



September 14, 2022

Sent Via Email

Alexander S. Mushegan  
Senior Engineer  
Central Valley Regional Water Quality Control Board  
1685 E Street  
Fresno, California 93706

**Re: Lamont Public Utility District Wastewater Discharge Requirements (WDR)  
Recology Blossom Valley Organics South - Comments**

Dear Mr. Mushegan,

I am writing on behalf of Recology Blossom Valley Organics South (hereinafter, Recology or RBVOS) concerning the tentative Wastewater Discharge Requirements (TWDR) sent to Scott Taylor of the Lamont Public Utility District (LPUD) and Sharbel Eid of RBVOS on August 15, 2022. The attached comments are submitted following review of the TWDR and discussions with LPUD:

**Paragraph 3: Recology Is Not Responsible for Compliance with WDR Requirements Outside its Leasehold Area.**

As an initial matter, Recology objects to being collectively identified by the TWDR as a “Discharger” along with LPUD. The location and categories of operations that Recology is authorized or required to perform on property it leases from LPUD are set forth in the April 2021 Lease Agreement between RBVOS and LPUD (Lease Agreement). But using the term Discharger to apply interchangeably to Recology or LPUD incorrectly assigns responsibility to Recology for operations outside its leasehold with which it has no involvement and over which it has no access, authority, or control.

For example, many of the requirements set forth in the TWDR relate to LPUD’s operations of its wastewater treatment facility (WWTF). The WWTF and its associated facilities, including various retention ponds, are beyond the scope of Recology’s leasehold. LPUD allocates to Recology a portion of the WWTF’s treated wastewater for use on Recology’s leasehold. Beyond that allocation, Recology does not manage, store, access, or use any byproduct of the WWTF. For these reasons, Recology cannot be responsible for assuring and certifying compliance with WDR requirements concerning activities related to the WWTF and all of its byproducts.

Therefore, Recology requests that Paragraph 3 of the TWDR be amended to clarify the distinctions between Recology and the LPUD:

The WWTF, Use Areas, and Composting Facility are depicted on the Site Location Map in Attachment A. The District, as owner of the WWTF, Use Areas properties (including the Compost Facility) and Recology Blossom Valley Organics South, as the operator of the Compost Facility and Use Areas, are collectively referred to as Discharger[s] and are. The District is primarily responsible for compliance with the WDRs prescribed herein. The District is solely responsible for compliance with requirements related to all operations outside the areas of Recology's leasehold as well as requirements related to managing all byproducts of its WWTF other than the treated wastewater not released for use within Recology's leasehold. Recology is responsible only for compliance (and certification of compliance) with requirements of the WDR arising from its use, distribution, or application of treated wastewater within its leasehold received from the WWTF, other than the Compost Facility, which is regulated under a separate set of WDRs. (Order 5-01-091.)

### **Paragraph 23: Recology's Responsibilities Pursuant to the Lease Agreement**

Paragraph 23 of the TWDR describes tasks described in the Lease Agreement for improving a 160-acre parcel of the property so that it may be used for farming. While Paragraph 4 of the Lease Agreement does contain the quoted language, it requires only that Recology to provide labor and equipment needed to complete such steps. The Lease Agreement also makes clear that the determination of the tasks necessary to prepare the plot for farming is controlled by the LPUD and its consultants.

For the sake of accuracy, we request that the language be changed to remove the quoted language to read as follows:

Recology will be responsible for providing all work equipment and labor that may be necessary to make the property suitable for commercial farming, including ripping, leveling, grading, disking, as well as the installation and maintenance of the necessary irrigation pipelines on the 160-acre parcel.

### **Paragraph 36:**

Paragraph 36 of the TWDR describes the WWTF's network of seven groundwater monitoring wells summarized in Table 7 of the TWDR. The description states that wells MW-4 to MW-7A were installed by Recology's predecessor, Community Recycling in 2002. But some of these wells were installed by Recology. We request the following revision to Paragraph 36:

The WWTF has a groundwater monitoring well network of seven wells MW-1 through MW-7A, summarized in Table 7 below. Monitoring wells MW-1 to MW-3 were installed by the District in 1996 and monitoring wells MW-4 to MW-7A were installed by Community Recycling in 2002. In June 2018 Recology's consultant Soils Engineering, Inc. installed new wells at MW-5 and MW-7 to improve the recharge rate at the existing wellheads.

Thank you very much for your time and attention to these comments. If you have any questions or require additional information, please contact me at (818)454-5243, or by email at SEid@recology.com.

Sincerely,

A handwritten signature in blue ink that reads "S. G. Eid". The signature is written in a cursive style with a blue ink color.

Sharbel Eid

General Manager, Recology Blossom Valley South

Cc: Robin Stafford,  
Christopher Gibson  
Amy Dietz  
Christine Borghei  
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