



MINUTES OF BOARD MEETING
 August 7, 2014, 8:30 a.m.
 August 8, 2014 9:00 a.m.
 Central Valley Regional Water Board
 11020 Sun Center Drive, Suite 200

THURSDAY, AUGUST 7, 8:30 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 533rd Board Meeting of the California Regional Water Quality Control Board, Central Valley Region 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670.

Chair Longley announced that, for the first time, the Board meeting is being webcast to the public.

BOARD MEMBERS PRESENT

Costantino, Jon	Longley, Karl, Chair	Moffitt, Jenny Lester, Vice-Chair	Ramirez, Carmen
Schneider, Robert			

STATE BOARD MEMBERS ABSENT

Meraz, Sandra			
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STATE BOARD MEMBERS PRESENT

None			
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STATE BOARD STAFF PRESENT

Boyers, David	Deeringer, Andrew	Macedo, Julie	Coupe, David
Faranak, Shahla	Pulupa, Patrick		

STAFF PRESENT

Altevogt, Andrew	Hartzell, Marty	Meeks, Steve	Smith, Mike
Atkinson, Ross	Hayes, Jennifer	Meeks, Glenn	Snyder, Clint
Austin, Duncan	King, Dave	Mello, Joe	Tran, Julie
Bracamonte, Linda	Landau, Ken	Minkel, Peter	Yee, Betty
Busby, Robert	Lanfranchi, Kiran	Newman, Brian	
Chow, Bob	MacDonald, Alex	Olson Anne	
Coughlin, Gene	McConnell, Sue	Sewalia, Sid	
Creedon, Pamela	McDonald, Alex	Shelton, Kristine	

OTHERS PRESENT

Avalon, Mitch	Bass, Adam	Monroe, Jim	Sanders, Chris
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APPROVAL OF MINUTES:

June 5/6, 2014 meeting

Minutes of the June 5/6 Board Meeting were approved as written

Motion by, Member Schneider, seconded by Member Costantino

Unanimously approved

Member Ramirez abstained from voting because she was not present at that meeting

**AGENDA ITEM 3
BOARD COMMUNICATIONS**

Chair Longley, Member Costantino, and Member Schneider provided board member communications.

**AGENDA ITEM 4
PUBLIC FORUM**

No one was present to comment on any matter not on the agenda.

**AGENDA ITEM 5
EXECUTIVE OFFICER'S REPORT (EO REPORT)**

Executive Officer Creedon spoke about enforcement activities and reiterated the Board's commitment to maintaining a high level of enforcement activity. Chair Longley and Member Ramirez also made enforcement-related comments.

Member Schneider commented on the Plans and Policy section of the EO Report (page 46) and, in particular, the Mercury Offset Policy which has been suspended. Executive Officer Creedon responded that the Mercury Offset Policy is a State Board project but she will find out why the project was suspended.

**AGENDA ITEM 6
OTHER BUSINESS**

Budgetary Processing and Control, Presentation by State Board staff – *Informational Item Only*

Bill Damien, Assistant Deputy Director for Administrative Services at the State Water Resources Control Board, gave an update on the budgetary process.

Linda Bracamonte, Assistant Executive Officer at the Central Valley Water Board, and Pamela Creedon, Executive Officer, answered clarifying questions for the Board.

**AGENDA ITEM 7
ENFORCEMENT**

Jack and Carolyn Wessman; the Bradley Mining Co.; the U.S. Department of Interior; Sunoco, Inc.; Mt. Diablo Quicksilver, Co. Ltd.; Kennametal Inc.; and the California Department of Parks and Recreation, Mount Diablo Mercury Mine, Contra Costa County – *Consideration of Cleanup and Abatement Order (CAO R5-2013-0701)*

After a discussion of pre-hearing matters from the Prosecution Team, Sunoco, Kennametal and the Board's Advisory Team, this item was rescheduled to the October Board Meeting.

**AGENDA ITEM 8
OTHER BUSINESS**

Low-Threat Closure Policy Application to Underground Storage Tanks and Other Similar Circumstances – *Informational Item Only*

Executive Officer Creedon said this item was put on the agenda per her request for the board to address the underground storage tanks and to seek the Board's input on this matter for non - UST cases.

Shahla Faranak from the State Water Board, Division of Water Quality, gave a brief history on the policies and procedures.

Brian Newman, UST program Manager, presented staff report on Region 5's implementation of the policy and its results for UST cases.

Duncan Austin, Site Cleanup program manager gave a presentation on the site cleanup program

Patrick Pulupa answered questions for the board.

The Board discussed the matter and agreed that on a case-by-case basis the factors in the low threat closure policy should be considered for Non-UST cases.

LUNCH

12:04 p.m.

Closed Session

The Board met at lunch to discuss the following closed session items:

- Pursuant to Government Code, section 11126, subdivision (e), initiating litigation under Water Code sections 13262, 13264 and 13386, for discharging waste without a permit
- Litigation filed against the Central Valley Water Board and State Water Board, Item Q, Atlantic Richfield Company v. Central Valley Water Board

The Board Chair came back to the Board room at 1:04 p.m. to close and adjourn the board meeting to the following day, Friday, August 8th.

FRIDAY, AUGUST 8, 2014 – 9:00 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 533rd Board Meeting of the California Regional Water Quality Control Board, Central Valley Region 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Costantino, Jon	Longley, Karl, Chair	Moffitt, Jenny Lester, Vice-Chair	Ramirez, Carmen
Schneider, Robert			

BOARD MEMBERS ABSENT

Meraz, Sandra			
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STATE BOARD MEMBER PRESENT

None			
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STATE BOARD STAFF PRESENT

Coupe, David	Deeringer, Andrew	Pulupa, Patrick	
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STAFF PRESENT

Altevogt, Andrew	Karkoski, Joe	Meeks, Glenn	Snyder, Clint
Chilcott, Jeanne	King, Dave	Newman, Brian	Stevens, Brett
Creedon, Pamela	Landau, Ken	Olson, Anne	Wong, Margaret
Day, George	Lanfranchi, Kiran	Rodgers, Clay	Wyels, Wendy
Joab, Christine	Laputz, Adam	Smith, Bryan	

OTHERS PRESENT

Bachelor, Jack	Eacock, Michael	Garduno, Chris	McGahan, Joe
Cory, David	Eldredge, Julie	Lindley, Jim	Schaffer, Jeff
Daggs, Doug	Emerick, Robert	Lundy, Joe	Stokely, Tom

AGENDA ITEM 11

BOARD MEMBER COMMUNICATIONS

Member Schneider, Chair Longley, Member Ramirez, and Vice Chair Moffitt provided board member communications.

**AGENDA ITEM 12
PUBLIC FORUM**

No one came forward to comment on any item which was not on the agenda.

AGENDA ITEM 13

EXECUTIVE OFFICER'S REPORT

Executive Officer Creedon informed the Board that the Assistant Executive Officer's position has been filled by Adam Laputz and the Supervisor position for the TMDL unit has been filled by Jeanne Chilcott. Jeanne will continue to manage the CV Salts program.

Executive Officer Creedon presented the superior accomplishment award to Christine Joab, Environmental Scientist in the Sacramento Office

Clay Rodgers, Assistant Executive Officer, informed the Board of a meeting on SB4 regulation on hydraulic fracturing program he attended in Bakersfield on August 7, 2014.

OTHER BUSINESS

AGENDA ITEM 14

The Board will be asked to approve items 21 through 25, except items 22b and 22g, which have been removed from the agenda.

Jeff Scharff commented on item 22b. He noted that he has been working with the City of Sacramento and Regional Board staff and asked that this item be pulled from the agenda and hopefully this will be back on the October agenda. This item was subsequently removed from consideration at the August Board Meeting and will be considered at a subsequent Board meeting.

Ken Landau, Assistant Executive Officer distributed an email to the Board, pertaining to agenda item 21d, from the former Department of Public Health now, (Division of Drinking Water), providing support for the amendments to agenda item 21d (Sacramento Regional County Sanitation District). This document was admitted as part of the administrative record for the proceeding.

UNCONTESTED CALENDAR

Uncontested items are expected to be routine and non-controversial; 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.

NPDES PERMITS 21

- a) City of Anderson Water Pollution Control Plant, Shasta County, Order R5-2007-0167 (NPDES Permit No. CA0077704) (*Renewal*) **BOARD ADOPTED ORDER-R5-2014-0100**
- b) City of Placerville, Hangtown Creek Water Reclamation Facility, El Dorado County – Modification of Ultra Violet Disinfection System Monitoring Requirements, Order R5-2014-0015 (NPDES No. CA0078956) (*Amendment*) **BOARD ADOPTED ORDER-R5-2014-0101**
- c) Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant, Sacramento County – Interim Ammonia Limits, Order R5-2010-0114-02 (NPDES No. CA0077682) (*Amendment*) **BOARD ADOPTED ORDER-R5-2014-0102**
- d) Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant, Sacramento County – Modification of Tertiary Filtration Requirements, Order R5-2010-0114-02 (NPDES No. CA0077682) (*Amendment*) **BOARD ADOPTED ORDER-R5-2014-0103**
- e) San Andreas Sanitary District, Wastewater Treatment Plant, Calaveras County, Order R5-2009-0007 (NPDES No. CA0079464) (*Renewal*) **BOARD ADOPTED ORDER-R5-2014-0104**

AGENDA ITEM 22

WASTE DISCHARGE REQUIREMENTS

- a) Aqua Clear Farms, Inc. and Hatch Investments Limited Partnership; Aqua Clear Farms Facility; Class II Surface Impoundments and Landfills; Construction, Operation, Closure, Post-Closure Maintenance, and Corrective Action; Solano County; Order R5-2002-0120 (*revision*)
BOARD ADOPTED ORDER-R5-2014-0105
- b) ~~City of Sacramento Department of Utilities and Sylvia Dellar Survivor's Trust; Dellar (Unclassified) Landfill; Closure, Postclosure Maintenance, and Corrective Action Monitoring Sacramento County (New)~~ **(This item was removed from the agenda)**
- c) Conagra Foods, Inc., and Maddox Farms, LLC, Helm Tomato Processing Facility, Fresno County, Order 96-268 (*revision*) **BOARD ADOPTED ORDER-R5-2014-0106**
- d) County of Tulare, Visalia Municipal Solid Waste Landfill, Tulare County, Order R5-2013-0059 (*revision*) **BOARD ADOPTED ORDER-R5-2014-0107**
- e) Lamplight, Inc., Maybell Timm Eley, Timm M Testamentary Trust, United States Department of Agriculture Forest Service, and United States Department of Interior Bureau of Land Management; Timm Mine, El Dorado County, Order 91-065 (*revision*)
BOARD ADOPTED ORDER-R5-2014-0108
- f) Newman Minerals, LLC and Edwin Lands, LLC; Irish Hill Quarry, Amador County (*new*)
BOARD ADOPTED ORDER-R5-2014-0109
- g) ~~Seneca Gold LLC, Estate of Lee Crowe, Seneca Mine, Plumas County (New)~~ **This item was removed from the agenda**
- h) Syngenta Seeds, Inc., Woodland Seed Processing Facility, Yolo County, Order R5-2008-0158 (*revision*) **BOARD ADOPTED ORDER-R5-2014-0110**

AGENDA ITEM 23

CEASE AND DESIST (CDO) AND TIME SCHEDULE (TSO) ORDER RESCISSIONS

- a) California Department of Corrections and Rehabilitation, Deuel Vocational Institution, San Joaquin County, Cease and Desist Order R5-2008-0165-01 (NPDES CA78093)
BOARD ADOPTED ORDER-R5-2014-0111
- b) City of Lincoln, Wastewater Treatment and Reclamation Facility, Placer County, Time Schedule Order R5-2008-0157-01 (NPDES CA0084476) **BOARD ADOPTED ORDER-R5-2014-0112**
- c) Napa Berryessa Resort Improvement District, Napa County, Cease and Desist Order *R5-2010-0101*
BOARD ADOPTED ORDER-R5-2014-0113

AGENDA ITEM 24

WASTE DISCHARGE REQUIREMENT RESCISSIONS

BOARD ADOPTED ORDER-R5-2014-0114

- a) California Department of Parks And Recreation, Colonel Allensworth State Historic Park Wastewater Treatment Facility, Tulare County, Order 95-119
- b) Madera County Maintenance District No. 6, Lakeshore Park Wastewater Treatment Facility, Madera County, Order 85-158
- c) Madera County Maintenance District No. 24, Teaford Meadows Wastewater Treatment Facility, Madera County, Order 85-110
- d) Madera County Maintenance District No. 28, Ripperdan Wastewater Treatment Facility, Madera County, Order 90-261
- e) Teichert Aggregates, Tracy Rock Plant, San Joaquin County, Order R5-2002-0220
- f) Tri-Enterprises, Inc., Lakeridge Camping and Boating Resort, Onsite Wastewater Treatment System, Fresno County, Order 66-130

AGENDA ITEM 25

CHANGE OF NAME AND OR/OWNERSHIP

BOARD ADOPTED ORDER-R5-2014-0115

- a) Defense Logistics Agency, Defense Logistics Agency Installation Support at San Joaquin, San Joaquin County, Order R5-2004-0083

Motion to adopt uncontested agenda items 21 through 25, except for items 22b and g, which were removed from the agenda, with the late document/email on agenda item 21d, which was admitted into record,

*Moved by, Member Ramirez
Seconded by Member Costantino
Approved by roll call vote of 5-0-0*

AGENDA ITEM 15

ENFORCEMENT

Jaswinder Shergill and Hardip Singh Sandhu, Payless Food & Gas Mart, 3440 South Market Street, Redding, California, Shasta County – *Consideration of Administrative Civil Liability*

A public hearing was held. No one came forward to contest or comment on this item. The Board adopted the proposed Administrative Civil Liability, with late revisions proposed by the Board's Advisory Team.

*Motion to adopt Administrative Civil Liability with late revisions, moved by Vice-Chair Moffitt
Seconded by Member Ramirez
Unanimously approved*

BOARD ADOPTED ORDER-R5-2014-0093

AGENDA ITEM 16

~~Larry W. & Shireen I. Slate of Merced County – *Consideration of Administrative Civil Liability*~~

~~[Brett Stevens (916) 464-4642] (Estimated Time 60 minutes) **THIS ITEM WAS REMOVED FROM THE AGENDA**~~

AGENDA ITEM 17

WASTE DISCHARGE REQUIREMENTS AND TIME SCHEDULE ORDER

The Wine Group LLC, Franzia Sanger Winery, Fresno County – *Consideration of Revised Waste Discharge Requirements (WDRs Order 92-120) and New Time Schedule Order*

A public hearing was held. No one came forward to contest or comment on this item. There were no late revisions.

*Motion to adopt Revised Waste Discharge Requirements and New Time Schedule Order,
Moved by Member Costantino
Seconded by Vice-Chair Moffitt
Unanimously Approved*

BOARD ADOPTED ORDER-R5-2014-0094

BOARD ADOPTED ORDER-R5-2014-0095

AGENDA ITEM 18

NPDES PERMITS

City of Merced, Merced Wastewater Treatment Facility, Merced County – *Consideration of NPDES Permit Renewal (NPDES No. CA0079219) and Rescission of Time Schedule Order R5-2010-0904*

A public hearing was held. No one came forward to contest or comment on these items.

Motion to adopt NPDES Permit Renewal and Rescission of Time Schedule Order, moved by Vice-Chair Moffitt

Seconded by Member Schneider

Approved by a vote of 4-0-1

Member Ramirez abstained from voting

BOARD ADOPTED ORDER-R5-2014-0096

BOARD ADOPTED ORDER-R5-2014-0097

AGENDA ITEM 19

IRRIGATED LANDS REGULATORY PROGRAM

Workshop on Revised Waste Discharge Requirements for the Grassland Bypass Project – *Informational Item Only*

Joe Karkoski presented the staff report. Patrick Pulupa clarified some issues for the Board.

San Luis and Delta Mendota Authority

Jo Megan, Grassland Basin Drainers made comments

Interested Parties:

Tom Stokely, David Cory (representing his family farm) made comments.

AGENDA ITEM 20

WASTE DISCHARGE REQUIREMENTS

City of Dixon, Dixon Wastewater Treatment Facility, Solano County – *Consideration of Revised Waste Discharge Requirements (WDRs Order 94-197) and Cease and Desist Order (CDO R5-2008-0136)*

A public hearing was held. No one was present to contest or comment on these items. Anne Olson informed the board about late revisions.

Motion to adopt Revised Waste Discharge Requirements and Cease and Desist Order, with late revisions,

Moved by Member Schneider

Seconded by Vice-Chair Moffitt

Unanimously Approved

BOARD ADOPTED ORDER-R5-2014-0098

BOARD ADOPTED ORDER-R5-2014-0099

Board meeting adjourned at 11:45 a.m. to the October 9/10, 2014 Board meeting

Respectfully submitted by
Kiran Lanfranchi-Rizzardi
Clerk to the Board