**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**
**CENTRAL COAST REGION**
**81 Higuera Street, Suite 200**
**San Luis Obispo, California 93401-5411**

# WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2002-0015 FOR SAN LUIS OBISPO COUNTY FARM SUPPLY COMPANY PASO ROBLES, SAN LUIS OBISPO COUNTY

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

## SITE OWNER AND LOCATION

1. The San Luis Obispo County Farm Supply Company (hereafter Discharger) owns and operates a retail business consisting of the sale of goods used for farming and agricultural purposes, including the storage and sales of bulk dry and liquid fertilizer at 999, 1004, 1005, 1044, 1048, 1108, 1124, 1144, and 1148 Paso Robles Street, Paso Robles, as shown on Attachments A, B, and C of the proposed Order. The land occupied by the facility is owned by the Discharger (999, 1004, 1005, 1030, 1048, 1108, and 1124), the Gomer Family Trust (1144 and 1148 Paso Robles Street), and Paul Smith (1044 Paso Robles Street). The Discharger has been operating at this site since July 1977.

## PURPOSE OF ORDER

2. The purpose of this Order is to regulate the handling and disposal of fertilizer rinsewater and accidental dry and liquid fertilizer spills to prevent water and soil contamination.

## SITE/FACILITY DESCRIPTION

3. There is no mixing of pesticides or fertilizer at the facility. Since pesticides are stored inside a covered area and the facility is not engaged in mixing or application of pesticides, pesticide-contaminated rinsewater is not expected to be generated at the facility.

### Discharge Type

4. The facility has two overhead dry fertilizer silos at 1108 Paso Robles Street. The silos have discharge chutes to minimize wind-blown dry fertilizer spills during the loading of transport trailers. The loading pad and adjacent areas are paved with asphalt. The liquid fertilizer tank farm is located at 1105 Paso Robles Street The liquid fertilizer tank Discharger sells and delivers bulk liquid or dry fertilizer to customers' fields for application by the customer. Delivery tank trucks are rinsed in the field whenever possible. The few tank trucks that are not rinsed in the field are rinsed at the facility's loading pad and the rinsewater is collected in a sump and stored in an aboveground rinsewater storage tank. There is a potential for soil and water fertilizer contamination at the site if the fertilizer-contaminated rinsewater and accidental spills of liquid and dry fertilizer are not properly managed by implementing Best Management Practices (BMPs). BMPs consist of sweeping dry fertilizer spills at the end of day or immediately when rain is imminent, use of discharge chutes for the dry fertilizer silos to minimize wind-blown dry fertilizer during loading of transport trailers, keeping operational paved areas free from cracks and surface deterioration, pumping out the rinsewater sump at the end of day or immediately when full or rain is imminent, and use of an impermeable loading pad to contain rinsewater and accidental spills.

farm consists of liquid fertilizer storage tanks inside concrete secondary containment. Tank trucks are loaded and unloaded on a concrete loading pad equipped with a concrete collection sump. Tank trucks are rinsed on the loading pad. Fertilizer-contaminated rinsewater and accidental spills on the loading pad flow into a concrete sump and are then transferred to a storage tank at the end of day. The rinsewater is periodically hauled to an employee's ranch for agricultural application.

5. Domestic wastes are discharged to the City of Paso Robles' sewage collection system and treated at the City's wastewater treatment plant.

**Geology**

6. The facility has a fairly flat topography with the general surface flow from west to east toward the Salinas River. Geologic logs obtained from monitoring well borings two blocks south of the facility indicate the site is underlain by interbedded clays, gravels, silts, and sands.

**Surface and Groundwater**

7. The east side of the facility is adjacent to the Salinas River channel.

8. Groundwater flow is to the northeast and the average depth to groundwater is 12 feet below ground surface according to the September 21, 2001, groundwater monitoring data from a site two blocks south of the facility.

**Proximity to Adjacent Property Owners**

9. The facility is located in an area of mixed commercial and industrial uses and is bounded on the north and south by commercial and industrial businesses, to the west by Highway 101, and to the east by the Salinas River.

**MONITORING AND REPORTING PROGRAM (MRP)**

10. The MRP requires Waste Disposal and Spill Monitoring, Paved Areas and Sumps Monitoring, and Best Management Practices Implementation Monitoring. Reports are required to be submitted semiannually.

**BASIN PLAN**

11. The Water Quality Control Plan, Central Coast Basin (Basin Plan), was revised and adopted by the Board on September 8, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of state waters.

12. The Basin Plan designates the existing and anticipated beneficial uses of groundwater at the vicinity of the facility to include:

    a. Municipal and domestic water supply; and
    b. Agricultural water supply.

13. The Basin Plan specifies the following beneficial uses for Salinas River:

    a. Municipal and domestic supply;
    b. Agricultural supply;
    c. Industrial process supply;
    d. Groundwater recharge;
    e. Water contact recreation;
    f. Non-contact water recreation;
    g. Wildlife habitat;
    h. Cold freshwater habitat;
    i. Warm freshwater habitat;
    j. Migration of aquatic organisms;
    k. Spawning, reproduction, and/or early development;
    l. Rare, threatened, or endangered species; and
    m. Commercial and sport fishing.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

14. These requirements are for an existing facility and their adoption is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15301, Chapter 3, Title 14, of the California Code of Regulations (Existing Facilities Exemption).

**EXISTING ORDERS AND GENERAL FINDINGS**

15. These are the first waste discharge requirements for this facility. The Board issued a waiver of waste discharge requirements for the facility on April 30, 1998, pursuant to Section 13269 of the Water Code.

16. Discharge of waste is a privilege, not a right, and authorization to discharge is conditional upon the Discharger complying with provisions of Division 7 of the California Water Code and any more stringent effluent limitations necessary to implement water quality control plans, to protect beneficial uses, and to prevent nuisance. Compliance with this Order should ensure conditions are met and mitigate any potential adverse changes in water quality due to the facility's operation.

17. On February 22, 2002, the Board notified the Discharger and interested parties of its intent to issue requirements for this facility, provided them a copy of the proposed Order, and gave them an opportunity to submit their written views and comments.

18. In a public hearing on May 31, 2002, the Board heard and considered all comments pertaining to the discharge of wastes at the facility and found this Order consistent with the above findings.

19. Any person affected by this action of the Regional Board may petition the State Water Resources control Board (State Board) to review the action in accordance with Section 13320 of the California Water Code and Title 23, California code of Regulations, Section 2050. The petition must be received by the State Board within 30 days of the date of this order. Copies of the law and regulations applicable to filing petitions will be provided upon request.

**IT IS HEREBY ORDERED**, pursuant to authority in Sections 13263 and 13267 of the California Water Code, that San Luis Obispo County Farm Supply Company, its agents, successors, and assigns, may discharge waste at the aforedescribed facility providing compliance is maintained with the following:

(Note: Other prohibitions and conditions, definitions, and the method of determining compliance are contained in the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements," dated January 1984, referenced in paragraph C.7. of this Order.)

Requirements in this Order include superscripts indicating the source of requirements as follows:

BP: Basin Plan
BPJ: Best Professional Judgement

## A. DISCHARGE PROHIBITIONS

1. Discharge, overflow, bypass, leakage, seepage, or overspray of any waste or rinsewater or contaminated site runoff water to drainageways or adjacent properties is prohibited.[BPJ]

2. Discharge of hazardous materials at the site, other than to impermeable containment vessels, is prohibited.[BPJ]

3. Discharge of wastes, fertilizer, pesticides, and other chemicals to unpaved surfaces or paved surfaces with cracks or holes that may cause adverse effects to surface or groundwater quality or cause groundwater quality objectives contained in the Basin Plan to be exceeded is prohibited.[BP]

## B. DISCHARGE SPECIFICATIONS

1. Non-hazardous and non-toxic fertilizer storage tank sludge, fertilizer spills, and fertilizer spill cleanup material may be applied to farmland at appropriate agronomic rates. [BPJ]

2. Surface drainage shall be intercepted and diverted away from areas where the water maybe contaminated with business activities. [BPJ]

3. All storm drainage contaminated as a result of operations at this facility shall be contained and properly disposed of. [BPJ]

## C. PROVISIONS

1. Discharger shall comply with and maintain a copy of this Order at the site where it is always available to operating personnel and regulatory authorities.

2. Liquid fertilizer spills shall be cleaned up immediately unless the spill is contained in a paved and bermed area. Liquid fertilizer tanks shall be provided with impermeable dual containment.

3. Discharger shall notify the Board's Executive Officer and the San Luis Obispo County Health Department of significant spills that pose a danger to human health and the environment within twenty-four hours of occurrence.

4. Discharger shall pump out the rinsewater sump as needed to prevent overflow or minimize the potential for leaks to soil or groundwater.

5. Any material discharged at this site in violation of this Order shall be cleaned up, removed, and used or disposed of properly.

6. Discharger shall have continuing responsibility for correcting any problems that may arise in the future as a result of this business operation or of water applied to this property during subsequent use of the land for other purposes.

7. Discharger shall comply with provisions of the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements," dated January 1984, listed below:
   A. 7, 18 through 24, and 26.
   B. 1 and 3 through 8.
   C. 1, 3, 5, 6, 7, and 10 through 15.
   E. 1 through 3.
   F. 1, 2, 6, 7, 8, 13, 15, 16, and 18.

8. Discharger shall comply with Monitoring and Reporting Program No. R3-2002-0015 as specified by the Executive Officer.

9. All technical and monitoring reports required pursuant to this Order are required pursuant to Section 13267 of the California Water Code. The Board needs the required technical and monitoring reports to determine compliance with this Order. Discharger is required to submit the reports because the Discharger filed a Report of Waste Discharge. More detailed information is available in the Board's public file on this matter. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer, may subject the Discharger to enforcement action pursuant to Section 13268 of the California Water Code. The Regional Board will base all enforcement actions on the date of Order adoption.

10. The waiver of waste discharge requirements issued by the Board on April 30, 1998, is hereby terminated.

11. Pursuant to Title 23, Chapter 3, Sub-Chapter 9, of the California Code of Regulations, the Discharger must submit a written report to the Executive Officer not later than November 1, 2006, that addresses:

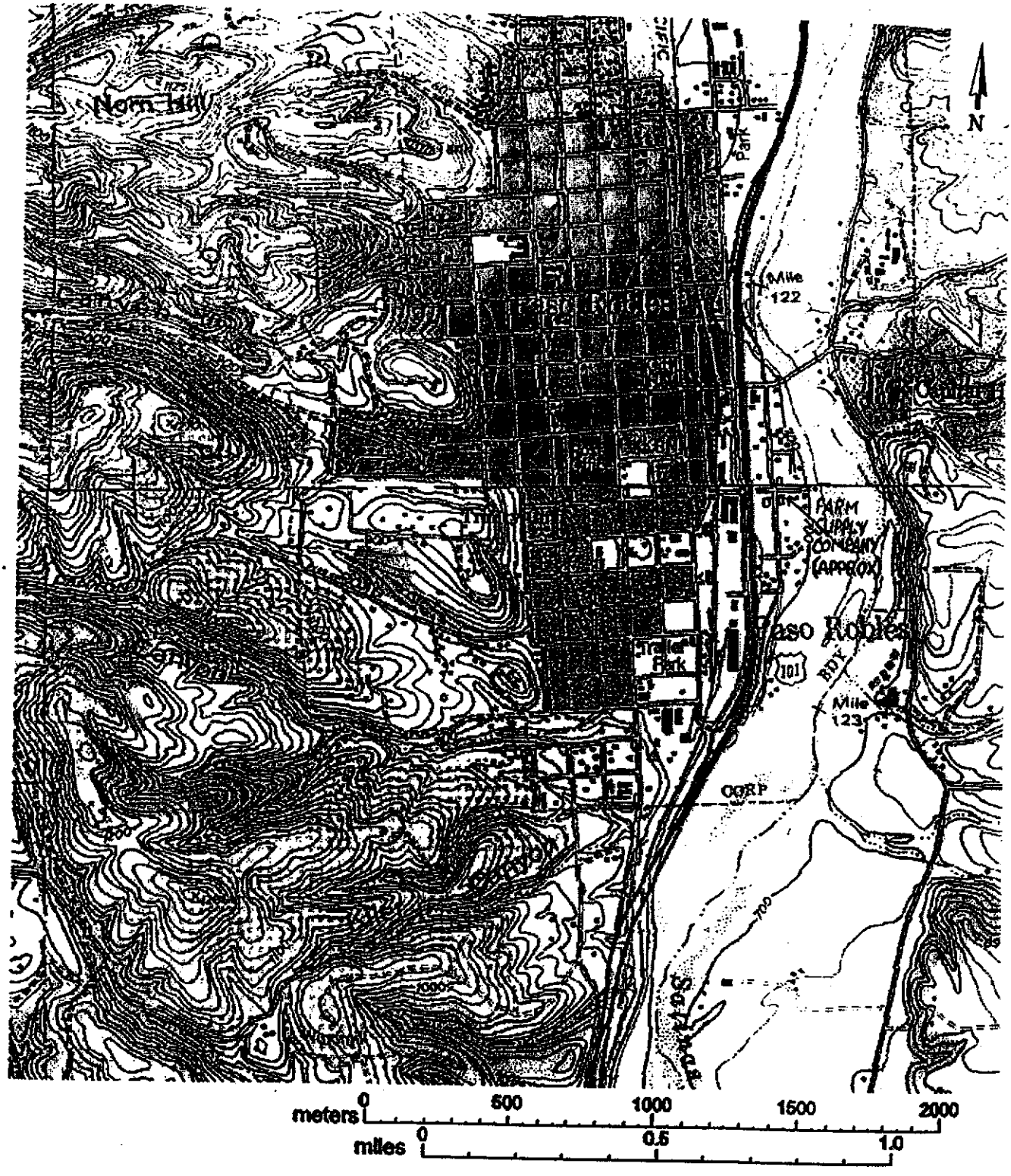
    a. Whether there will be changes in the continuity, character, location, or volume

of rinsewater over the subsequent five years; and

b. Whether, in the Discharger's opinion, there is any portion of the Order that is incorrect, obsolete, or otherwise in need of revision.

**I, Roger W. Briggs, 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, Central Coast Region, on May 31, 2002.

Bradley E. Hagemann
for Roger W. Briggs, Executive Officer

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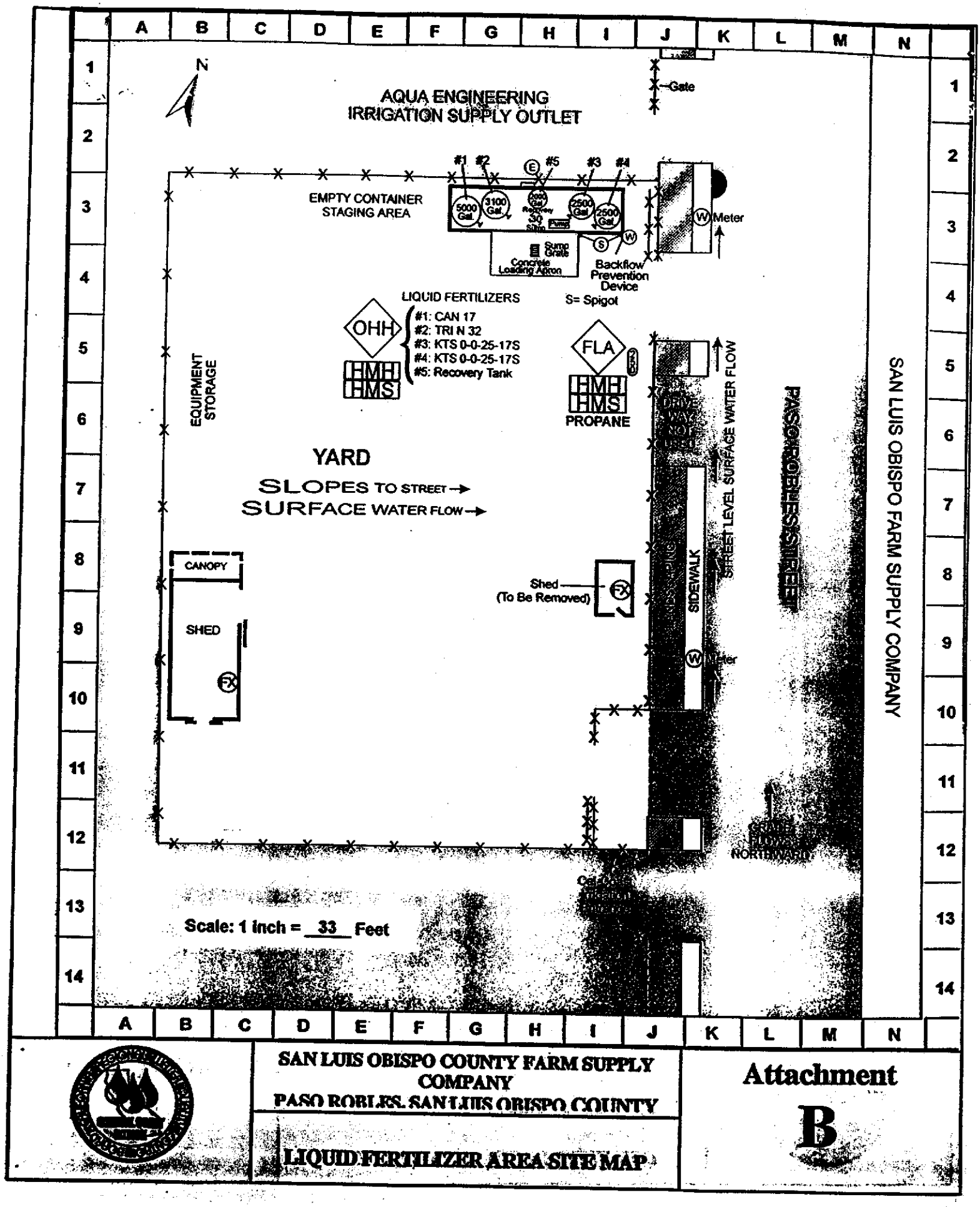
| | **SAN LUIS OBISPO COUNTY FARM SUPPLY COMPANY**<br>**PASO ROBLES, SAN LUIS OBISPO COUNTY** | **Attachment** |
| | **LOCATION MAP** | **A** |

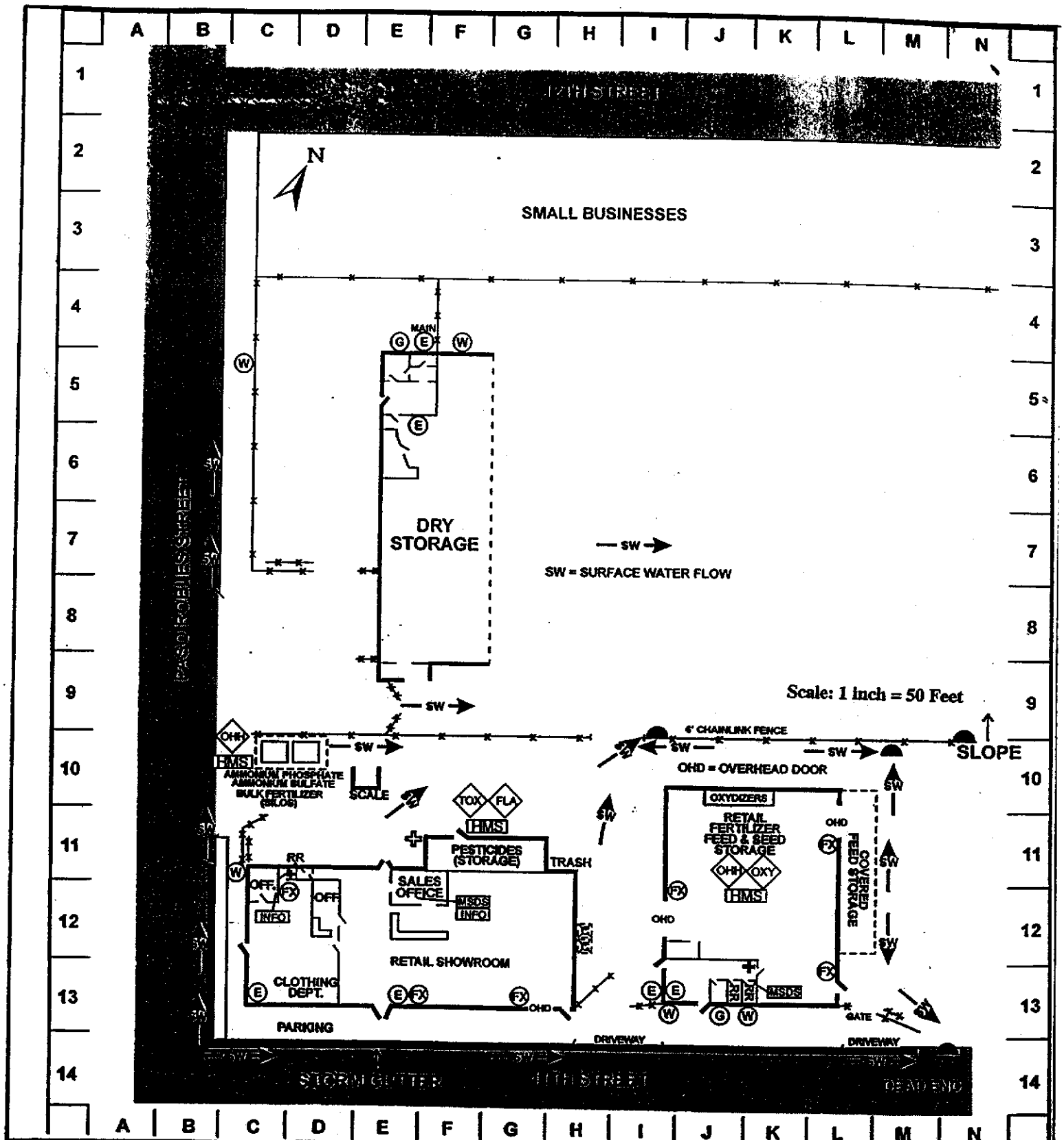



**SAN LUIS OBISPO COUNTY FARM SUPPLY COMPANY**

**PASO ROBLES, SAN LUIS OBISPO COUNTY**

**LIQUID FERTILIZER AREA SITE MAP**

**Attachment B**




**SAN LUIS OBISPO COUNTY FARM SUPPLY COMPANY**

**PASO ROBLES, SAN LUIS OBISPO COUNTY**

**DRY FERTILIZER AREA SITE MAP**

**Attachment C**

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

MONITORING AND REPORTING PROGRAM NO. R3-2002-0015

FOR

SAN LUIS OBISPO COUNTY FARM SUPPLY COMPANY
PASO ROBLES
SAN LUIS OBISPO COUNTY

## WASTE DISPOSAL AND SPILL MONITORING

Discharger shall record and report the following:

1. Volume of rinsewater and volume of fertilizer residues (storage tank or sump bottom sludge) disposed of offsite by application to agricultural lands including disposal date, disposal site name, and disposal site or location.
2. Results of analysis of fertilizer rinsewater disposed of offsite for nutrient constituents (total nitrogen, potassium and phosphate). **The analysis shall be conducted annually, when there is offsite disposal.** Samples shall be collected from the first batch of rinsewater disposed of offsite during the calendar year. Laboratory analytical data shall be submitted with monitoring reports.

Field records or logs used for tracking the above-listed items must be maintained onsite and made available to Regional Board staff for review upon request.

## PAVEMENT AND SUMPS MONITORING

Discharger shall conduct a thorough inspection of all paved areas and rinsewater sumps that maybe impacted by liquid fertilizer spills or rinsewater or contaminated storm runoff at least **every month.** Paved areas and sumps shall be inspected for cracks or holes or surface deterioration that could allow the discharge of spilled fertilizer or rinsewater to soil or ground water. These cracks or holes or deteriorated surfaces shall be fixed immediately upon discovery. A discussion of the inspection findings, a marked-up site map showing location of problem areas (if applicable) and a discussion of any corrective action (if applicable) shall be included in the semiannual reports.

An inspection log containing the date of inspection, findings of inspection, name of inspector, a marked-up site map showing location of problem areas, and any corrective action shall be maintained onsite and made available to Regional Board staff for review upon request.

## BEST MANAGEMENT PRACTICES (BMPs) IMPLEMENTATION MONITORING

Discharger shall confirm implementation of BMPs at the facility to prevent contamination of water or soil due to the facility's operation. BMPs commonly practiced at similar facilities include: sweeping dry fertilizer spills at the end of day or immediately when rain is imminent, use of discharge chutes for the dry fertilizer silos to minimize wind-blown dry fertilizer during loading of transport trailers, use of drip pans or buckets to collect fertilizer leaks from hose couplings during loading and unloading operations, pumping rinsewater sumps at the end of day or sooner when full or rain is imminent, keeping operational paved areas free from cracks and surface deterioration, and use of an impermeable loading pad to contain rinsewater and accidental spills. Discharger may implement and report equivalent BMPs used at the facility and not listed above.

## REPORTING

Discharger shall submit reporting information required by the **Waste Disposal and Spill Monitoring, Pavement and Sumps Monitoring,** and **Best Management Practices Monitoring** semiannually by **May 30** and **November 30** of each year. The Regional Board requires submittal of the semiannual monitoring reports pursuant to California Water Code Section 13267. The monitoring reports shall be signed by a principal executive officer of the company of at least the level of a vice president or a "duly authorized representative."

The Regional Board needs the required semiannual monitoring reports in order to verify compliance with Discharger's Waste Discharge Requirements. Discharger is being required to submit this information because Discharger filed a Report of Waste Discharge. More detailed information is available in the Regional Board's public file on this matter.

ORDERED BY Bradley E. Hagemann
for Roger W. Briggs
Executive Officer
6/5/02
Date