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## Central Valley Regional Water Quality Control Board

8 June 2020

**CERTIFIED MAIL**  
**7018 1830 0001 2775 3900**

Scott Menefee, Owner  
Menefee Ranch  
1624 E. Pacheco Blvd  
Los Banos, CA 93635

**CERTIFIED MAIL**  
**7018 1830 0001 2775 3917**

Jerry Havens  
Synagro West, LLC  
13757 S. Harmon Rd  
Dos Palos, CA 93620

### NOTICE OF APPLICABILITY

**WATER QUALITY ORDER WQ 2004-0012-DWQ; 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; SYNAGRO WEST, LLC AND SCOTT MENEFEE; MENEFEE RANCH; MERCED COUNTY**

On 3 March 2020, Synagro West LLC submitted a Notice of Intent (NOI) and application fee for coverage under the State Water Resources Control Board's Water Quality Order 2004-0012-DWQ, *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* (General Order). The March 2020 NOI was signed by Jose Valencia with Synagro West, LLC and Scott Menefee with Menefee Ranch.

According to the NOI, Synagro West, LLC plans to apply biosolids from various municipal generators throughout California, to approximately 702.1 acres of farmland (Menefee Ranch) owned by Scott Menefee in Merced County. Both Synagro West, LLC and Scott Menefee are collectively and jointly referred to as "Discharger" for the purpose of this Notice of Applicability (NOA). Supplemental information was provided on 9, 28 April 2020, and 13 May 2020 to complete the NOI.

Central Valley Water Board's staff review of the 4 March 2020 NOI is discussed in more detailed in the attached 8 June 2020 Regional Water Board staff memorandum. Based on the information provided in the NOI, and supplemental information, this project meets the conditions for enrollment under the enclosed General Order. All the requirements contained within the General Order described as applicable to Sewage Sludge – Class

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KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

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“B” biosolids apply to your application. The discharge is hereby covered under **enrollee number 2004-0012-DWQ-0027**. Please include this number on all correspondence related to this discharge.

### **PROJECT LOCATION**

The proposed project includes applying between four to seven tons of biosolids per year on approximately 702.1 acres (Menefee Ranch) owned by Scott Menefee. The Menefee Ranch is found approximately 4.5 miles southwest of the census-designated area of El Nido (Assessor Parcel Numbers [APNs] 074-130-010-000; 074-150-008-000, 074-150-010-000, 074-150-004-000, 074-160-012-000, 074-170-012-000, and 074-140-025-000) in section 10 of Township 9 South, Range 13 East; section 10 of Township 10 South, Range 13 East; section 4 of Township 10 South, Range 13 East; and section 25 of Township 9 South, Range 13 East, Mount Diablo Base & Meridian in Merced County, as shown in **Attachment A**.

The operative *Water Quality Control Plan for the Sacramento and San Joaquin River Basins* (hereafter Basin Plan) designates beneficial uses, establishes narratives and numerical water quality objectives, and contains implementation programs and policies to achieve water quality objectives for all waters within the basin.

### **MONITORING AND REPORTING PROGRAM**

The General Order includes Monitoring and Reporting Program (MRP) 2004-0012-DWQ. MRP 2004-0012-DWQ requires the submittal of an annual monitoring report by 15<sup>th</sup> February of each year identifying quantity of biosolids applied to the various fields and cumulative pollutant loading calculations. In addition, the General Order requires submittal of a Pre-Application Report at least 30-days prior to the application of biosolids. The Pre-Application Report shall include analytical data for the biosolids and specify loading that will be used to determine the rate at which biosolids will be applied.

### **SPECIFIC REQUIREMENTS**

1. Application of biosolids at a location or in a manner different from that described in the NOI and this NOA is prohibited.
2. The application shall not cause or threaten to cause pollution as defined by California Water Code section 13050.
3. There shall be no discharge of biosolids from the storage or application areas to adjacent land areas not regulated by this General Order, to surface water, or to surface water drainage courses.
4. The staging and application of biosolids shall comply with all applicable setbacks contained in the General Order as specified in Discharge Specification B.11.
5. Biosolids with less than 75% moisture shall not be applied during periods when the surface wind speed exceeds 25 miles per hour as determined by the nearest calibrated regional weather station (e.g., airport, CIMIS).
6. The application of Class “B” biosolids containing a moisture content of less than 50% is prohibited.

7. The application of biosolids to water-saturated or frozen ground or during periods of precipitation that includes runoff from the permitted site is prohibited.
8. Application of biosolids at rates in excess of the nitrogen requirements of the crops or at rates that would degrade groundwater quality is prohibited.
9. In accordance with the General Order's Monitoring and Reporting Program, the Discharger shall submit the required annual monitoring report by **15<sup>th</sup> of February of each year**.
10. The Discharger shall submit the required annual fee (as specified in the annual billing statement issued by the State Water Resources Control Board) until this NOA is officially terminated.
11. Failure to abide by the conditions of General Order 2004-0012-DWQ, including its monitoring and reporting requirements, and this NOA could result in enforcement actions, as authorized by provisions of the California Water Code.

### **DOCUMENT SUBMITTALS**

All monitoring reports and other correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to [centralvalleyfresno@waterboards.ca.gov](mailto:centralvalleyfresno@waterboards.ca.gov). Documents that are 50MB or larger should be transferred to a disk and mailed to the Central Valley Water Board office at 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office:

**Program:** Non-15,  
**Place ID:** 867227  
**Place Name:** Menefee Ranch  
**Order:** 2004-0012-DWQ-0027

All documents, including responses to inspections and written notifications, submitted to comply with this General Order shall be directed, via the paperless office system, to the Compliance and Enforcement Unit, attention to Russell Walls. Mr. Walls can be reached at (559) 488-4392 or [russell.walls@waterboards.ca.gov](mailto:russell.walls@waterboards.ca.gov). Questions regarding the permitting aspects of the General Order and notification for termination of coverage under the General Order, shall be directed, via the paperless office system, to the WDR Permitting Unit, attention to Denise Soria.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this NOA falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Resources Control Board by 5:00 p.m. on the next business day. [Copies of the law and regulations applicable to filing petitions](#) may be found on the internet ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)) or will be provided upon request.

Coverage for your Facility under the General Order shall become effective subject to this Notice of Applicability immediately.

If you have any questions regarding this matter, please contact Denise Soria by phone at (559) 444-2488 or by email at [dsoria@waterboards.ca.gov](mailto:dsoria@waterboards.ca.gov).

*Original Signed by Clay L. Rodgers for:*  
Patrick Pulupa  
Executive Officer

Attachments:

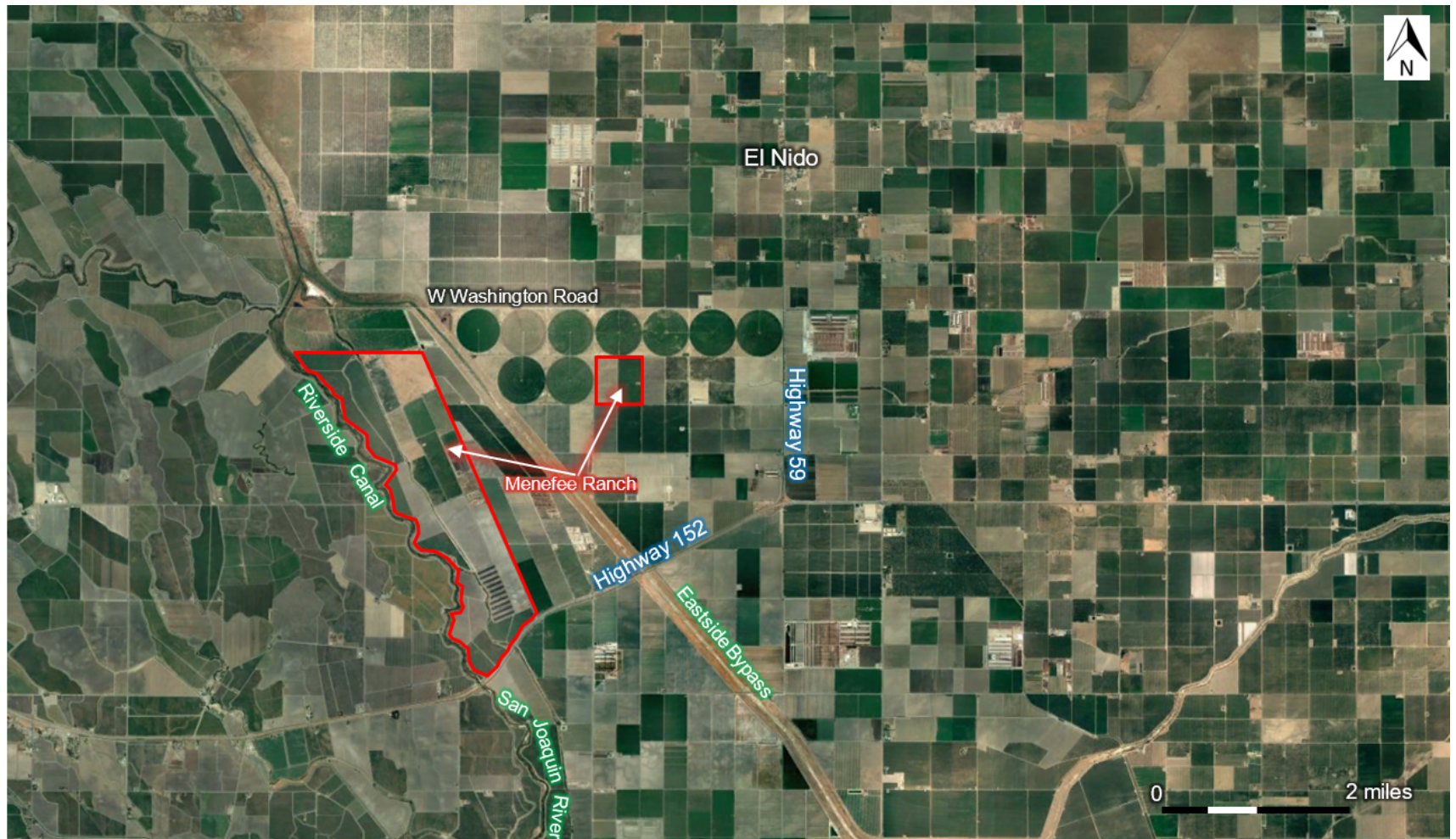
- Attachment A – Site Location Map
- Attachment B – Biosolids Application Area Map
- 8 June 2020 Regional Water Board Staff Memorandum

Enclosure:

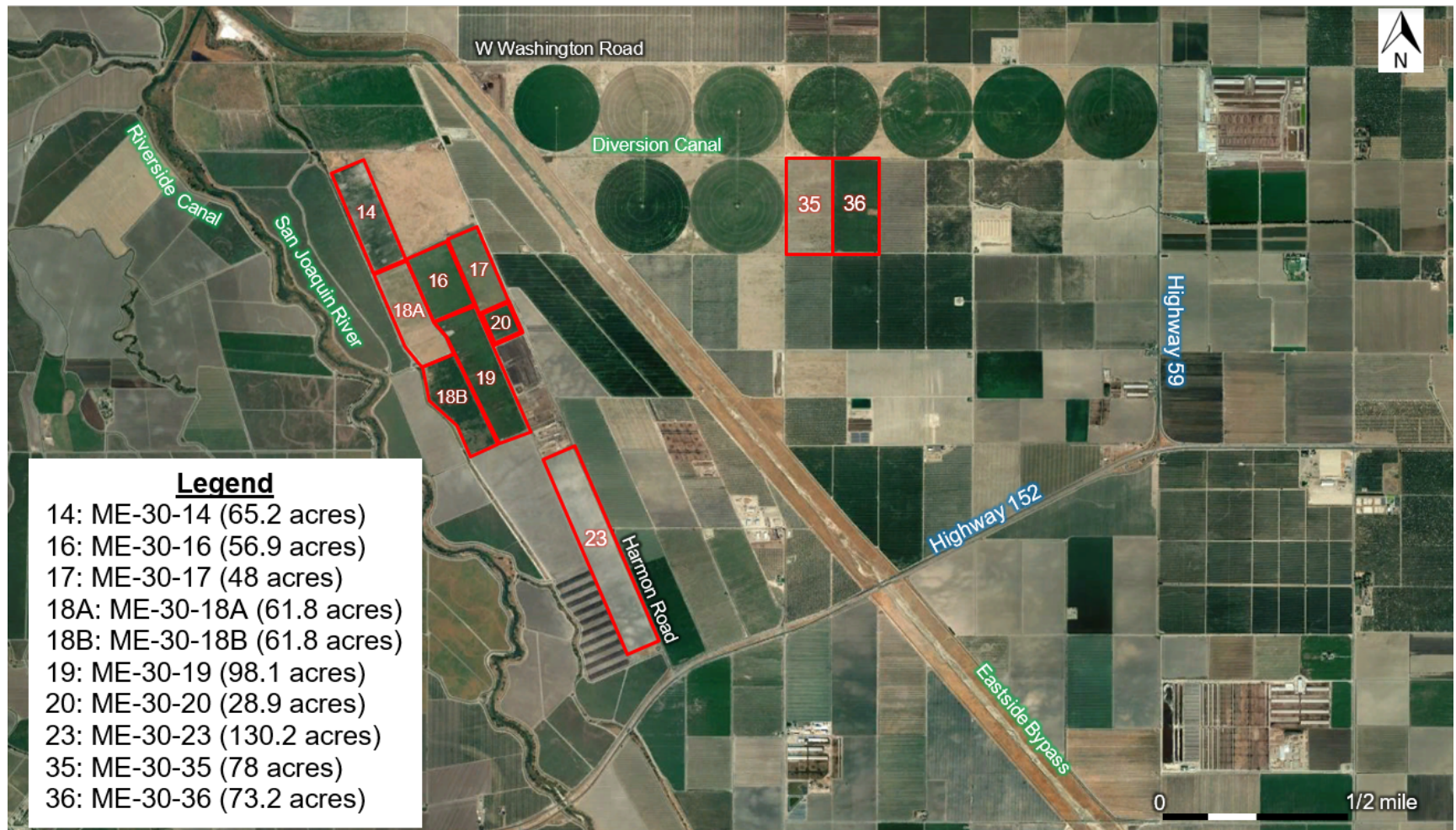
- State Water Resources Control Board Order WQ 2014-0153-DWQ

cc:

- Laurel Warddrip, Senior Scientist, State Water Resources Control Board, DWQ, Sacramento (via email)
- Adam Forbes, Senior Engineer, State Water Resources Control Board, DDW, Fresno (via email)
- Russell Walls, Senior Engineer, Central Valley Water Board, Fresno (via email)
- Esther Canal, Merced County Environmental Health, Merced (via email)
- Jose Valencia, Synagro West, LLC, Rancho Cordova (via email)



**ATTACHMENT A – SITE LOCATION MAP**  
NOTICE OF APPLICABILITY 2004-0012-DWQ-0027  
FOR  
SYNAGRO WEST, LLC AND SCOTT MENEFEES  
MENEFEES RANCH  
MERCED COUNTY



**ATTACHMENT B – BIOSOLIDS APPLICATION AREA MAP**  
 NOTICE OF APPLICABILITY 2004-0012-DWQ-0027  
 FOR  
 SYNAGRO WEST, LLC AND SCOTT MENEFEE  
 MENEFEE RANCH  
 MERCED COUNTY

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## Central Valley Regional Water Quality Control Board

**TO:** Scott J. Hatton  
Supervising Water Resource Control Engineer

**FROM:** Alexander S. Mushegan  
Senior Water Resource Control Engineer  
RCE 84208

Denise Soria  
Water Resource Control Engineer

**DATE:** 8 June 2020



**APPLICABILITY OF COVERAGE; STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2004-0012-DWQ; 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; SYNAGRO WEST, LLC AND SCOTT MENEFFEE; MENEFFEE RANCH; MERCED COUNTY**

### BACKGROUND INFORMATION

On 3 March 2020, Central Valley Water Board staff received a Notice of Intent (NOI) and application fee from Synagro West, LLC for coverage under State Water Resources Control Board's Water Quality Order 2004-0012-DWQ, *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* (General Order). Supplemental information was provided on 9, 28 April 2020, and 13 May 2020 to complete the NOI.

This memorandum provides a summary of Central Valley Water Board staff's review of the NOI and the applicability of the discharge to be covered under the General Order.

### PROJECT DESCRIPTION

According to the NOI the Discharger receives Class "B" biosolids from various generators within California, these can vary from year to year but typically include the following:

- Delta Diablo Sanitation District
- San Francisco Public Commission – Oceanside Plant
- San Francisco Public Utilities Commission – Southeast Plant

- Union Sanitation District
- City of Burlingame
- City of Millbrae
- Silicon Valley Clean Water
- Calera Creek Water Recycling Plant
- East Bay Municipal Utility District
- Daly City
- City of Stockton
- City of Livermore
- Fresno-Clovis Regional WWTF

The proposed project includes the application of biosolids to 702.1 acres of the Menefee Ranch located approximately 4.5 miles southwest of census-designated place of El Nido as shown in Attachment A of the Notice of Applicability (NOA). Scott Menefee is the listed owner of the listed biosolid application areas. The fields will be cropped with cotton, corn, alfalfa, wheat, and Sudan grass. The biosolids application area consists of 10 fields as shows in **Attachment B** of the NOA and detailed in Table 1 below:

**Table 1 - Biosolids Application Area**

Field	Acreage	APN(s)
ME-30-14	65.2	074-130-010-000; 074-150-008-000
ME-30-16	56.9	074-150-010-000; 074-130-010-000; 074-150-008-000
ME-30-17	48	074-150-010-000; 074-130-010-000
ME-30-18A	61.8	074-150-008-000; 074-150-010-000
ME-30-18B	61.8	074-150-010-000; 074-150-004-000
ME-30-19	98.1	074-150-010-000
ME-30-20	28.9	074-150-010-000
ME-30-23	130.2	074-150-004-000; 074-160-012-000; 074-170-012-000
ME-30-35	78	074-140-025-000
ME-30-36	73.2	074-140-025-000
Total	702.1	

The biosolids application area is relative flat with slopes ranging from zero to one percent and the depth to groundwater in the area ranges from approximately 50 to 100 feet below ground surface and generally flows in the southwest direction according to the *Lines of Equal Elevation of Water in Wells Unconfined Aquifer* map published by the Department of Water Resources in Spring 2010. Therefore, no erosion control plan or groundwater monitoring program is required for the biosolids application area.

**BIOSOLIDS TREATMENT AND SAMPLING**

Synagro West, LLC proposes to apply between four to seven tons of biosolids per year to a total of approximately 702.1 acres of land owned by Scott Menefee. Synagro West, LLC and Scott Menefee are collectively and jointly referred to as “Discharger” for the purpose of this memorandum.



The submitted data characterizes biosolids generated from various generators within California. The average metal concentration of the various generators is summarized in Table 2 and compared to the 40 Code of Federal Regulations (CFR), Part 503 requirements for the application of biosolids to land. Table 3 summarizes the pathogen reduction alternatives implemented by each generator to meet the requirements of 40 CFR, Part 503.

**Table 2. Biosolids Metal Concentration**

<b>Constituent/Parameter</b>	<b>Units</b>	<b>Average</b>	<b>Ceiling Concentration Limits</b>	<b>Pollutant Concentration Limits for Exceptional Quality and Pollutant Concentration Biosolids</b>
Arsenic	mg/kg	11	75	41
Cadmium	mg/kg	1	85	39
Copper	mg/kg	348	4,300	1,500
Lead	mg/kg	23	840	300
Mercury	mg/kg	1	57	17
Molybdenum	mg/kg	8	75	---
Nickel	mg/kg	19	420	420
Selenium	mg/kg	7	100	100
Zinc	mg/kg	901	7,500	2,800

As shown in Table 2, the biosolids metal concentrations generated by the various municipal generators are below the Ceiling Concentrations Limits (Table 1, section 503.13, 40 CFR) and the Pollutant Concentration Limits for Exceptional Quality (Table 3, section 503.13, 40 CFR).

**Table 3. Pathogen Requirements**

<b>Generator</b>	<b>Pathogen Reduction Alternative</b>	<b>Detention Time (days)</b>	<b>Temperature (°C)</b>	<b>Fecal Coliform Density (MPN/g) (See 2. below)</b>
Delta Diablo Sanitation District	2	25-28	35.7-39.4	---
San Francisco Public Utilities Commission – Oceanside Plant	1	---	---	41,701
San Francisco Public Utilities Commission – Southeast Plant	2	20-43	38.4-40.3	---
Union Sanitation District	2	20-140	36.7-37.2	---
City of Burlingame	2	37-50	38.3	---
City of Millbrae	2	107-145	35-36.1	---
Silicon Valley Clean Water	2	19-21	36.7	---
Calera Creek Water Recycling Plant	1	---	---	23.61

<b>Generator</b>	<b>Pathogen Reduction Alternative</b>	<b>Detention Time (days)</b>	<b>Temperature (°C)</b>	<b>Fecal Coliform Density (MPN/g) (See 2. below)</b>
East Bay Municipal Utility District	2	---	---	---
Daly City	2	25-30	33.3-41.4	---
City of Stockton	2	24-90	36-37	---
City of Livermore	2	21-22	37.2-37.7	---
Fresno-Clovis Regional WWTF	2	(See 1. below)	(See 1. below)	--

1. The Notice of Necessary Information for the Fresno-Clovis WWTF (submitted on 13 May 2020) only stated the pathogen reduction alternative used by the generator to meet the Class B requirements of 503, 40 CFR and did not include detailed information on detention time and temperature used at WWTF.
2. Fecal coliform density is not applicable to Pathogen Reduction Alternative 2.

As shown in Table 3, the biosolids generated at the various generators meet the Class B Pathogen Reduction Requirements by either Alternative 1 of section 503.32(b)(2) or Alternative 2 of section 503.32(b)(3), 40 CFR. Under Alternative 1, the geometric mean of the density of fecal coliform in the biosolids is less than 2,000,000 Most Probable Number per gram. Under Alternative 2, biosolids from the generators are treated in anaerobic digesters at a detention time of at least 15 days at 35 to 55 °C meeting the Pathogen Treatment Processes Requirements listed in Appendix B of 40 CFR, Part 503.

The Discharger is proposing to grow either cotton, corn (silage), alfalfa, wheat, and Sudan grass on the biosolids application area. The biosolids application area is in a remote area that restricts public access. Most of the biosolids application areas are bounded by private lands. Therefore, the District meets the Site Restrictions for Class B biosolids of section 503.32(b)(5), 40 CFR.

**Table 4. Vector Attraction Reduction Requirements**

<b>Generator</b>	<b>Option</b>	<b>Volatile Solids Reduction (%)</b>	<b>Biosolids Incorporation Time (hours) (See 2. below)</b>
Delta Diablo Sanitation District	1	48.1	---
San Francisco Public Utilities Commission – Oceanside Plant	1	53.6	---
San Francisco Public Utilities Commission – Southeast Plant	1	60.7	---
Union Sanitation District	1	62.1	---

<b>Generator</b>	<b>Option</b>	<b>Volatile Solids Reduction (%)</b>	<b>Biosolids Incorporation Time (hours) (See 2. below)</b>
City of Burlingame	1	67.4	---
City of Millbrae	1	65.4	---
Silicon Valley Clean Water	1	52	---
Calera Creek Water Recycling Plant	1	49.3	---
East Bay Municipal Utility District	1	>38	---
Daly City	10	--	6
City of Stockton	1	56.1	---
City of Livermore	1	65	---
Fresno-Clovis Regional WWTF	1	(See 1. below)	---

1. The Notice of Necessary Information for the Fresno-Clovis WWTF (submitted on 13 May 2020) only stated the vector attraction reduction option used by the generator to meet the Class B requirements of 503, 40 CFR and did not include detailed information on percent volatile solids reduction.
2. Biosolids incorporation time is not applicable to Vector Attraction Reduction Option 1.

As shown in Table 4, biosolids generated by the various generators meet the Vector Attraction Reduction Requirements by either satisfying 40 CFR, section 503.33(b)(1) (Option 1) or 40 CFR, section 503.33(b)(10) (Option 10).

**COMMENTS**

Based on the information presented in the 3 March 2020 NOI and the supplemental information submitted, the proposed discharge of biosolids to land at Menefee Ranch is consistent with the requirements of 40 CFR, Part 503 for the use of Class B biosolids and eligible for enrollment under the General Order.