

AMENDING CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD,
SANTA ANA REGION, CEASE AND DESIST ORDER NO. 99-65
FOR CONCENTRATED ANIMAL FEEDING OPERATIONS

WATER QUALITY ORDER NO. 2000 - 01

The State Water Resources Control Board (SWRCB) finds that:

1. On October 7, 1999, the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), held a public hearing to consider adoption of an amendment to Cease and Desist Order No. 99-65. The Regional Board did not adopt the amendment due to the lack of a sufficient number of Board Members eligible to vote on the item.

2. The Regional Board now has a quorum, but does not have five members who are eligible to vote on this issue. Therefore, the Regional Board cannot presently reconsider adoption of the amendment. As a result, in a memorandum dated October 13, 1999, the Regional Board requested that the SWRCB take the matter up on its own motion, as authorized by Water Code section 13320.

3. The amendment is a critical component of the Regional Board's Dairy Regulatory Program. Therefore, it is appropriate for the SWRCB to adopt an order amending Cease and Desist Order No. 99-65, as requested by the Regional Board. The Regional Board will be able to rescind, amend, or modify this order, as necessary.

4. On August 20, 1999, the Regional Board adopted Order No. 99-11, NPDES No. CAG018001, General Waste Discharge Requirements for Concentrated Animal Feeding Operations (CAFOs) Within The Santa Ana Region.

5. On August 20, 1999, the Regional Board also adopted Cease and Desist Order No. 99-65 requiring operators enrolled under Order No. 99-11 to comply with certain provisions in accordance with various time schedules.

6. Discharge Specification A.2. of Order No. 99-11 specifies:

2. The discharger shall develop and fully implement an Engineered Waste Management Plan (EMWP) acceptable to the Executive Officer. The EMWP shall be developed by a registered professional engineer, or other qualified individual, in accordance with the guidelines specified in Attachment "B" of this order. The Executive Officer is hereby authorized to make necessary revisions to the guidelines for the preparation of an EWMP outlined in Attachment "B".

7. Item 1 of Cease and Desist Order No. 99-65 states:

1. Compliance with Discharge Specification A.2. shall be achieved as follows:

a) The following dischargers shall achieve compliance with Discharge Specification A.2. forthwith: (See Attachment "A" for a list of these dischargers.)

(i) Dischargers who have developed and implemented an acceptable Engineered Waste Management Plan (EWMP),

(ii) Dischargers who were required to develop and implement an acceptable EWMP pursuant to Provision D.3. of Order No. 94-7, or

(iii) Dischargers who were required by law to submit a report of waste discharge and who were informed by the Executive Officer that the report of waste discharge was to include an acceptable EWMP.

b) Those dischargers not included in item 1.a., above, shall develop and implement an acceptable EWMP and achieve compliance with Discharge Specification A.2. in accordance with a time schedule to be adopted by the Board at a later date.

8. It is appropriate to require those dischargers who have already developed and implemented EWMPs, who were required to develop and implement EWMPs pursuant to Order No. 94-7, and/or who were required by law to submit a report of waste discharge and who were informed by the Regional Board's Executive Officer that the report of waste discharge was to include an acceptable EWMP, to comply with Discharge Specification A.2. forthwith.

9. It is appropriate to revise the list of dischargers identified in Attachment "A" to Cease and Desist Order No.99-65 to more accurately reflect those dischargers specified in Finding 5, above.

10. It is appropriate to provide time schedules for the development and implementation of EWMPs for those dischargers currently enrolled to discharge waste under Order No. 99-11 and not identified in the revised Attachment "A".

11. Due to the limited number of experienced consultants available to prepare EWMPs and the limited amount of resources available for Regional Board staff to review those plans, it is appropriate to phase the requirement for the development and implementation of the plans over a three-year period.

12. The SWRCB has notified interested parties of its intent to adopt this amendment to the cease and desist order.

13. The SWRCB, at a public hearing held on January 20, 2000, received evidence and considered all relevant information pertaining to this amendment to the cease and desist order.

14. This enforcement action is being taken for the protection of the environment and, as such, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Article 19, Division 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that Cease and Desist Order No. 99-65 is amended as follows:

1. Attachment "A" to Cease and Desist Order No. 99-65 is replaced with the revised Attachment "A", included with this order.

2. Section "b." of Item 1 is replaced with the following:

- b. *All dischargers listed in Attachments "B", "C", and "D" shall develop and implement an acceptable EWMP and achieve compliance with Discharge Specification A.2 in accordance with the time schedules specified in those attachments.*^{1,2}

3. All other provisions of Cease and Desist Order No. 99-65 remain unchanged.

CERTIFICATION

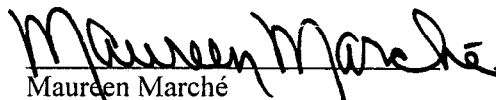
The undersigned, Administrative Assistant to the SWRCB, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 2, 2000.

AYE: James M. Stubchaer, Chairman
Arthur G. Baggett, Jr., Vice Chairman
Mary Jane Forster, Member
John W. Brown, Member

NO: None

ABSENT: None

ABSTAIN: None


Maureen Marché
Administrative Assistant to the Board

¹ It is recognized that some dischargers plan to terminate operations within the next few years. Dischargers who are listed on any of the attachments to this order, and can document that they will terminate operations within 12 months of the compliance date for developing and implementing an EWMP, may petition the Board for a compliance date that may be extended for up to 12 months. However, dischargers with facilities still in operation after the extension date without a fully implemented EWMP will be considered in violation of this cease and desist order.

² Recognizing that a large number of EWMPs will be submitted within a narrow timeframe, Board staff will strive to provide comments on draft and final plans as soon as possible after receipt from the dischargers. The staff goal will be to respond to submittals within 30 days. It should also be recognized that staff resources may be directed towards enforcement related to non-submittal of required EWMPs and this may result in some delays in staff reviews of EWMPs, depending on available resources.

**Revised Attachment "A" to Santa Ana Regional Board Cease and Desist Order No. 99-65
As Adopted by SWRCB Water Quality Order 2000-01 on February 2, 2000**

The dischargers listed below shall achieve compliance with Discharge Specification A.2. of Order No. 99-11 forthwith:

Discharger	Facility Name	Facility Location
Alger, Tom	Tom Alger Dairy	11612 68th St
Boschma, Henry	Henry Boshma And Son #2 Dairy	13628 Haven
Costa, Candido	Inland Empire Dairy #1	8920 Merrill Ave
De Groot, Bill	De Groot Dairy	8921 Schaefer
De Vuyst, Richard	De Vuyst Farms Dairy	541 Warren Rd
Dyt, Andy	Dyt Dairy #2	6051 Harrison
Eagle Livestock Inc.	Eagle Livestock	7850 Bickmore
Echeverria, Carlos	Carlos Echeverria & Sons Dairy	9711 Eucalyptus
Echeverria, Juan	Juan Echeverria Dairy	8762 Kimball
Echeverria, Pablo	Pablo Echeverria Dairy	7481 Cleveland Ave
Echeverria, Ramon	Newhouse Dairy	7171 Cleveland Ave
Fikse, Alvin	Pacific Coast Dairy	9275 Chino Ave
Gorzeman, Glenn	Gorzeman Dairy #2	13948 Walker
Gorzeman, Joe & Randy	Riverview Dairy	11980 68th Street
Haringa, Edward	Green Acres Dairy	7322 Chino Ave
Haringa, Ron & Julie	R & J Dairy	1882 Ramona Blvd
Hettinga, Gerben	4-H Calf Ranch	9202 Edison Ave
Hettinga, Gerben & Hein	G. H. Dairy	6481 Wineville
Hogg,	Sun Valley Jersey Dairy #1	8271 Chino Ave
Jorritsma, James	Jorritsma Dairy	8061 Edison Ave
Koopman, Gene	Koopman & Sons Dairy #1	13838 Archibald
Koot, William	Koot Dairy - Wineville	4255 Wineville
Kroes, Jake	Jake Kroes Dairy	14561 Haven
La Brucherie, Ronald	Mountain View Dairy	10084 Eucalyptus
Nederend, Hans	Nederend Dairy #4	7233 Chino Ave
Oostdam, Pete	Pete Oostdam & Son Dairy	1930 Warren Rd
Parente, Mary Borba	L & M Dairy	8559 Edison Ave
Pietersma, Ron	Legend Dairy Farms-Schleisman	14955 Schleisman
Schoneveld, John Allen	J. A. Schoneveld Dairy	10115 Eucalyptus
Simoos, Helio And Maria	H. M. Simoos Dairy	8819 Remington
Slegers, Janet & Len	Aspen Dairy	10241 Edison Ave
Vanden Berge, Larry	J & L Dairy	14610 Chandler
Vander Dussen, Robert	Rawhide Dairy	7848 Grapewin
Vander Eyk, Robert	Robert Vander Eyk Dairy	13750 Haven
Vander Poel, Ron	Bar Vp Dairy	16221 Euclid Ave
Vander Schaaf, David	David Vander Schaaf Dairy-Scha	7777 Schaefer
Visser, Henry	Visser Holsteins Dairy #2	15993 El Prado Rd
Zivelonghi, George	Zivelonghi Dairy Farms	13450 Euclid Ave

**Attachment "B" to Santa Ana Regional Board Cease and Desist Order No. 99-65
As Adopted by SWRCB Water Quality Order No. 2000-01 on February 2, 2000**

The dischargers listed below shall achieve compliance with Discharge Specification A.2 of Order No. 99-11 in accordance with the following time schedule:

Task	Date
Submit a report specifying the name of the engineer or other qualified individual who will be preparing the EWMP	December 1, 1999
Submit a draft EWMP for the facility	June 1, 2000
Submit final EWMP	Within 90 days of transmittal of Board staff's comments on the draft EWMP
Fully implement the EWMP and submit a certification from the engineer or other qualified individual who prepared the plan that all facilities have been constructed as specified in the EWMP	Within 120 days of Regional Board staff's concurrence with the final EWMP

Discharger	Facility Name	Facility Location
Abacherli, Frank	Abacherli Dairy	29875 Newport Road
Aguerre, J.B.	J.B.'S Calves	6655 Kimball
Albers, Ray	Albers & Son Dairy	8649 Merrill Ave
Bartel, Dale	Sunnydale Farm	2733 Cottonwood
Barthelemy, Roland	H & R Barthelemy Dairy	16500 Chino-Corona Rd
Boer, Dennis	Boer Dairy	32309 Holland Rd
Boere, John H Jr.	Boere Dairy	30490 Briggs Road
Bootsma, Jim	Jim Bootsma Dairy	18500 Main Road
Bootsma, John	John Bootsma Dairy	32300 Ramona Exp
Bouma, Peter	P & D Dairy	8919 Merrill Ave
De Boer, Sidney	Sidney De Boer Dairy	8865 Kimball
De Haan, Larry	Rancho Ramona Dairy	4050 Ramona Exp
De Jong, Herman	Herman De Jong Dairy	31910 Corydon Rd
Devries, Garrett	Mira Vista Dairy	35500 Ramona Exp
Dominguez, Manuel And Helen	M & H Calf Ranch	17497 Chino-Corona Rd
Dotinga, Pete	Pete Dotinga Jr Dairy	24095 Cawston
Engelsma, Jake	Engelsma Dairy	8011 Kimball
Goyenette, Albert	Albert Goyenette Dairy	6919 Bickmore
Haringa, Herman	Herman Haringa Dairy	8552 Kimball
Hettinga, Hein	Hettinga Farms	20750 Warren Rd
Hettinga, Hein	Hettinga Dairy	17190 Cucamonga Ave
Indaburu, Jean	Jean Indaburu Dairy	15970 Euclid Ave
Jaques, John	John Jaques & Son Dairy	8710 Pine Ave
Jongsma, Bill	Cow-West Dairy	8050 Hellman Ave

Jongsma, Henry	Henry Jongsma & Son	1710 Warren Rd
Marquez, Art	Marquez Dairy	7360 Pine Ave
Minaberry, Michel	Minaberry Dairy	7264 Hellman Ave
Moons, Jack & Beatrice	Moons Dairy	6310 Hellman Ave
Mouw, Warren	Warren Mouw & Son Dairy	6800 Pine Ave
Mouw, Warren	Mouw Dairy	8363 Pine Ave
Nyenhuis, Jim	Jim Nyenhuis Dairy	8711 Remington
Offinga, Sidney	Offinga Dairy	32920 Ramona Exp
Oosten, Marvin & Marinus	Marvo Holsteins Dairy	18400 Main Road
Record, William	Record Rancho Heifer	1579 De Anza Drive
Rocha, John	John Rocha Dairy	7363 Pine Ave
Schouten Bros.	Schouten Bros Dairy	1040 Warren Rd
Schouten, Cor	Schouten Bros Heifer	870 Warren Rd
Scott, Stan	Scott Bros. Dairy	18051 Gilman Springs Rd
Souza, Frank	Frank Souza Dairy	16185 Euclid Ave
Spyksma, John	Ramona Farms	2451 Ramona Exp
Stark, Everett	Stark & Sons Dairy	7653 Kimball
Stueve, Glen	Stueve Gold Dairy	8340 Pine Ave
Swager, Gerben & Sons	Swager & Sons Dairy	7945 Chino-Corona Rd
Sybrandy, Sid	Sid Sybrandy Dairy	34860 Ramona Exp
Te Velde, John H	Pastime Lakes Dairy	34450 Ramona Exp
Tuls, Jack	Tuls Dairy 1 & 2	38980 Record Rd
Van Dam, Dick	Antelope Valley Dairy #2	3180 Cottonwood
Van Hatten, James	James Van Hatten Dairy	35600 Ramona Exp
Van Hofwegen, Allan J.	Dutch Girl Dairy	7350 Hellman Ave
Van Leeuwen, Arie & Arlan	Fair View Farm	6829 Pine Ave
Van Ryn, Dick	Moreno Valley Dairy	34005 Gilman Springs Rd
Van Vliet, Nick	Van Vliet Dairy	8571 Merrill Ave
Vanden Hoevel, Geoffrey	Vanden Hoevel Dairy	7551 Kimball
Vander Eyk, Case Jr.	Case Vander Eyk Jr. #2	14701 Schleisman
Vander Laan, Ben	Ben Vander Laan Dairy	8755 Chino-Corona Rd
Vander Poel, Henry	Vander Poel Bros. Dairy	8787 Pine Ave
Vander Poel, John	John Vander Poel Dairy	14750 Schleisman
Vander Woude, Ed	Ed Vander Woude Dairy	36580 Ramona Exp
Verburg, Jack	Jack Verburg Dairy	15743 El Prado Rd
Visser, Henry	Visser Holsteins Dairy	6841 Bickmore
Wassenaar, Pete	Pete Wassenaar Dairy	8015 Kimball
Weeda, Adriana	Daniel Weeda Dairy	15708 Pomona-Rincon Rd
Westra, Richard	H & R Westra Dairy	7851 Bickmore
Weststeyn, Pete	Flying W Dairy	14762 Schleisman
Wiersema, Harry	Harry Wiersema Dairy	8315 Merrill Ave
Wind, John & John A.	Liberty Ranch	8486 Chino-Corona Rd

**Attachment "C" to Santa Ana Regional Board Cease and Desist Order No. 99-65
As Adopted by SWRCB Water Quality Order No. 2000-01 on February 2, 2000**

The dischargers listed below shall achieve compliance with Discharge Specification A.2 of Order No. 99-11 in accordance with the following time schedule:

Task	Date
Submit a report specifying the name of the engineer or other qualified individual who will be preparing the EWMP	December 1, 2000
Submit a draft EWMP for the facility	June 1, 2001
Submit final EWMP	Within 90 days of transmittal of Board staff's comments on the draft EWMP
Fully implement the EWMP and submit a certification from the engineer or other qualified individual who prepared the plan that all facilities have been constructed as specified in the EWMP	Within 120 days of Regional Board staff's concurrence with the final EWMP

Discharger	Facility Name	Facility Location
Aukeman, Lewis	Aukeman Dairy	12391 Schleisman
Bain, Warren	Warren Bain Calf Nursery	6420 Harrison
Biscaichipy, Jean & Mike	Brothers 3 Dairy	5950 Harrison
Boersma, Peter	Peter Boersma Dairy #1	7090 Cleveland Ave
Bootsma, Ike & John	Bootsma Calf Ranch	14560 Schleisman
Bosch, Pete	Pete Bosch Dairy	13567 Whispering Lakes
Boschma, Henry	Henry Boschma & Son Dairy	13350 Haven
Bosma, Dick	Dick Bosma Heifer Ranch	7290 Cleveland Ave
Collinsworth, Shelby	Collinsworth Dairy	10529 Eucalyptus
Dallape, Tom	Dallape Dairy	2877 River Road
De Bos, Andrew	De Bos Dairy	14300 Schleisman
De Groot, Jake	De Groot Dairy	14080 Haven
De Vries, Case	Milk Maid Dairy	10869 Eucalyptus
Duhalde, Lauren	Lauren Duhalde Dairy	9859 Eucalyptus
Dykstra, Dick	Dick Dykstra Dairy	10129 Schaefer
Dykstra, John & Pete	Dykstra Dairy	11091 Edison Ave
Fullmer, Que	Fullmer Cattle Company	8551 Hereford Dr
Goedhart, Ben	Goedhart Dairy	14250 Schleisman
Goedhart, Ben	Goedhart Dairy #2	6851 Archibald Ave
Gorzeman, Joe	Joe Gorzeman Dairy	12451 Bellegrave Ave
Goyenette, Albert	Archibald Dairy	7575 Archibald Ave
Haakma, Larry	Del Amo Dairy	13737 Archibald

Heida, Don	Don Heida Dairy	13454 Cloverdale
Hettinga, Hein	Hettinga Ranch	17250 El Sobrante Rd
Hettinga, Pete	Pete Hettinga Dairy	11101 Eucalyptus
Hettinga, Wilbur	Wilber Hettinga Calf Ranch	5240 Hamner Ave
Hilarides, Frank	Northview Dairy	10601 Riverside Dr
Hill, Kurt	Hillco Dairy	10350 Eucalyptus
Hoekstra, Edward	Hillcrest Dairy	11355 Bellegrave Ave
Hoogendam, John	J Hoogendam Dairy	12871 Schleisman
Jongsma, John	John Jongsma Dairy	9876 Edison Ave
Kasbergen, Neil & George	Kasbergen Dairy	12400 Limonite Ave
Knevelbaard, John	Knevelbaard & Sons Dairy	6550 Harrison
Knevelbaard, John	John Knevelbaard Dairy	6485 Harrison
Koolhaas, Simon	Simon Koolhaas Dairy	14717 Haven
Leal, John	Leal Ranches	12741 Cloverdale
Lorenz, Richard	Oosten Dairy	8405 Archibald Ave
Martin, Tony	Martin Dairy	10129 Edison Ave
Miersma, Harry	Harry Miersma Dairy	6828 Archibald Ave
Minaberry, Marie	Minaberry Dairy	8120 Harrison
Mocho, Jean	Mocho & Plaa Dairy	12421 Bellegrave Ave
Osterkamp, Joseph	Joseph Osterkamp Dairy	8301 Archibald Ave
Pinheiro, Jack	Jack Pinheiro Dairy	11011 Riverside Dr
Plantenga, George	Western Sky Dairy	6500 Hamner Ave
Ranney, Walter Iii	Excelsior Farms	7401 Hamner Ave
Schakel, Fred	Fred Schakel Dairy #2	5815 Sumner Ave
Slegers, Hubert & Gerard	H & G Dairy	10051 Eucalyptus
Slegers, Jake	Jake Slegars Dairy	11400 Harrel St
Slegers, Lenwood & Ben	West-Star Dairy	10401 Riverside Dr
Stanley, R.F. & Mccune, R.M.	Flamingo Dairy	14970 Chandler
Stelzer, Mike	Northern Calif. Holsteins	14100 Cloverdale
Te Velde, Jim	Tee Vee Dairy #2	14692 Archibald
Te Velde, Ken	Ken Te Velde Dairy	14901 River Road
Te Velde, Ralph	Tee Vee Farm	14744 Archibald
Teunissen, Bernard	B. J. Dairy	16666 Hereford Dr.
Tillema, Harold	Harold Tillema Dairy	6848 Archibald Ave
Troost, Greg	T & T Cattle Dairy	6301 Archibald Ave
Tuinhout, Harry	Harry Tuinhout Dairy	14741 Carpenter
Van Dam, Bas & Gysbert	Bas Van Dam & Son Dairy	10333 Eucalyptus
Van Leeuwen, Bill	Midhill Dairy	13000 Citrus
Van Leeuwen, Bill	Vangard Dairy	7490 Cleveland Ave
Van Ryn, Dick	Van Ryn Dairy	14487 Schleisman
Van Veen, John	John Van Veen Dairy	9581 Chino Ave
Van Veen, John	John Van Veen Heifer	14983 River Road
Vanden Berg, Darrel	Jack Vanden Berg Dairy	6715 Wineville
Vander Dussen, John	Vander Dussen Dairy #2	10615 Edison Ave
Vander Dussen, John	Vander Dussen Dairy #1	10573 Edison Ave
Vander Dussen, Sybrand	Syann Dairy	14950 River Road
Vander Eyk, Case	Case Vander Eyk Dairy	17650 Hellman Ave
Vander Eyk, Case Jr.	Case Vander Eyk, Jr. Dairy	13661 Haven

Vander Meer, Dick	Dick Vander Meer & Son	6851 Harrison
Vander Stelt, Katherine & Steve	C. Vander Stelt & Sons	6701 Harrison
Vanderham, C. & P.	Vanderham Dairy	4860 Wineville
Vanderham, Cornelius A	C. A. Vanderham Dairy #2	15133 Carpenter
Westra, Jake, John, & Calvin	Westra Dairy Farms	11023 Eucalyptus

**Attachment "D" to Santa Ana Regional Board Cease and Desist Order No. 99-65
as Adopted by SWRCB Water Quality Order No. 2000-01 on February 2, 2000**

The dischargers listed below shall achieve compliance with Discharge Specification A.2 of Order No. 99-11 in accordance with the following time schedule:

Task	Date
Submit a report specifying the name of the engineer or other qualified individual who will be preparing the EWMP	December 1, 2001
Submit a draft EWMP for the facility	June 1, 2002
Submit final EWMP	Within 90 days of transmittal of Board staff's comments on the draft EWMP
Fully implement the EWMP and submit a certification from the engineer or other qualified individual who prepared the plan that all facilities have been constructed as specified in the EWMP	Within 120 days of Regional Board staff's concurrence with the final EWMP

Discharger	Facility Name	Facility Location
Aguerre, Louis	Aguerre Dairy	14022 Cypress Ave
Alewyn, Jack	Jack Alewyn Dairy #1	8185 Edison Ave
Alewyn, Jake	Jake Alewyn Dairy	14361 Grove Ave
Bachoc, Raymond	Raymond Bachoc Dairy	13331 Walker
Bangma, Martin	Martin Bangma Dairy	8847 Schaefer
Bekendam, Henry	Henry Bekendam Dairy	13051 Baker
Bekendam, Randy	Bekendam Cattle Co.	14366 Bon View
Bootsma, Garret	Garret Bootsma Dairy	7721 Edison Ave
Borba, George	Aurora Farms	14746 Grove Ave
Borba, George	George Borba & Son Dairy	7955 Eucalyptus
Borba, Joe	Half And Half Dairy	14651 Grove Ave
Borba, Joe & Lindsey	Lindsey Borba Dairy	7475 Eucalyptus
Borba, John	John Borba & Son Dairy	9064 Edison Ave
Bos, Aleid	Dutch Premium Dairy	13555 Euclid Ave
Costa, Candido	Inland Empire Calf Ranch	7316 Schaefer
Costa, Dimas	Costa View Farms Dairy #3	14213 Bon View
Costa, Dimas	Dimas Costa Dairy	14451 Bon View
De Boer, Fred	De Boer Dairy	9155 Riverside Dr
De Groot, Dick	Dick De Groot Dairy	7993 Schaefer
De Groot, Ernest	Twin Palms Dairy	7587 Edison Ave
De Haan, Henry	Henry De Haan Dairy	9029 Schaefer
De Hoog, Joe & Michael	Three D Dairy	8485 Edison Ave
De Hoog, Martin	Martin De Hoog Dairy	8311 Edison Ave

De Hoog, Michael	Michael De Hoog Dairy	8381 Edison Ave
De Vries, Abe	Abe De Vries Dairy	15524 Grove Ave
Ferreira, Joe C.	Ferreira Heifer Ranch	7823 Chino Ave
Ferreira, Joe C.	Joe Ferreira Dairy	14400 Grove Ave
Fikse, Alvin	Pacific Coast Dairy	8929 Chino Ave
Gastelluberry, Jean	Basque-American Dairy	8484 Schaefer
Haagsma, Richard	Haagsma Dairy	8643 Eucalyptus
Haringa, Earl	Haringa Brothers Dairy	14848 Grove Ave
Heim, Joe	Joe Heim Dairy	13456 Walker
Hogg, Warren, David, & Gene	Sun Valley Jersey Dairy #2	13129 Baker
Lekkerkerk, Lane	Lane Lekerkerk Dairy	15779 Mountain Ave
Miersma, Harry & Harlan	Miersma & Sons Dairy	14474 Grove Ave
Musser, Michael	Shady Grove Dairy Farm	13485 Bon View
Nederend, Hans	Hans Nederend Dairy #1	13752 Bon View
Padilla, Miguel M.	Rancho Padilla Calf Ranch	7247 Riverside Dr
Prison Industry Authority	Cim Pia Dairy	14901 Central Ave
Reitsma, Gary	R & V Dairy	8007 Chino Ave
Sousa, Serafim	Sns Dairy	7397 Edison Ave
Struikmans, Henry	Struikmans & Son Dairy #1	8535 Edison Ave
Struikmans, Henry & Nick	Majestic Farms	14333 Walker
Teunissen, Bernard	Beranna Dairy	16015 Mountain Ave
Van Dam, Dick	Dick Van Dam Dairy	4525 Eucalyptus
Van Dam, Don	Don Van Dam Dairy	7244 Edison Ave
Van Dam, Don	W Van Dam Dairy	7225 Edison Ave
Van Hofwegen, Steve	S & C Van Hofwegen Dairy	15913 Mountain Ave
Van Leeuwen, John	Hillview Dairy	16311 Mountain Ave
Vande Witte, George	George Vande Witte Dairy	15916 Mountain Ave
Vanden Brink, John	H & J Dairy	6661 Chino Ave
Vander Laan, Martin	Martin Vander Laan Dairy	13429 Grove Ave
Vanderham, C. & P.	Vanderham Bros Dairy	13575 Walker
Veenendaal, John	Veenendahl Dairy	13566 Bon View
Verhoeven, Martin	Martin Verhoeven Dairy	6718 Eucalyptus

California Regional Water Quality Control Board
Santa Ana Region

CEASE AND DESIST ORDER No. 99-65

for

Violations and Threatened Violations of
Requirements Specified in Order No. 99-11, NPDES No. CAG018001
General Waste Discharge Requirement For Concentrated Animal Feeding Operations (Dairies
and Related Facilities) Within The Santa Ana Region

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter, Board), finds that:

1. On August 20, 1999, the Board adopted Order No. 99-11, NPDES No. CAG018001, General Waste Discharge Requirements for Concentrated Animal Feeding Operations (CAFOs) Within The Santa Ana Region. Order No. 99-11 replaced Order No. 94-7, the previous general waste discharge requirements for CAFOs.
2. Operators of CAFOs (hereinafter, dischargers) covered under Order No. 94-7 or individual waste discharge requirements and dischargers who have submitted a notice of intent to be covered under Order No. 94-7 were automatically enrolled under Order No. 99-11.
3. Discharge Specification A.2. of Order No. 99-11 specifies:
 2. *The discharger shall develop and fully implement an Engineered Waste Management Plan (EMWP) acceptable to the Executive Officer. The EMWP shall be developed by a registered professional engineer, or other qualified individual, in accordance with the guidelines specified in Attachment "B" of this order. The Executive Officer is hereby authorized to make necessary revisions to the guidelines for the preparation of an EWMP outlined in Attachment "B".*
4. Order No. 99-11 incorporates new prohibitions regarding manure disposal/use that were not included in Order No. 94-7, specifically, Discharge Specifications A.6., A.8., and A.9. which state:
 6. *The use of manure as a fertilizer in any area that may affect a groundwater subbasin lacking assimilative capacity, including the Chino Groundwater Basin, is prohibited unless a plan, acceptable to the Executive Officer, is implemented which mitigates the effects of that use on the underlying groundwater subbasin.*
 8. *Manure removed from the corrals shall be hauled off the facility within 180 days. Any manure remaining at the facility after 180 days of being removed from the corrals is considered to be disposal of manure and is prohibited in accordance with Discharge Specification A.5. A manifest of the manure hauled away shall be prepared and submitted with the annual report in accordance with Monitoring and Reporting Program No. 99-11.*

CDO No. 99-65
Concentrated Animal Feeding Operations
(Dairies and Related Facilities)

9. *On two designated "clean days" per calendar year, facilities subject to this order shall be free of all stockpiled manure that has been removed from corrals. These "clean days" shall be selected by each discharger, beginning in 2000. The two "clean days" shall be at least four months apart. Each "clean day" shall be identified and reported to the Board office at least five working days in advance of the selected date.*
5. Many dischargers enrolled under Order No. 99-11 are violating or threatening to violate Discharge Specifications A.2., A.6., A.8., and A.9. of Order No. 99-11.
6. It is appropriate to provide a time schedule to achieve full compliance for those dischargers who cannot immediately comply with Discharge Specifications A.2., A.6., A.8., and A.9. of Order No. 99-11.
7. The Board has notified interested parties of its intent to adopt this cease and desist order.
8. The Board, at a public hearing held on August 20, 1999, received evidence and considered all relevant information pertaining to this cease and desist order.
9. This enforcement action is being taken for the protection of the environment and, as such, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Article 19, Division 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that, in accordance with Section 13301 of the California Water Code, all operators of CAFOs enrolled under Order No. 99-11, NPDES No. CAG018001, comply with all Discharge Specifications and Provisions of Order No. 99-11, NPDES No. CAG018001 forthwith, with the exception of the following:

1. Compliance with Discharge Specification A.2. shall be achieved as follows:
 - a. The following dischargers shall achieve compliance with Discharge Specification A.2. forthwith: (See Attachment "A" for a list of these dischargers.)
 - i) Dischargers who have developed and implemented an acceptable Engineered Waste Management Plan (EWMP),
 - ii) Dischargers who were required to develop and implement an acceptable EWMP pursuant to Provision D.3. of Order No. 94-7, or
 - iii) Dischargers who were required by law to submit a report of waste discharge and who were informed by the Executive Officer that the report of waste discharge was to include an acceptable EWMP.

- b. Those dischargers not included in item 1.a., above, shall develop and implement an acceptable EWMP and achieve compliance with Discharge Specification A.2. in accordance with a time schedule to be adopted by the Board at a later date.

2. Compliance with Discharge Specification A.6. shall be achieved as follows:

Dischargers may continue to supply manure for application to existing cultivated croplands (not pasture lands) within the Chino Basin at agronomic rates unless the Board finds that progress is not being made toward the construction and operation of a second desalter within the Chino Basin.

3. Compliance with Discharge Specifications A.8. and A.9. shall be achieved as follows:

- a. By January 15, 2000, each discharger shall submit a report to the Executive Officer stating the volume and estimated weight of all manure that is present at the discharger's facility as of December 31, 1999, excluding the manure that is present in the corrals. This volume and estimated weight of manure shall include all manure that has accumulated at the facility (including past years) as of December 31, 1999.
- b. By January 15, 2000, each discharger shall submit a detailed report to the Executive Officer stating the specific means by which the discharger will comply with items 3.c. and 3.d., below. The report can be submitted by the discharger, or by the discharger's duly authorized representative. The report submitted by the discharger's duly authorized representative can address one discharger's facility or can address an aggregate number of facilities, as long as the representative has been duly authorized by the dischargers to represent them. If a discharger chooses representation, the discharger shall provide the name of their representative to the Executive Officer, in writing, by January 15, 2000. The report shall include, at a minimum, the name of the person who will transport the manure from the facility, the destination of the manure, the month that the manure will be removed from the facility, and a statement confirming that financial resources are available to comply with items 3.c. and 3.d., below.
- c. At least 50% of the manure that was present at the discharger's facility as of December 31, 1999 shall be removed from the facility by December 31, 2000.
- d. All of the manure that was present at the discharger's facility as of December 31, 1999 shall be removed from the facility by December 31, 2001.

CDO No. 99-65
Concentrated Animal Feeding Operations
(Dairies and Related Facilities)

4. If, in the opinion of the Executive Officer, any discharger fails to comply with any part of this Order, the Executive Officer is directed to issue a complaint assessing administrative civil liability or to request that the Attorney General take judicial enforcement action against the discharger, including an injunction and civil monetary remedies, if appropriate, pursuant to Sections 13331, 13350, 13385, 13386, and/or 13387 of the California Water Code.

I, Gerard J. Thibeault, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on August 20, 1999.

/s/

Gerard J. Thibeault
Executive Officer

Attachment "A" to Cease and Desist Order No. 99-65

Dischargers Who Must Immediately Comply With Discharge Specification A.2.

<u>Discharger</u>	<u>Dairy Address</u>
Peter Albers	13744 Hamner , Norco
Tom Alger	11612 68 th Street, Mira Lima
Fran Arburua	5543 Schaefer, Chino
Michael Bidart	7565 Eucalyptus, Chino
Henry Boschma	13628 Haven, Ontario
Candido Costa	8920 Merrill Avenue
Bill DeGroot	8921 Schaefer, Chino
Richard DeVuyst	541 Warren Road, San Jacinto
Dick Dykstra	7938 Schaefer, Chino
Andy Dyt	6051 Harrison, Corona
Eagle Livestock	7850 Bickmore, Chino
Carlos Echeverria	14330 Cleveland, Corona
Carlos Echeverria	9711 Eucalyptus, Chino
Juan Echeverria	8762 Kimball, Chino
Pablo Echeverria	7481 Cleveland, Corona
Ramon Echeverria	7171 Cleveland, Corona
Frank Ferreira	13950 Haven, Ontario
Narcie Ferreira	32100 Ramona Expressway, San Jacinto
Alvin Fiske	9275 Chino Avenue, Ontario
Jean Gastelluberry	13144 Campus, Ontario
Joe Gorzeman	13948 Walker, Chino
Joe Gorzeman	11980 68 th Street, Mira Loma
Joe Gorzeman	13905 Bon View, Chino
Ron Haringa	1882 Ramona Boulevard
William Haringa	7322 Chino Avenue, Chino
Gerben Hettinga	9202 Edison Avenue, Chino
Gerben Hettinga	6481 Wineville, Mira Loma
Warren Hogg	8271 Chino Avenue, Chino
James Jorritsma	8061 Edison Avenue, Chino
Gene Koopman	13838 Archibald Avenue, Chino
William Koot	4255 Wineville, Mira Loma
Jake Kroes	14561 Haven Avenue, Ontario
Ronald LaBrucherie	10084 Eucalyptus, Ontario
Adrian Lekkerkerk	16016 Mountain Avenue, Chino
Hans Nederend	7233 Chino Avenue, Chino
Pete Oostdam	1930 Warren Road, San Jacinto
Mary Parente	8559 Edison, Chino
Ron Pietersma	14955 Schleisman, Corona
John Schoneveld	10115 Eucalyptus, Ontario

Attachment "A", continued

Page 2 of 2

DischargerDairy Address

August Simoes	8625 Riverside Drive, Chino
Helio Simoes	8819 Remington Avenue, Chino
Janet Slegers	10241 Edison Avenue, Chino
Dan Swager	7233 Eucalyptus, Ontario
Harold Tillema	6160 Harrison, Corona
Charles VanDerKooi	10269 Eucalyptus, Ontario
Richard VanLeeuwen	13380 Citrus, Corona
Larry Vanden Berg	14610 Chandler, Corona
George Vander Dussen	6871 Sumner Avenue, Corona
Robert Vander Dussen	7848 Grapewin, Corona
Robert Vander Eyk	13750 Haven, Ontario
Ron Vander Poel	16221 Euclid Avenue, Ontario
David Vander Schaaf	7777 Schaefer, Chino
Henry Visser	15993 El Prado, Chino
George Zivelonghi	13450 Euclid Avenue, Ontario