

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-28

PRESCRIBING REQUIREMENTS FOR WASTE DISCHARGE BY MANUEL S. BORGES
AND SONS DAIRY ONTO LAND NEAR THE SOLANO-NAPA COUNTY LINE ON
FAIRGROUNDS DRIVE, SOLANO COUNTY, AND RESCINDING RESOLUTION
NO. 69-37

WHEREAS THIS REGIONAL BOARD HAS CONSIDERED

INFORMATION ABOUT THIS DISCHARGE

Information in the Regional Board's files describe this existing waste discharge by Manuel S. Borges and Sons Dairy, called the discharger below, as animal waste and wastewater from about 340 cows.

The waste discharges from feeding areas and a barn on the discharger's property through natural channels crosses Fairgrounds Drive via an underground culvert, resurfaces in the Chief Francisco Solano Junior High School, flows down a street in the Aztec Mobilehome Park, and joins the main channel of American Canyon Creek at a point about one mile northwest of the intersection of the Napa-Solano County Line and Fairgrounds Drive. American Canyon Creek carries the waste about another mile to the Napa River.

CORRESPONDENCE

This Regional Board has considered recommendations about this matter from:

1. State Department of Water Resources in its memorandum dated July 18, 1969;
2. State Department of Public Health in its memorandum dated July 2, 1969;
3. Napa County Health Department in its letters dated March 18, 1968 and May 7, 1968.

STAFF INVESTIGATION

1. These wastes can affect the following present beneficial water uses in Napa River and contiguous water bodies:

Swimming, water-skiing, pleasure boating, fishing and hunting

Fish and wildlife propagation and sustenance, and waterfowl and migratory birds habitat and resting

Esthetic appeal.

2. Land within about 1000 feet of the discharge is used for residence, a school, pasture, and transportation.

RESOLVED BY THIS REGIONAL BOARD

BOARD INTENT

1. Protect public health as it may be affected by this waste discharge.
2. Prevent nuisance, as defined in Section 13050(m) of the California Water Code.
3. Protect the beneficial water uses listed under "Staff Investigation", above.
4. To amend Resolution No. 69-37 to make the code references consistent with the Porter-Cologne Water Quality Control Act which became operative on January 1, 1970 without making any substantive changes in the specific requirements contained therein.

WASTE DISCHARGE REQUIREMENTS

1. The treatment or disposal of waste shall not create a nuisance as defined in Section 13050(m) of the California Water Code.
2. The waste discharge shall be effectively confined to the discharger's property at all times.
3. The disposal of waste shall not cause groundwater suitable for domestic use to exceed any of the limits contained in the most recent edition of the United States Public Health Service's Drinking Water Standards or any modifications or additions relating to drinking water quality adopted by the California State Board of Health.

REPORTING REQUIREMENTS

This Resolution includes items numbered 1 and 6 of the attached "Reporting Requirements", dated January 1, 1970.

NOTIFICATIONS

1. This Board's Resolution No. 69-37 is hereby rescinded.
2. This Resolution includes items numbered 1, 2, 3, 5, and 6 of the attached "Notifications", dated January 6, 1970.

WILLIAM C. WEBER
Chairman

March 26, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-21, adopted by the California Regional Water Quality Control Board, San Francisco Bay Region at its regular meeting on March 26, 1970.

FRED H. DIERKER, Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD, SAN FRANCISCO BAY REGION

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
January 1, 1970

REPORTING REQUIREMENTS

1. This Board requires the discharger to file technical reports on self-monitoring work performed according to detailed specifications developed pursuant to the Regional Board's Resolution No. 398. (Reference: Sections 13267(b) and 13268, California Water Code.)
2. This Board requires the discharger to file a written report within 90 days after the average dry-weather waste flow for any month equals or exceeds 80% of the design capacity of his waste treatment and/or disposal facilities. The discharger's senior administrative officer shall sign a letter which transmits that report and certifies that the policy-making body is adequately informed about it. The report shall include:

Average daily flow for the month, the date on which the instantaneous peak flow occurred, the rate of that peak flow, and the total flow for that day.

The discharger's best estimate of when the average daily dry-weather flow rate will equal or exceed the design capacity of his facilities.

The discharger's intended schedule for studies, design, and other steps needed to provide additional capacity for his waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units. (Reference: Sections 13260, 13267(b) and 13268, California Water Code.)

3. This Board requires the discharger to file a time schedule for engineering studies on facilities needed to comply with the Board's receiving water objective of 5.0 mg/l of dissolved oxygen and/or to file a time schedule for deciding upon the feasibility of participating in regional water quality control systems if he does not meet that dissolved oxygen objective after providing waste treatment facilities which comply with the effluent BOD requirement prescribed elsewhere in this Resolution. (Reference: Sections 13267(b) and 13268, California Water Code.)
4. This Board requires the discharger to file technical reports on studies into correcting violations of the Board's water quality objectives caused by discharging combined storm water and sewage. Specifications for these studies shall be developed pursuant to the Board's Resolution No. 398. (Reference: Sections 13267(b) and 13268, California Water Code.)

5. This Board requires the discharger to file written reports within 15 days after each calendar quarter to include:

Name of and number of lots in each subdivision for which an application has been received for connection to the sewerage system.
Anticipated date of connection of each subdivision to the sewerage system.

Finding and supporting data by governing body on effect of addition of each subdivision on violation of waste discharge requirements.

(Reference: Section 11551.6 Business and Professions Code and Sections 13267(b) and 13268, California Water Code.)

6. This Board requires the discharger to file a report on waste discharge at least 120 days before making any material change or proposed change in the character, location or volume of the discharge. (Reference: Sections 13260(b) and 13264, California Water Code.)
7. This Board requires the discharger to file a written technical report at least 15 days prior to advertising for bids on any construction project which would cause or aggravate the discharge of waste in violation of these requirements; said report to describe the nature, costs, and scheduling of all actions necessary to preclude such discharge. In no case should any discharge of sewage bearing wastes be permitted without at least primary treatment and chlorination. (Reference: Sections 13267(b) and 13268, California Water Code.)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
January 6, 1970

NOTIFICATIONS

1. This Board requests the discharger to take note of the comments and recommendations contained in all the correspondence the Board has received and considered concerning this matter, and the Executive Officer is directed to transmit copies of that correspondence to the discharger.
2. This Board considers "Waters of the State" as defined in Section 13050(e) of the California Water Code to include waste waters over which the discharger has lost control.
3. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, nor protect the discharger from his liabilities under Federal, State, or local laws, nor guarantee the discharger a capacity right in the receiving waters.
4. This Board will prescribe more restrictive requirements for this waste discharge if necessary:
 - To achieve or maintain dissolved oxygen concentration of at least 5.0 mg/l in tidal waters of the San Francisco Bay System pursuant to Resolution No. 67-30,
 - To protect shellfishing areas which the Board designates pursuant to Resolution No. 803,
 - To protect the beneficial water uses, and to achieve other objectives adopted in the resolutions cited above.
5. This Board will review these requirements periodically, as required by law, and will notify the responsible persons before doing so. (Reference: Section 13263(e), California Water Code.)
6. The water quality parameters used in this resolution are as defined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" by the American Public Health Association.
7. The discharger is advised that this Board will use the general concepts of Phase I of the plan recommended by the Final San Francisco Bay-Delta Program Report as guidelines in reviewing any application for construction grants for sewerage facilities proposed to comply with these requirements, and if the discharger intends to make such application he must demonstrate the compatibility of the proposed facilities with the general concepts of the Bay-Delta Program.