



Enforcement News

Dairyman Agrees to \$108,608 Settlement for Dumping Dairy Wastewater on Cropland

John Brasil Dairies Violated Dairy Waste Discharge Requirements Posing Threat to Groundwater Quality

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SACRAMENTO – The Central Valley Regional Water Quality Control Board (Regional Board) has reached a \$108,608 settlement with a Turlock dairyman for violating waste discharge requirements by dumping dairy wastewater onto cropland last winter. Both discharges posed a threat to groundwater quality.

The [violations](#) occurred in January and February of 2019. The January violation at John Brasil Dairy #1 was found while Regional Board staff were doing dairy farm inspections. Staff noticed manure slurry had been dumped onto a portion of the dairy cropland, inundating the winter crop. The amount of dairy wastewater dumped was later determined to be 96,000 gallons.

The February 2019 violation at John Brasil Dairy #3 was identified by Regional Board inspectors during a routine inspection of the dairy. A recent drop in the level of the wastewater lagoon indicated at least 156,000 gallons of wastewater had been applied to saturated soil, causing the winter crop to turn yellow. Neither of these applications were driven by crop needs, putting them out of compliance with the dairyman's nutrient management plan.

Manure and dairy wastewater contain nutrients that are beneficial fertilizers for crops. However, they should only be applied when the crop needs fertilizing. The wastewater should not be overapplied or applied when soils are saturated. Plants are unable to absorb nutrients when dairy wastewater is applied when crops do not need additional nutrients, or when soils are saturated. This causes the wastewater to pass through soil and into underlying groundwater. Once there, it degrades groundwater, and in the case of nitrate (a constituent of dairy wastewater), a threat to human health exists.

Because of these risks to human health and groundwater quality, the waste discharge requirements that regulate dairies require that dairy wastewater only be applied to cropland in compliance with nutrient management plans.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

STATE WATER RESOURCES CONTROL BOARD

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The \$108,608 penalty will be deposited into the State Water Board's Cleanup and Abatement Account. That account provides grants for the cleanup and abatement of pollution when no viable responsible parties are available to undertake the cleanup work.

The [Central Valley Water Board](#) is a state agency responsible for protecting water quality and ensuring beneficial uses such as aquatic habitat and human health for 11,350 miles of streams, 579,110 acres of lakes, and the largest contiguous groundwater basin in California. It is the largest of nine regional boards, encompassing 60,000 square miles, or about 40 percent of the state. Thirty-eight of 58 counties are either completely or partially within the Board's boundaries, formed by the crests of the Sierra Nevada on the east, the Coast Ranges and Klamath Mountains on the west, the Oregon border on the north, and the Tehachapi Mountains on the south.