

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF SEPTEMBER 1, 2011

(Prepared on July 14, 2011)

ITEM NUMBER: 11 and 12

SUBJECT: Rescission of Waste Discharge Requirements for AGRX Santa Maria (Order No. 92-02) and AGRX Goleta (Order No. 95-06) and enrollment in the *General Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities* (Order No. R3-2005-0001)

STAFF CONTACT: Sorrel Marks 805/549-3695 or smarks@waterboards.ca.gov

KEY INFORMATION

Discharger and Locations: AGRX Santa Maria with facilities at 6095 S. Depot Street, 301 Depot Street and 700 S. Curryer Street, Santa Maria, Santa Barbara County
AGRX Goleta at 6150 Francis Botello Road, Goleta, Santa Barbara County

Discharge Type: Fertilizer and pesticide residues

Treatment: None

Disposal: Farm application and hauling for off-site disposal

Existing Orders: Individual WDR Order No. 92-02 (Santa Maria) and Order No. 95-06 (Goleta)

This Action: Rescind Individual Order and enroll in Regionwide General Order

SUMMARY

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) adopted Waste Discharge Requirements Order No. 92-02 and Order No. 95-06 to regulate discharges of fertilizer and pesticide residues from AGRX in Santa Maria and Goleta respectively. Based upon information provided in Notices of Intent and gained through Water Board staff inspections, the AGRX facilities (Dischargers) qualify for enrollment under the Central Coast Water Board's *General Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities* (General Order No. R3-2005-0001). Staff proposes that the AGRX Santa Maria and AGRX Goleta facilities be enrolled under the General Order concurrent with rescission of the individual waste discharge requirements.

DISCUSSION

Section 13263(e) of the Porter-Cologne Water Quality Control Act authorizes Regional Water Quality Control Boards to review waste discharge requirements periodically. The Central Coast Water Board last adopted Waste Discharge Requirements for these Dischargers in 1992. These four separate facilities (three in Santa Maria, one in Goleta) receive, store and supply agricultural chemicals, such as fertilizers and pesticides. Fertilizers and pesticides are contained in storage vessels providing protection from storm runoff, drainage to waterways, or

percolation to underlying groundwater. The Discharger's fertilizer/pesticide-containing rinse water is added to applied product or hauled away for off-site disposal. Accordingly, AGRX meets the conditions for enrollment under General Order No. R3-2005-0001. Rather than revise the existing orders, staff recommends the Dischargers be regulated by General Order No. R3-2005-0001, *Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities*, adopted by the Central Coast Water Board on March 25, 2005.

The General Order implements applicable Water Board prohibitions, discharge specifications, management practices, and provisions to protect water quality. When the discharge is regulated by the General Order, the individual waste discharge requirements will not be necessary, and, therefore, Water Board staff recommends that the Central Coast Water Board rescind Order No. 92-02 and Order No. 95-06.

AGRX Santa Maria Compliance History

AGRX Santa Maria has submitted regular monitoring reports since the adoption of WDR Order No. 92-02, and the reports summarize compliance with the requirements. Facility inspections performed by Water Board staff revealed potential water quality issues in 2001 (fertilizer leaks, deteriorating pavement in loading areas, and contaminated soil piles). Water Board staff issued a Notice of Violation requesting the Discharger address the observed violations, and follow up inspection indicated the Discharger resolved these issues and restored compliance.

AGRX Goleta Compliance History

AGRX Goleta has submitted regular monitoring reports, except semi-annual reports due in 2005 and 2007. Water Board staff issued Notices of Violation to the Discharger for failure to submit the reports. Facility inspections by Water Board staff found discharge of hazardous materials to permeable surfaces and soil staining under trailer-mounted bioflora tanks in 1998. Water Board staff issued a notice to comply requiring the Discharger to remedy the violations by March 1999 and submit a compliance report by April 1999. The Discharger responded with a certification of compliance by February 1999. Water Board staff confirmed compliance with a follow-up inspection in March 1999. The 2005 inspection found the Discharger disposing contaminated rainwater to land. Water Board staff issued a Notice of Violation for the observed violations. Inspection in 2007 documented compliance had been restored.

ENVIRONMENTAL SUMMARY

Waste Discharge Requirements for existing facilities are exempt from provisions of the California Environmental Quality Act (Public Resource Code, Section 21100 et seq.) in accordance with Section 15301, Chapter 3, Title 14 of the California Administrative Code.

COMMENTS

By letter dated May 31, 2011, staff notified the Discharger of its recommendation to rescind Waste Discharge Requirements Order No. 92-02 and Order No. 95-06 and approved enrollment of the Discharger under the General Order. No comments have been received regarding this proposed action.

RECOMMENDATION

Rescind Waste Discharge Requirements Order No. 92-02 and Order No. 95-06 and separately enroll the three Santa Maria and one Goleta facilities in the General Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities, Order No. R3-2005-0001.

ATTACHMENTS

1. Order No. 92-02
2. Order No. 95-06

S:\WDR\WDR Facilities\Santa Barbara Co\AG RX\rescind-enroll.itm.doc
Facilities #244295 and #204617
Task: 126-01