CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

ORDER NO.R7-2002-0118

WASTE DISCHARGE REQUIREMENTS
FOR
HARDY & HARDY INVESTMENTS, LAND OWNER
CALIFORNIA BIO-MASS INC., OPERATOR
COMPOSTING MANAGEMENT FACILITY
Southeast of Thermal - Riverside County

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. California Bio-Mass Inc., Operator, 83-109 Avenue 62, Thermal, California 92274 and Hardy & Hardy Investments, Land Owner, 10397 Alder Avenue, Bloomington CA 92316 (hereinafter collectively referred to as the Discharger), submitted a revised Report of Waste Discharge (ROWD) 03/22/02, for revisions to the operation of their Composting Management Facility (CMF) for the acceptance of fish waste as an acceptable feedstock for composting.

2. California Bio-Mass is located on a 79-acre parcel described as Lot 2, NW 1/4 of Section 1, T7S, R7E, SBB&M; however, the composting operation is limited to the permitted westerly 40 acres, as shown in Attachments A and B, are made a part of this Board Order by reference.

3. Definition of terms used in this Board Order:

   a. Compost – A mixture of decaying organic matter used to amend and condition soil.

   b. Composting Management Facility (CMF) – The entire parcel of property at which composting operations or related activities are conducted.

   c. Composting Management Unit (CMU) – An area of land, or a portion of a composting management facility, in which compost, additives, or raw material is discharged or stored. The term includes containment and ancillary features including drainage control and monitoring appurtenances.

   d. Discharger – Discharger means any person who discharges waste that could affect the quality of the waters of the State, and includes any person who owns a waste management unit or who is responsible for the operation of a waste management unit (Title 27, California Code of Regulations (hereafter Title 27).

   e. Additives - Additives consist of waste or products that include manure, fertilizers, and chemicals that are approved by the Regional Board's Executive Officer for mixing with feedstock to adjust the moisture level, carbon to nitrogen ratio, or porosity, in order to create a condition favorable to composting.

   f. Agricultural waste – Agriculture waste consists of plant waste coming directly from an agricultural commodity, and is the product of farms and ranches and by-products processed from these products. Agricultural waste includes agricultural, floricultural, silvicultural, and vermicultural wastes.

g. Fish waste – For the purposes of this Order, Fish Waste will include those fish wastes from fish farms, fish processors, fish markets, and dead fish from Fish Recovery Projects.

h. Food processing waste – Food processing waste consisting of or containing only pre-processed and post-processed waste derived from produce or foods from restaurants, hospitals and food distributors.

i. Green waste – Green waste consists of, or contains, waste from plants, including leaves, clippings, cuttings, grass trimmings, weeds, shrubbery, bushes, or trees, residential or community garden wastes, and untreated wood wastes.

j. Grid – The grid is the name given to the elongated feedstock piles formed of the recently delivered or received waste material.

k. Liquid wastes composition will consist of the following waste streams. The Discharger reports that the facility receives approximately 5,000 tons per month of liquid wastes.

   1) Beer
   2) Milk
   3) Syrups
   4) Orange Juices
   5) Soft drinks
   6) Miscellaneous
   7) Grease trap
   8) Liquid Cheese waste

   Liquid grease is obtained from grease trap drains or waste pipes designed to stop grease such as animal fat, lard, tallow, bones, and raw animal fat from entering a sewer system.

l. Dewatered cheese waste – For the purposes of this Order waste from cheese processors that has been run through a dewatering belt press.

m. Overs – For the purposes of this Order, overs are those composted materials that when screened in the finishing process are too large, and are sorted out of the finished product and placed in stockpiles and/or windrows for further composting.

n. Paper waste – Paper waste consists primarily of paper as an accessory waste to curbside green waste, restaurant, and organic waste from source separation programs.

o. Recycled drywall - Recycled drywall consists of new drywall waste from construction activities. The waste is crushed and added as an amendment.

p. Municipal drinking water treatment sludge – Sludge from backwash filtration systems at municipal drinking water treatment plants.

4. The composting activities at this CMF were previously regulated under the General Conditional Waiver of Waste Discharge Requirements (WDRs) for Green Waste Composting Operations, Board Order No. 96-019 (General Conditional Waiver was adopted on May 22, 1996). A Notice of Applicability to Board Order No. 96-019 was issued to the Discharger by the Executive Officer on July 9, 1996. The Notice of Applicability to the General Conditional Waiver was rescinded when the Discharger became subject to WDRs, Board Order No. 00-004, adopted on April 12, 2000.

5. The Discharger is currently subject to WDRs Board Order No. 00-004. Board Order No. 00-004 is being revised to incorporate a proposed operational change, and to incorporate the laws and regulations as set forth in the California Water Code and combined State Water Resources Control Board (SWRCB)/California Integrated Waste Management Board (CIWMB) regulations, Division 2, Title 27.

6. The Discharger is proposing to compost dead fish recovered from the Salton Sea Fish Kill Recovery Pilot Project, as part of the CMF's composting operation. Board Order No. 00-004 prohibits the acceptance of "dead animals" at this CMF. Board Order No. R7-2002-0118 will add fish waste as an acceptable feedstock, and delineate the prohibition to read "dead animals, except fish waste".

7. The Discharger's Report of Composting Site Information, November 1999, amended November 25, 2000, and the current Solid Waste Permit for Composing Mixed Wastes, issued by the Riverside County Department of Environmental Health on January 14, 2000, describes "fishery waste" as an acceptable feedstock for composting.

8. The Discharger has estimated that a maximum of 20 tons-per-day of incoming fish waste could be accepted at the CMF during a fish kill event at the Salton Sea, with an estimated total tonnage of 1,000 tons over the five (5)-month period of the pilot project (May,2002 through September 2002). The pilot project will allow the Discharger to evaluate the project for future composting processing procedures. Should the Discharger choose to continue the acceptance of fish waste after the completion of the pilot project, the Discharger will need to obtain prior approval from the Regional Board's Executive Officer, pursuant to Specification A.4. of this Board Order.

9. The Discharger will manage the incoming fish waste by mixing four (4) parts ground "overs" and/or ground green material to one (1) part fish waste, and will place the mixture in windrows for composting.

10. The windrows will be 15 feet wide and 10 feet tall, and 100 to 150 feet long. The composting process will take approximately 180 days to prepare a finished product.

11. The Discharger currently composts wastes including chicken and dairy manure, agricultural waste, non-treated wood, paper waste, residential or community garden green waste, food and grocery waste, gypsum, recycled wall board from new construction and liquid waste. These wastes are defined in Finding 3, above.

12. The finished compost product may include amendments and additives in quantities based on customer specifications or market demand. The amendments and additives may include lime, rock phosphate, gypsum, sulfur, manure or commercial fertilizers. The average production of finished compost is 550 to 740 tons per day (tpd).

13. The Discharger will not be allowed to accept, treat or compost the following wastes:

    a. Municipal solid waste;

    b. Sludge (including sewage sludge, wastewater treatment sludge, and industrial sludge); Septage;

    c. Liquid waste, unless specifically approved by this Board Order, as defined in Finding No. 3.i., above, or as specifically approved by the Regional Board's Executive Officer;

    d. Animal waste, other than specified in this Board Order;

    e. Oil and grease derived from petroleum products;

    f. Hazardous or, designated waste, ash, and other wastes determined by the Regional Board's Executive Officer to pose a potential; threat to water quality;

    g. Hot, burning waste materials or ash;

    h. Treated wood; and

    i. Paper waste, other than incidental as a feedstock, hazardous and designated waste paper.

14. The Discharger estimates a maximum design handling capacity of 160,000 tons or 350,000 cubic yards per year, or a maximum daily load of 700 tpd. The estimated composition of the receiving waste is 75% municipal green waste, 21% food and vegetable waste, and 4% of various other permitted wastes. The compost processing time ranges from a minimum of two (2) months to a maximum of eight (8) months. The composting method may be either a Grid/Windrow Process (G/WP) and/or an Aerated Static Piles Method (ASPM).

15. The Discharger reports that a chemical analysis of the grease trap liquid used in the composting process at this CMF shows an average of 41 mg/L oil and grease. The Discharger applies the grease trap liquid directly to the windrow and/or static piles at a total maximum of 1.22 gallons of liquid waste per cubic feet of green waste.

16. When the CMF is operating at a maximum capacity of 160,000 tons of feedstock and composting materials, the water demand will be approximately 250,000 to 400,000 gallons per day. Water demand depends on ambient conditions and the moisture content of the incoming feedstock. The process water is provided by an on-site water supply well and a 900,000-gallon holding reservoir served by the Coachella Valley Water District.

17. The feedstock for the G/WP is held in grid piles for approximately 120 to 150 days. A moisture level of 50 to 60% is maintained in the G/WP. Each grid pile is approximately 250x150x12 feet. The grids are approximately 40 feet apart, and have a density of approximately of 666 pounds per cubic yard.

18. After the waste material is moved from the grid in the G/WP, it is placed into windrows for pathogen reduction process. The windrows are 20 feet wide, 12 feet high at initial placement, and with a maximum length of approximately 300 feet. An average separation of 10 feet is maintained between the windrows. During the G/WP composting process, moisture content of 40-60%, aerobic conditions, and temperature at approximately 55 degree Celsius (131 degree Fahrenheit) are maintained for a period of 15 days or longer for windrows. During this period, the windrows are turned a minimum of five (5) times

19. Finished material is processed through a screening process to sort finish product from oversized material. Non-compostibles are removed via hand picking. Oversized material is then ground to a reduced size and placed in windrows for further decomposition.

20. Feedstock in the new ASPM is processed for pathogen reduction and decomposition. Under the ASPM, the composting material is aerated through piping installed at 10-foot intervals at the bottom of the pile attached to a force air blower. During the ASPM composting process, moisture content of 40-60%, aerobic conditions and temperature at approximately 55 degrees Celsius (131 degrees Fahrenheit) are maintained for a period of three (3) days. After this period of time, the material remains in static piles to further decompose for 20 to 35 weeks. The composting process is considered complete when the compost temperature, following aeration, does not exceed 120 degrees Fahrenheit.

21. The compost curing area holds the compost removed from the windrows and/or static piles after the active composting period is completed, during the final stages of the screening process. Curing compost is held in this area for approximately three (3) to six (6) weeks.

22. The CMF is within a large agriculture zone in a desert environment in southeastern Riverside County. Normal annual precipitation in this area is 2 to 2.6 inches. Normal surface evaporation is 88 inches.

23. There is a domestic well within the facility boundary at a depth of 574 feet. The Discharger reports the domestic well's water quality as follows: Nitrate (NO_3) 6 mg/L, Fluoride (F) 0.2 mg/L, and Total Dissolved Solid (TDS) 1000 mg/L. The well is located at the northwest corner adjacent to the pond (reservoir).

24. The facility is on clayey silt soil (classified as Indio very fine sandy loam (Is)). As referenced in the RCSI, Appendix H (from Riverside County Soil Survey), the Is consists of soils having moderate infiltration rates and moderate rates of water transmission. A single core sample was taken at the site representing the surficial 5-10 feet of native soil. A falling head permeability test indicated a permeability of 3.3×10^{-7} cm/sec.

25. The depth of the shallow aquifer is approximately 13 feet. The facility and surrounding properties are tiled for agricultural drainage to the Salton Sea.

26. The Discharger installed four (4) ground water monitoring wells into the perched aquifer (MW-1, MW-2, MW-3, and MW-4) on October 29, 1999. Analyses of ground water samples from these wells on November 15, 1999 indicated the presence of some volatile organic compounds (VOCs), total coliform and fecal coliform/E. Coli.

27. The CMF's operational areas are designed to enhance the lateral drainage of free liquids, including compost leachate, wastewater from cleaning operations, and precipitation. According to the ROWD the facility has a minimum grade of 1%. The runoff water will be conveyed to a detention basin on site.

28. Agriculture commodities may contain agronomic levels of pesticides, herbicides, and fungicides.

29. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993, and designates the beneficial uses of ground and surface waters in this Region.

30. The beneficial uses of ground water in the Whitewater Hydrologic Unit, are:

    a. Municipal Supply (MUN)
    b. Industrial Supply (IND)
    c. Agriculture Supply (AGR)

31. In accordance with Section 15301, Chapter 3, Division 6, Title 14 of the California Code of Regulations, the issuance of these WDRs, which governs the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et. seq.).

32. Federal regulations for storm water discharges were promulgated by the United States Environmental Protection Agency (USEPA) on November 16, 1990 (40 CFR Parts 122, 123, and 124). The regulations require that specific categories of facilities which discharge storm water associated with industrial activity to obtain NPDES permits and to implement Best Conventional Pollutant Technology (BCPT) to reduce or eliminate industrial storm water pollution.

33. The SWRCB adopted Order No. 97-03-DWQ (General NPDES Permit No. CAS000001), specifying WDRs for discharges of storm water associated with industrial activities, excluding construction activities, and requiring submittal of a Notice of Intent by industries to be covered under the Permit.

34. The jurisdiction of the Regional Board is limited to regulating the impact on water quality and the beneficial uses of waters of the state by the discharge of wastes. These WDRs, Order No. R7-2002-0118, are limited to matters within the Regional Board's jurisdiction.

35. The Board has notified the Discharger and all known interested agencies and persons of its intent to issue WDRs for said discharge and have provided them with an opportunity for a public meeting and an opportunity to submit comments.

36. The Board in a public meeting heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 00-004 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the Discharger shall comply with the following:

A. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution as defined in Sections 13050 of Division 7 of the California Water Code.

2. Compost waste material shall be confined to the 40-acre composting management facility, as defined in Findings No. 1 and 2, and shown on Attachment C.

3. Composting and storage of waste shall be limited to the areas designated for such activities. Any revision or modification of the designated area, or any proposed change in operation at the CMF, must be submitted in writing to the Regional Board's Executive Officer for review and approval before the proposed change in operations or modification of the designated area is implemented.

4. Continued acceptance of fish waste after the end of the fish waste pilot project defined in Finding No 8 of this Board Order, shall require prior approval by the Regional Board's Executive Officer.

5. Any increase or change in the annual average volume of material to be composted at the site must be submitted in writing to the Regional Board's Executive Officer for review and approval.

6. On-site storage of chicken, steer or dairy manure, and new drywall waste shall not exceed a maximum of 90 days.

7. All leachate produced by uncomposted feedstock and composting activities shall be immediately managed to prevent ponding, or channeled to the detention basin.

8. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources, shall not contact or percolate through composting material or amendment additives discharged at this site.

9. The interior surfaces of the CMF shall be graded and maintained to promote conveyance of storm water precipitation, lateral runoff, and excess leachate within the CMF to the detention basin.

10. If any liquid is collected in the basin, this may be reapplied to the windrows if the chemical analysis of the liquid indicates that the liquid does not exceed designated or hazardous level criteria.

11. The Discharger shall implement the attached Monitoring and Reporting Program No. R7-2002-0118, and revisions thereto, in order to detect, at the earliest opportunity, any

unauthorized discharge of waste constituents from the CMF, or any impairment of beneficial uses associated with (caused by) discharges of waste to the CMF.

12. The Discharger shall follow the Water Quality Protection Standard (WQPS) for detection monitoring established by the Regional Board pursuant to Title 27. The following are five (5) parts of WQPS as established by the Regional Board.

    a. The Discharger shall test for the Monitoring Parameters and the Constituents of Concern (COC) as listed in Monitoring and Reporting Program No. R7-2002-0118 Part III,C., and any revisions revised Monitoring and Reporting Program, as approved by the Executive Officer.

    b. Concentration Limits - The concentration limit for each monitoring parameter and constituent of concern for each monitoring point (as stated in the Detection Monitoring Program), shall be its background value as obtained during that reporting period.

    c. Monitoring points and background monitoring points for detection monitoring shall be those listed in attached Monitoring and Reporting Program No. R7-2002-0118, Part II.B.4., and any revised Monitoring and Reporting Program, as approved by the Regional Board's Executive Officer.

    d. Points of Compliance shall be those listed in attached Monitoring and Reporting Program No. R7-2002-0118, Part II.B.4., and any revised Monitoring and Reporting Program, as approved by the Executive Officer.

    e. Compliance period - The duration of the compliance period for this CMF is five (5) years. Each time the Standard is not met (i.e. releases discovered), the CMF begins a compliance period on the date the Regional Board directs the Discharger to begin an Evaluation Monitoring Program. If the Discharger's Corrective Action Program (CAP) has not achieved compliance with the standard by the scheduled end of the Compliance Period, the Compliance Period is automatically extended until the CMF has been in continuous compliance for at least three (3) consecutive years.

13. Each delivery of municipal drinking water treatment sludge shall be characterized to meet the limits of the WQPS set by the Regional Boards.

14. The Discharger shall remove and relocate to a disposal area approved by the Regional Board's Executive Officer any unacceptable wastes that were brought or discharged at this site in violation of these requirements.

15. Water used for the process and site maintenance shall be limited to the amount necessary in the process and for dust control.

16. The CMF shall be protected from any washout or erosion, and from any inundation, which could occur as a result of floods having a predicted frequency of once in 100 years.

17. The Discharger shall not cause the release of pollutants, or waste constituents in a manner, which could cause a condition of contamination or pollution to occur.

18. Upon ceasing composting operations at the CMF, all waste, all natural geologic material contaminated by waste, and all surplus or unprocessed composting material shall be

removed from the site and disposed of in a manner approved by the Regional Board's Executive Officer.

19. If any portion of the CMF is to be closed, the Discharger shall notify the Regional Board's Executive Officer at least 180 days prior to beginning any partial or final closure activities.

20. Ninety days prior to the cessation of composting operations at the CMF, the Discharger shall submit a workplan, subject to approval of the Regional Board's Executive Officer, for assessing the extent, if any, of contamination of natural geological materials and waters of the Whitewater Hydrological Unit by the waste. Within120 days following workplan approval, the Discharger shall submit a technical report presenting results of the contamination assessment. A California registered civil engineer or certified engineering geologist must prepare the workplan, contamination assessment, and engineering report.

B. Prohibitions

1. The discharge or deposit of liquid and solid waste other than the green waste, chicken, and dairy manure, fish waste, agricultural waste, non treated wood, paper waste, residential or community garden green waste, food waste including dewatered cheese waste, grocery waste, gypsum**,** recycled wall board from new construction, lime, rock phosphate, gypsum, sulfur, manure or other commercial fertilizers, municipal drinking water treatment sludge, and liquid waste, as defined in Findings 3, 6, and 11, at this site is prohibited.

2. The Discharger is prohibited from accepting, treating or composting the following wastes:

   a. Municipal solid waste;

   b. Sludge (including sewage sludge, wastewater treatment sludge, and industrial sludge); Septage;

   c. Liquid waste, unless specifically approved by this Board Order, as defined in Finding No. 3.i., above, or as specifically approved by the Regional Board's Executive Officer;

   d. Animal waste, other than specified in this Order;

   e. Oil and grease derived from petroleum product; and

   f. Hazardous, designated, and other wastes determined by the Regional Board to pose a potential threat to water quality;

   g. Hot, burning waste materials or ash;

   h. Treated wood; and

   i. Paper waste, other than incidental as a feedstock, hazardous and designated waste paper.

3. The Discharger shall not accept feedstock deliveries made to the composting site that contain the following materials:

a. Hazardous material such as poisons, toxins, pesticides or pesticide containers, as defined in Title 22 of State of California Code of Regulations (CCR);

b. Material containing PCB's creosote, arsenic, pentochlorophenolds, petroleum hydrocarbons, and diesel or gasoline residues;

c. Dead animals; except fish waste

d. Hot, burning waste materials, or ash;
e. Explosives or combinations of waste/material that could spontaneously burn or explode;

f. Painted wood; and

g. Wastewater treatment sludge.

4. The discharge of liquid or semi-solid cheese waste with a pH value of less than 5 is prohibited.

5. The discharge of more than 750 tons per month of cheese waste is prohibited.

6. The discharge or deposit of hazardous, designated waste (as defined in Section 20164, Title 27), and other wastes determined by the Regional Board to pose a potential threat to water quality at this site is prohibited.

7. The discharge of wastes in a manner or at a location different than that described in the Findings of this Board Order is prohibited.

8. The discharge of waste to land not owned or controlled by the Discharger is prohibited.

9. The Discharger shall not cause degradation of any ground water aquifer or water body.

10. The Discharger shall neither cause nor contribute to the contamination or pollution of ground water via the release of waste constituents in either liquid or gaseous phase.

11. Direct discharge of any waste to any surface water or surface drainage courses is prohibited.

12. The Discharger shall not cause any increase in the concentration of waste constituents in soil-pore gas, soil-liquid, soil, or other geological material outside the CMF, if such waste constituents could migrate to waters of the State in either liquid or gaseous phase, and cause conditions of contamination or pollution.

13. The Discharger shall not cause the concentration of any Constituent of Concern or Monitoring Parameter to exceed its respective background value in any monitored medium at any Monitoring Point assigned for Detection Monitoring pursuant to Monitoring and Reporting Program No. R7-2002-0118, and revisions thereto.

14. No pesticides, herbicides, and fungicides shall be applied to the feedstock or product unless the pesticides, herbicide, and fungicides are for pest or weed control and the Regional Board's Executive Officer has been notified and approval has been obtained, prior to application.

C. Provisions

1. The Discharger shall submit a Water Quality Monitoring and Response Plan as described in Article 1, Subchapter 3, Chapter 3, Title 27. The Plan shall be submitted within **60 days** after the adoption of this Board Order.

2. The Discharger shall comply with Monitoring and Reporting Program No. R7-2002-0118, and future revisions thereto, as specified by the Regional Board's Executive Officer.

3. The procedure for preparing samples for the analyses shall be consistent with Monitoring and Reporting Program No. R7-2002-0118, and any revisions thereto. The Monitoring Reports shall be certified to be true and correct, and signed, under penalty of perjury, by an authorized official of the Company.

4. Within six (6) months of the adoption of this Board Order, the Discharger shall submit to the Regional Board, pursuant to Section 20380(b) of Title 27, the establishment of an irrevocable financial assurance fund (or provide other means of financial responsibility acceptable to the Regional Board's Executive Officer) with the RWQCB as beneficiary, to ensure funds are available to address a known or reasonably foreseeable release from the CMF.

5. The size, operation condition, and locations of the grids, windrows, and static piles shall be managed according to the Riverside County Fire Department approval or specified conditions.

6. The Discharger shall establish an irrevocable financial instrument for closure in an amount acceptable to the Regional Board's Executive Officer. The closure fund shall be established (or evidence of an existing closure fund shall be provided) within six (6) months of the adoption of this Board Order.

7. If there is any fire at the CMF, the Discharger shall report by telephone within 48 hours to the Regional Board after the incident. A written report shall be submitted to the Regional Board within seven (7) days, containing at least the following information:

    a. A map showing the location(s) of the fire
    b. A description of the nature of the fire
    c. Firewater runoff or leachate handling procedures
    d. Description of future fire prevention measures

8. If vegetation is used for erosion control purposes at the containment features, it shall not impair the integrity of containment features. If irrigation of vegetation is used at the CMF, it shall be managed to minimize runoff.

9. All containment structures and erosion and drainage control systems shall be designed and constructed under direct supervision of a California Registered Civil Engineer, and shall be certified by the individual as meeting the prescriptive standards and performance goals.

10. The Discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.

11. This Board Order does not authorize violation of any federal, state, or local laws or regulations.

12. The Discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

    a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;

    b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;

    c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and

    d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.

13. All monitoring systems shall be readily accessible for sampling and inspection.

14. The Discharger may be required to submit technical reports as directed by the Regional Board's Executive Officer.

15. The Discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.

16. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with this Board Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures.

17. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

18. The Discharger shall comply with the following:

    a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

    b. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least five (5) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Board's Executive Officer at any time.

    c. Records of monitoring information shall include:

        1) The date, exact place, and time of sampling or measurements.

2) The individual(s) who performed the sampling or measurements.
3) The date(s) analyses were performed.
4) The individual(s) who performed the analyses.
5) The results of such analyses.

d. Monitoring must be conducted according to test procedures described in the Monitoring and Reporting Program No. R7-2002-0118, unless other test procedures have been specified in this Board Order.

19. The Discharger is the responsible party for the WDRs, and the monitoring and reporting program for the CMF. The Discharger shall comply with all conditions of these WDRs. Violations may result in enforcement actions, including Regional Board Orders or court orders, requiring corrective action or imposing civil monetary liability or in modification or revocation of these WDRs by the Regional Board.

20. The Discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.

21. Prior to any change in ownership or management of this operation, the Discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.

22. Prior to any modifications in this facility, which would result in material change in the quality or quantity of discharged, or any material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Regional Board and obtain revised requirements before any modifications are implemented.

23. The Discharger shall submit a Notice of Intent (NOI) to the SWRCB to be covered under the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS000001. The Discharger shall comply with all the discharge prohibitions, receiving water limitations, and provisions of the General Permit.

24. The Discharger shall submit a sampling and monitoring plan for storm water discharges to the Regional Board’s Executive Officer for review and approval no later than 90 days after the adoption of this Board Order. The plan shall meet the minimum requirements of Section B, Monitoring Program and Reporting Requirements of the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS000001.

25. All monitoring shall be performed as described in Title 27 of the California Code of Regulations.

I, Philip A. Gruenberg, 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, Colorado River Basin Region, on May 8, 2002.

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Executive Officer