

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER R5-2021-XXXX

MODIFYING WASTE DISCHARGE REQUIREMENTS ORDER R5-2003-0180  
FOR  
MENEFEE RIVER RANCH AND SYNGRO WEST, LLC  
FOR  
OPERATION  
EL NIDO COMPOSTING FACILITY  
MERCED COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Central Valley Water Board) finds that:

1. Menefee River Ranch Company and Synagro West, LLC (hereafter referred to as Dischargers) own and operate, respectively, the El Nido Composting Facility located at 13757 S. Harmon Road in El Nido, CA. The facility is approximately 35 acres in size and is currently regulated by Waste Discharge Requirements (WDRs) Order R5-2003-0180, which prescribes requirements for operating a biosolids composting facility in accordance with Title 27, California Code of Regulations, Section 20005 et seq (Title 27).
2. As a feedstock, the Dischargers use treated municipal sewage sludge meeting the requirements specified in Part 503 in Title 40 of the United States Code of Federal Regulations (hereinafter referred to as biosolids). SYNAGRO West, LLC, operates the facility on land leased from the Menefee River Ranch Company, that is about one and one-half miles north of Highway 152 on Harmon Road, one mile east of the San Joaquin River and between Mariposa Slough and Eastside Bypass, in Section 4, T10S, R13E, MDB&M. The facility is comprised of Assessor's Parcel Number APN 74-150-001.
3. The facility currently consists of one waste management unit (Unit) enclosed by a three to five foot high berm and a stormwater/leachate collection basin. The Unit includes an area for storage, composting, and a 2.5-acre wood chipping and grinding area.
4. WDRs Order R5-2003-0180 required the Dischargers to install a liner system for the Unit consisting of at least one foot of compacted soil with a hydraulic conductivity of less than  $1 \times 10^{-6}$  centimeters per second (cm/sec) and a liner system from the stormwater basins consisting of the following:
  - a. One foot thick compacted soil layer with a hydraulic conductivity of less than  $1 \times 10^{-6}$  cm/sec,

- b. A 30 mil geosynthetic liner or a 60-mil high-density polyethylene geomembrane, and
  - c. A protective soil layer.
5. The final construction certification report for the facility was approved by the Executive Officer on 23 December 2005 certifying that the facility was constructed in accordance with Construction Specifications D.3 and D.4 of WDRs Order R5-2003-0180.
6. The Dischargers submitted an Amended Report of Waste Discharge, dated 9 November 2020, to allow for the onsite, interim storage of up to 10,000 wet tons at any one time of Class A and/or Class B biosolids between January 1 and June 30 annually. Stored biosolids would be removed from the facility and applied to already permitted land application areas in accordance with the *General Waste Discharge Requirements for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities* (State Water Resources Control Board Water Quality Order No. 2004–0012–DWQ).
7. Between January and April, weather conditions and agricultural land availability for the application of biosolids can become limited. Biosolids that cannot be land applied or composted are then disposed of in area landfills, resulting in a conflict with AB 341, a California statewide mandate to achieve a 75 percent landfill diversion of organics, and SB 1383. Modifying WDRS Order R5-2003-0180 to allow for a 180-day interim storage would allow for the biosolids to be diverted from area landfills.
8. WDRS Order R5-2003-0180 does not allow for storage of biosolids for transfer to permitted agricultural fields. Prohibition A.2 of WDRS Order R5-2003-0180 states, “The discharge of solid wastes outside of a waste management unit (Unit) or portions of a Unit specifically designed for their containment is prohibited.” Furthermore, Discharge Specifications B.2 state, “The discharge shall remain within the designated disposal area at all times.”
9. The proposed revisions would allow for biosolids to be unloaded into the storage area (former chipping and grinding area) over the existing lined working surface and then covered with either a waterproof cover or at least 6 inches of finished compost. The separate biosolids storage area will drain directly to the existing leachate collection pond, located adjacent to the storage area in the southwest corner of the facility (Attachment A). Solid berms (e.g. ecology blocks) will be used to segregate the biosolids storage area from the existing composting working surface.

10. This Order modifies Order No. R5-2003-0180 as a result of a minor modification to the facility's Conditional Use Permit CUP01-007 issued by Merced County on 26 January 2021, to include the seasonal storage of an additional 10,000 wet tons at any one time of Class A and B bio-solids awaiting agricultural use. Order No. R5-2003-0180 remains intact and applicable in all other aspects.

### **CEQA AND OTHER CONSIDERATIONS**

11. The issuance of this Order, which modifies storage requirements of waste at an **existing facility**, with negligible or no expansion of its existing use, is exempt from the procedural requirements of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., pursuant to California Code of Regulations, title 14, section 15301 (CEQA Guidelines). The discharges authorized under this Order are substantially within parameters established under prior WDRs, particularly with respect to character and volume of discharges.

### **PROCEDURAL REQUIREMENTS**

12. All local agencies with jurisdiction to regulate land use, solid waste disposal, air pollution, and to protect public health have approved the use of this site for the discharges of waste to land stated herein.
13. The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
14. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the modification of WDRs Order R5-2003-0180.

IT IS HEREBY ORDERED, pursuant to California Water Code Sections 13263 and 13267, that the requirements of WDRs Order R5-2003-0180 is modified as follows:

1. Prohibition A.2 is modified as follows: The discharge of solid wastes outside of a waste management unit (Unit) or portions of a Unit specifically designed for their containment is prohibited. This prohibition does not include the discharge of stored biosolids to land application areas that are enrolled under State Water Resources Control Board Water Quality Order No. 2004-0012-DWQ.
2. Discharge Specifications B.2 is modified as follows: The discharge shall remain within the designated disposal area at all times. Up to 10,000 wet tons of biosolids may be stored at any one time and may be removed from the facility and discharged in land application areas that are enrolled under State Water Resources Control Board Water Quality Order No. 2004-0012-DWQ.

TENTATIVE-WASTE DISCHARGE REQUIREMENTS ORDER R5-2021-XXXX  
MODIFYING WDRs ORDER R5-2003-0180  
MENEFEE RIVER RANCH & SYNAGRO RANCH, LLC  
EL NIDO COMPOSTING FACILITY  
MERCED COUNTY

-4-

I, PATRICK PULUPA, Executive Officer, 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, Central Valley Region, on \_\_\_\_\_.

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PATRICK PULUPA, Executive Officer