landfill in November 2006.

12. On 29 March 2006, Board staff inspected the site and observed that landfill closure construction activities had not begun. On 17 April 2006, staff requested a revised interim compliance plan and schedule for closure of the landfill. The attorney for the property owners submitted a revised interim closure plan and schedule on 25 May 2006, which proposed landfill closure by October 2007. The May 2006 submittal also included a revised landfill gas plan that proposed: (1) monitoring the vadose zone with existing groundwater monitoring wells, (2) use of field instruments/probes to test for the presence of landfill gas, and (3) collecting groundwater samples from existing monitoring wells and analyzing for appropriate constituents.

13. On 7 June 2007, Board staff inspected the site and observed that site closure activities had not begun and landfill gas wells had not been installed. On 3 July 2007, the Discharger was again asked to submit an updated project schedule for closure-related activities, including the landfill gas investigation, by 15 August 2007.

14. The Discharger submitted a revised landfill gas assessment plan on 5 July 2007, and on 13 August 2007, submitted an updated project schedule for closure-related activities and landfill gas investigation. The alternative landfill gas investigation was included in the updated schedule.

15. In a letter dated 15 November 2007, the Discharger stated that closure construction would start in 2008, and a revised closure plan was being prepared. On 7 December

2007, the Discharger submitted the Revised Closure and Postclosure Maintenance Plan (CPCMP). The Revised CPCMP and subsequent addendum dated 5 February 2008 addressed the requirements set forth in the 2003 WDRs.

16. Between December 2007 and January 2010, the Discharger proposed changes to the final closure plan after discussions with the neighboring landowners~~,~~ regarding drainage and other issues. ~~and t~~These changes were approved by staff.

17. From 2007 to early 2010, activities performed by the property owners (or others at the direction of the property owners) included winterization and grading of the site, negotiation with the neighboring property owner (Teichert Land Company) regarding boundary issues, changes to the Closure Plan, submission and approval of a landfill gas monitoring plan[1], construction of five landfill gas wells, sampling of the wells in October 2010, submittal of a gas monitoring quarterly report in November 2010, submittal of a construction permit application to the City of Sacramento, submittal of an encroachment permit application to CalTrans, submittal of a design report to the City of Sacramento on 13 April 2010,stockpiling of approximately 6,000 cubic yards of soil, and monitoring the groundwater and submitting semi-annual and annual monitoring reports as required by the MRP.

PROPOSED CLOSURE PLAN

18. The Discharger has performed a shallow zone landfill gas investigation using vapor probes. However, SCEMD[2] had requested that landfill gas be further investigated and that the waste be characterized.

19. The Revised Closure and Postclosure Maintenance Plan (CPCMP) was submitted to the Central Valley Water Board on 29 January 2010 and included the Landfill Gas Investigation Plan requested by SCEMD.

20. The landfill gas plan was not adequate to monitor LFG at the perimeter or characterize the buried waste. Consequently, the plan was not approved by SCEMD. The Discharger submitted a revised plan for the installation of five perimeter landfill monitoring probes. The plan was approved by Board staff and SCEMD, and the probes were installed in September 2010. The initial sampling of landfill gas was conducted during October 2010.

21. The Revised CPCMP is essentially unchanged from previously approved closure plans, other than a new design and location for the detention basin (discussed below).

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[1] Approved on 18 June 2010 by Sacramento County Environmental Management Department (SCEMD).

[2] SCEMD acts as the Local Enforcement Agency (LEA) for CalRecycle, and is therefore responsible for ensuring compliance with certain sections of Title 27 of the California Code of Regulations. The Central Valley Water Board works cooperatively with the LEA and CalRecycle to regulate landfills.

22. The final cover will have slopes one percent or greater as approved in previous closure plans submitted and will consist of the following:

    a. A Foundation Layer composed of existing interim cover and waste that will be regraded to form a base for placement of the erosion resistant layer.

    b. An Erosion Resistant Layer composed of two feet of clean soil compacted to 90 percent maximum density. Imported soil used for the erosion resistant layer will meet specifications listed in Table 2 of the Revised CPCMP.

23. The 29 January 2010 Revised Closure and Post Closure Maintenance Plan and schedule is acceptable. On 8 November 2010, the Discharger proposed to complete the closure in two phases. The phases are described below, with additional clarifications as to what is required by this Order.

    a. The Foundation Layer will be completed by 1 October 2011.

    b. Phase I of the Erosion Resistant Layer will be completed by October 2011, and will consist of constructing an interim cap of a minimum of six inches of clean soil (at least 32,000 cubic yards) constructed as an engineered fill. The interim cover will be suitable as a base for completion of the final cover, and will be compacted, sloped, graded to drain, and hydroseeded for erosion control.

    c. Phase II of the Erosion Resistant Layer will be completed by October 2012, and will consist of placement of the remaining soil such that the erosion resistant layer is two feet thick, as described in Finding No. 22b. This phase will also include construction of the storm water controls (i.e., infiltration trenches, perimeter ditches, detention basins, piping for storm water discharge from on and off site sources, etc), and survey monuments as presented in the approved CPCMP. Once Phase II of the closure cover has been constructed, the cover will be hydroseeded with a seed mix suitable for use in the Sacramento area.

Drainage Issues

24. The Discharger has had numerous conversations with the neighboring property owner, Teichert Land Company, regarding the design of the stormwater drainage system. The detention basin has been redesigned such that it will remain fully on the Discharger's property. The basin has been designed to meet the standard of section 20365(c)(1) of Title 27, which requires that "precipitation and drainage control facilities" have the capacity to retain a 100-year, 24-hour storm event. As described in the Revised Closure Plan, runoff from Jackson Highway will be routed to the basin. The Revised Closure Plan also states that six hours after a storm event, the basin will be pumped to the City of Sacramento's storm drain system along Keifer Boulevard. The Discharger states that the ability to pump into the storm drain system is a contingency measure and will not be necessary under 100-year, 24-hour storm conditions. However, the Discharger agrees to provide evidence that the City will allow the basin to be pumped to the storm drain.

25. Teichert is concerned that the Revised Closure Plan does not contain sufficient information to show that the pump and discharge line system from the detention basin has been engineered to push the design volume of 900 gpm, and asks for a number of assurances. This Order requires that the final CQA report include specifications and field testing to show that the pipe has been constructed to meet the 900 gpm design standard.

26. Infiltration trenches will be installed along the northern half of the eastern site boundary, the northern site boundary and the western site boundary. Approximately 2,500 linear feet of infiltration trench will be used to manage runoff from 3.6 acres. The Revised Closure Plan states that the trenches are designed to handle runoff from a 100-year, 24-hour storm event (4.25 inches of rain), which will produce 0.055 acre feet of water across the area in question. The trenches are designed to dissipate the water at a rate of 0.5 inches per hour. A 100-year rain event could produce over 1" of rain in the first hour, and Teichert is concerned that stormwater will overflow from the landfill onto Teichert's lower-lying property. In a 15 March 2010 e-mail, the Discharger stated that "sizing of the eastern boundary trench will be finalized after the wet season. If runoff is more than the trench can handle, a sump pump can be used to pump water to the detention basin." However, this issue must be addressed prior to construction of the detention basin, as pumping additional water to the detention basin would mean that it would no longer meet the capacity design requirements of Title 27. This Order requires that the Discharger to provide a technical report showing either (a) that the eastern infiltration trenches are adequately designed to prevent off-site runoff in a 100-year, 24-hour storm event or (b) that the stormwater detention basin has the capacity to contain the additional volume of water generated from the eastern infiltration trench area during a 100-year, 24-hour storm (and still maintain two feet of freeboard).

27. The Revised Closure Plan states that "long-term development objectives have not been formalized in a development plan but may involve construction of commercial buildings and paved areas on portions of the landfill." Teichert is concerned that this may result in modifications to the drainage system. However, before the Discharger may pave any portions of the landfill, change the drainage system, or otherwise alter the approved closure in any way, it must submit an amended Report of Waste Discharge to the Central Valley Water Board. The public, including Teichert, will have the opportunity to provide comments at that time.

REGULATORY CONSIDERATIONS

28. The Central Valley Water Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins,* Fourth Edition, revised September 2009 (Basin Plan) designates beneficial uses, includes water quality objectives to protect the beneficial uses, and includes plans to implement the water quality objectives.

29. Surface water drainage is to the American River. The beneficial uses of the American River are domestic, municipal, agricultural groundwater recharge, power generation, recreation, aesthetic enjoyment, fresh water replenishment, freshwater habitat; migration; spawning, and preservation and enhancement of fish, wildlife and other aquatic resources.

30. The beneficial uses of groundwater in the vicinity of the site are domestic, municipal, industrial, and agricultural supply.

31. California Water Code section 13301 states, in relevant part: *"When a regional board finds that a discharge of waste is taking place or threatening to take place in violation of requirements or discharge prohibitions prescribed by the regional board or the state board, the board may issue an order to cease and desist and direct that those persons not complying with the requirements or discharge prohibitions (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) in the event of a threatened violation, take appropriate remedial or preventive action."*

32. As a result of the events and activities described in this Order, the Central Valley Water Board finds that the Discharger has caused or permitted waste to be discharged in violation of Waste Discharge Requirements Order R5-2003-0075, and Cease and Desist Order R5-2004-0138. These violations have created, and continue to threaten to create, a condition of pollution or nuisance.

33. Section 13267(b) of the California Water Code states: *"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."*

34. The Discharger owns ~~and operates~~ the facility subject to this Order. Monitoring reports and other technical reports are necessary to determine compliance with the Waste Discharge Requirements, CDO R5-2004-0138, and with this Order.

35. The issuance of this Order is an enforcement action by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act, pursuant to Section 15321(a)(2), Title 14, California Code of Regulations.

36. On __ **December 2010**, in Rancho Cordova, California, after due notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider a Cease and Desist Order under CWC section 13301 to establish a time schedule to achieve compliance with waste discharge requirements.

IT IS HEREBY ORDERED that, pursuant to Sections 13301 and 13267 of the California Water Code, Nancy C. Cleavinger, Trustee of the Nancy C. Cleavinger Revocable Trust; Audrey A. Hunt, Trustee of the Audrey A. Hunt Revocable Trust; Janet E. Harvey, Trustee of the Janet E. Harvey Revocable Trust; Sally R. Davis and Martin M. Chorich, as Trustees of the Sally R. Davis Trust; Audrey A Hunt and Nancy C. Cleavinger, Trustees, Under a Testamentary Trust for Sally R. Davis Under the Terms of the Will of Robert Earl Davis as Established by Decree of Distribution Entered on March 28,1991; Gail Christine Brown, Successor Trustee of the Virginia A. Palmer Revocable Trust; and Gail Christine Brown, Trustee of the Donald Bruce Brown and Gail Christine Brown Revocable Trust , their agents, successors, and assigns shall, in accordance with the following tasks and time schedule, implement the following closure measures and the facility improvements required to ensure compliance with WDRs Order R5-2003-0075.

This Cease and Desist Order rescinds and replaces Cease and Desist Order R5-2004-0138 except for the purpose of enforcing violations that have occurred to date.

1. The Discharger shall **immediately** comply with all aspects of WDRs Order R5-2003-0075.

2. Landfill Closure Construction

Task	***Due Date***
a. Discharger shall submit a technical report showing that either (a) the eastern infiltration trenches are adequately designed to prevent off-site runoff in a 100-year, 24-hour storm event or (b) that the stormwater detention basin has the capacity to contain the additional volume of water generated from the eastern infiltration trench area during a 100-year, 24-hour storm (and still maintain two feet of freeboard).	30 March 2011
b. The Discharger shall submit a technical report describing its plans and schedule to ensure that at least 32,000 cubic yards of soil are available for the Phase I cover project. The report shall identify possible sources of off-site soil, and provide a proposed schedule for placement of the soil on the landfill.	30 April 2011
c. The Discharger shall submit a technical report certifying that the Foundation Layer has been constructed.	30 October 2011
d. The Discharger shall submit an *Interim CQA Report* certifying that the Phase I interim cover has been constructed as described in Findings 20-21, and in accordance with the design specifications in the approved CPCMP. The report shall include complete materials testing data and all other construction quality documentation required in accordance with the revised CPCMP.	30 November 2011

e.	The Discharger shall submit written evidence that the City of Sacramento has agreed that storm water from the detention basin may be pumped to the Kiefer Boulevard drainage system six hours after a storm event.	30 March 2012
f.	The Discharger shall submit a technical report describing its plans and schedule to ensure the availability of remainder of the soil needed for closure, such that the Erosion Resistant Layer will be two feet thick. The report shall identify possible sources of off-site soil, and provide a proposed schedule for placement of the soil on the landfill.	30 April 2012
g.	The Discharger shall submit a *Final CQA and Closure Certification Report* prepared pursuant to, and consistent with, section 20324(d)(1)(C) of Title 27. The report shall document that the landfill was closed in accordance with this Order (in particular, as described in Findings 18-24), and with the approved CPCMP. The report shall also include specifications and field testing to show that the detention basin discharge line has been constructed to meet the 900 gpm design standard.	30 November 2012

3. Upon completion of the landfill closure construction in the fall of 2012, the Discharger shall initiate the post closure monitoring and maintenance required by the MRP contained in WDR Order R5-2003-0075, or subsequent MRP.

In addition to the above, the Discharger shall comply with all applicable provisions of the California Water Code that are not specifically referred to in this Order. As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, all technical reports required herein shall be prepared by, or under the supervision of, a California Registered Engineer or Registered Geologist (as applicable) and shall be signed by the registered professional.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability.

Failure to comply with this Order or with the WDRs may result in the assessment of Administrative Civil Liability of up to $10,000 per violation, per day, depending on the violation, pursuant to the California Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person signing a document submitted under this Order shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date that this Order becomes final, except that if the thirtieth day following the date that this Order becomes final falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on __.

PAMELA C. CREEDON, Executive Officer

tad/alo/wsw: 11/17/2010