

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
364 Knollcrest Drive, #205, Redding, California 96002

NOTICE OF PUBLIC HEARING

concerning

**TENTATIVE ORDER
WASTE DISCHARGE REQUIREMENTS ORDER R5-2025-XXXX
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT CA0082490
FOR
BURNEY FOREST PRODUCTS, A JOINT VENTURE, SHASTA
GREEN, INC., AND SIERRA PACIFIC INDUSTRIES
BURNEY FOREST PRODUCTS
SHASTA COUNTY**

Discharger and Tentative Order Information

Burney Forest Products, a joint venture, Shasta Green, Inc., and Sierra Pacific Industries (collectively, Discharger) are the facility owner, facility operator, and land owner, respectively, of the Burney Forest Products (Facility), located at 35586-B Highway 299 E, Burney, California 96013. The Facility is comprised of a biomass cogeneration plant that can produce 28.4 MW and a sawmill/planing mill operation that can process 70 million board feet of dimensional lumber per year. Depending on the annual wet weather, the Facility discharges 300-700 million gallons per year of industrial storm water to a storm water retention pond that discharges to Canyon Creek, a water of the United States and tributary to Burney Creek. Annually, the Facility also discharges 150-200 million gallons of wastewater from the cogeneration and sawmill operations to two lined ponds. Process wastewater from the two lined ponds is treated and recycled as makeup water for the cooling towers.

Discharges from the Facility are currently regulated by Waste Discharge Requirements Order R5-2019-0048, issued by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 7 June 2019. An Order is proposed to renew the NPDES permit. The tentative Order includes new or updated effluent limits for whole effluent toxicity. In addition, the tentative Order includes new or updated storm water action levels for aluminum, oil and grease, suspended solids, tannins and lignins, total suspended solids, and zinc.

Public Hearing Date and Location

A public hearing concerning the tentative Order will be held during the Central Valley Water Board meeting scheduled for:

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DATE: 20/21 February 2025
TIME: 8:30 a.m.
PLACE: Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Dr., Suite #200
Rancho Cordova, CA 95670

and Online Meeting

The [final meeting agenda](#) (https://www.waterboards.ca.gov/centralvalley/board_info/meetings/) will be available at least **10 days** before the meeting. The agenda will provide the anticipated date the hearing will be held for this item and anticipated order of all agenda items; however, the Board may consider agenda items out of their listed order. The agenda materials may also include staff revisions to the tentative Order.

Nature and Purpose of Hearing

At the hearing, the Central Valley Water Board will hear testimony and oral comments regarding the tentative Order. This proceeding will be a formal adjudicatory proceeding. The [procedures governing Central Valley Water Board adjudicatory hearings](#) (http://www.waterboards.ca.gov/laws_regulations/) may be found at California Code of Regulations, title 23, section 648 et seq. and are available upon request.

Prehearing Submission of Written Comments and Evidence

The **Discharger** is a party to this proceeding. As a party, the Discharger must submit written evidence or comments, if any, for the Board to consider no later than 5:00 p.m. on **18 December 2024** to the Central Valley Water Board email at RB5S-NPDES-Comments@waterboards.ca.gov.

Interested persons include any non-party that is interested in the outcome of the hearing. Interested persons wishing to comment, in writing, on the tentative Order shall submit comments no later than 5:00 p.m. on **18 December 2024** to the Central Valley Water Board email at RB5S-NPDES-Comments@waterboards.ca.gov.

Pursuant to California Code of Regulations, title 23, section 648.4, the Board Chair may refuse to admit written evidence or comments that are not submitted in accordance with this Notice and shall refuse to do so when there is a showing of prejudice to the Discharger or the Board. Excluded material will not be considered by the Board.

Visual Presentations

Hearing participants may use PowerPoint or other visual presentations at the hearing, but the presentation content shall not exceed the scope of previously submitted written material. Presentations, if any, must be provided to the below Central Valley Water Board Contact by 12:00 p.m. on **18 February 2025**.

Hearing Procedure and Time Limits

The hearing on the tentative Order will be conducted in the general order listed under California Code of Regulations, title 23, section 648.5, except that the Board Chair may modify the order for good cause.

The **Discharger** will be advised in advance of the hearing of the total amount of time allocated for their presentation and closing statement. The Discharger is invited to contact staff in advance of the hearing to discuss how much time they believe is necessary.

Interested persons may speak at the hearing and are expected to orally summarize their written submittals, if any. Each interested person will have 3 minutes to present oral comments. Additional time may be provided, upon request, at the discretion of the Board Chair.

Hearing Accommodations

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to send an e-mail to agenda5@waterboards.ca.gov or call 916-464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Availability of Documents

The tentative Order and related documents may be found on the Central Valley Water Board's [Tentative Orders Page](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/) (http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/). Copies of these documents may also be obtained by contacting or visiting the Central Valley Water Board's office at 364 Knollcrest Drive, #205, Redding, California 96002 weekdays between 8:00 a.m. and 5:00 p.m. Scheduling an appointment to review the file by contacting the below Central Valley Water Board Contact in advance is not required but calling ahead will help ensure timely access to these documents.

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Central Valley Water Board Contact

Anyone having questions regarding this hearing item should contact Erin Jonasson at (530) 224-6128 or Erin.Jonasson@waterboards.ca.gov.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Clint E Snyder, P.G.
Assistant Executive Officer