



RECEIVED
SACRAMENTO
CYR W QCB

12 AUG -3 PM 12:43

Date: August 2, 2012

To: Charlene Herbst – Ca Water Board

From: Miriam Romero-Garcia

Re: Henry Tosta Dairy
20662 San Jose Rd
Tracy, CA 95304
COA dated June 11, 2012

Please find enclosed a reply to the COA dated June 11, 2012.

-Miriam

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

July 26, 2012

Certified Mail No.
7011 2000 0002 1313 5215

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

12 AUG -3 PM 12:43
SACRAMENTO
CVRWQCB

Re: Cleanup & Abatement Order dated June 11, 2012
Henry Tosta
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

Below is a list of Violations and Remedies based on the Cleanup & Abatement Order dated June 11, 2012.

Violations and Remedies

June 25, 2012-Develop a plan for the Production Area of the dairy and submit it to the CVWB for approval, the plan needs to include the following:

- A. Address removal of all slurry manure in the 3 to 4 acre central portion of the Production Area

Remedy: This area is currently about 85% water and about 15% manure, the tractors cannot get inside to remove manure. I have a grant in place to put in a cement slab in this area. I plan to remove all slurry manure by October 15, 2012.

- B. Address removal of all manure within the two settling basins

Remedy: This has been completed. See Attachment #1.

- C. Address removal of excess vegetation, excess manure, and manure used for construction on the six lagoons, and installation of staff gages

Remedy: The weeds and the manure have been removed and centrally piled within the lagoons. These will be hauled away shortly. Staff gages will be installed by October 15, 2012. See Attachment #2 & Attachment #3.

- D. **July 2, 2012**-Removal of manure must commence.

Remedy: The removal of the manure will be done by October 15, 2012.
Please see the attached request for an extension on this deadline as Attachment #4.

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

- June 29, 2012**-Permanently cap the pipe that extends from Settling Basin #1 to the Main Drain Canal of the Naglee Burk Irrigation District.

Remedy: This pipe has been concreted.

- June 29, 2012**-Install a concrete pad around Well #1 and install controls to ensure that 100 feet of separation is maintained between the well and manured areas.

Remedy: A concrete pad was already in place but was covered with dirt, the dirt has been cleaned from the concrete pad. The distance from Well #1 and the corner of corral with pile of manure has been measured to confirm there is 110 feet of separation. Please see the attached photo labeled Attachment #5 & Attachment #6.

- July 23, 2012**-Locate and sample three monitoring wells in the Production Area of the Henry Tosta Dairy and submit the results to the CVWB. Depth to water in the area shall be measured.

Remedy: Please find enclosed the lab results and water depth for three monitoring wells as Attachment #7.

- August 27, 2012**-Using a hydropunch or other similar method, collect one-time groundwater samples in the 3-4 acre area where slurry manure was placed and submit the results to the CVWB. Depth to water in the area shall be measured.

Remedy: Please see the attached request for an extension on this deadline-Attachment #8.

- August 27, 2012**-Submit a revised WMP and submit to the WB that accurately describes how the settling basins and the lagoons in the Production Area will be operated in conformance with the General Order, including a description of modifications needed to manage slurry manure within the existing constructed settling basin/lagoon system.

Remedy: Pending

- September 27, 2012**-If groundwater samples in the vicinity of the Dairy area indicate that waste disposal has caused pollution of groundwater, submit a plan for the remediation of the groundwater. This plan shall also include an engineering evaluation of the impacts of the existing lagoons and settling basins on groundwater quality and a proposal for remedial measures.

Remedy: Please see Attachment #9.

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

ASAP

- Remove all manure and old feed from the channel located south of the silage pit.

Remedy: This will be done by October 15, 2012

- Remove all weeds from Settling Basins #1 & #2 and Lagoons #1 thru #5

Remedies:

Please see attachments #1 & #2

- Install staff-gauges in Settling Basins #1 & #2 and Lagoons #1 thru #5

Remedy: This will be done by October 15, 2012.

- Reconstruct Settling Basin #2's eastern embankment. The material used cannot be manure.

Remedy: This has been completed.

- Remove all wastewater, solid manure, and slurry manure from the area located west of the wastewater storage lagoons and northeast of Settling Basin #1. This area must be scraped to native soil. All manure should be exported off-site or otherwise managed to mitigate impact. Provide documentation regarding the amount of manure removed and destination of the manure. Groundwater samples should be obtained from the above mentioned area after the manure is removed.

Remedies:

This will be done by October 15, 2012

- Remove all manure from the corral in the northeast corner of the production area. All manure should be exported offsite or otherwise managed to mitigate the impact. Provide

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

documentation regarding the amount of manure removed and the destination of manure. After the manure is removed, the corral should be graded to prevent ponding.

Remedies:

The removal of the manure: This will be done by October 15, 2012

Grading to prevent ponding: All corrals have fly ash to prevent ponding. If ponding does occur, the water will be pumped out into the lagoon.

- Remove all manure from Settling Basins #1 & #2. All manure should be exported off-site or otherwise managed to mitigate the impact. Provide documentation regarding the amount of manure removed and the destination of manure.

Remedies:

Removal of manure: This was completed 7/12/2012. See attachment #1.

Exporting: This will be done by October 15, 2012.

Documentation: This will be done by October 15, 2012.

Sincerely,

See Next Page for Signature _____

Henry Tosta

Date

Enclosures (9)

cc: file

Dairy Monitoring Co.



 **COPY**



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

11 June 2012

CERTIFIED MAIL NO.

7007 0710 0004 3787 5051

Henry J. Tosta (dba Henry Tosta Dairy) and Henry J. Tosta Trust
20662 San Jose Road
Tracy, CA 95304

CLEANUP AND ABATEMENT ORDER R5-2012-0708, HENRY TOSTA DAIRY, 20662 SAN JOSE ROAD, TRACY, SAN JOAQUIN COUNTY

Enclosed is Cleanup and Abatement Order (CAO) R5-2012-0708 issued to Henry J. Tosta and Henry J. Tosta Trust (Henry J. Tosta, trustee), owner and operator of the Henry Tosta Dairy (hereafter collectively referred to as "Discharger").

This CAO is issued pursuant to California Water Code section 13304. This CAO requires the Discharger to clean up the waste and/or abate the effects of the waste or threat of waste to surface water or groundwater in accordance with the specified time schedule. The first remediation deadline is **29 June 2012** and the first documentation is due to the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on **25 June 2012**. Please read the CAO carefully for a description of all required actions and the corresponding due dates.

Please note that if you do not comply with the requirements of the CAO, the Central Valley Water Board's Executive Officer may refer the matter to the state Attorney General for judicial enforcement, or may issue a complaint for penalties in an amount not to exceed **\$5,000 per day** for each day in which you do not comply.

If you have any questions regarding the CAO please contact Charlene Herbst at (916) 464-4724 or cherbst@waterboards.ca.gov.

Robert D. Busby, Manager, P.G., C.E.G.
Permitting, Title 27 and Confined Animals Section

Enclosure: CAO R5-2012-0708

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #1
Page 1 of 2



Settling Basin #1 – The manure has been removed within the two settling basins

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #1
Page 2 of 2



Settling Basin #2 - The manure has been removed within the two settling basins

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #2
Page 1 of 5



Lagoon #1 – The weeds and manure have been removed and centrally piled within the lagoons.

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #2
Page 2 of 5



Lagoon #2 - The weeds and manure have been removed and centrally piled within the lagoons.

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #2
Page 3 of 5



Lagoon #3 - The weeds and manure have been removed and centrally piled within the lagoons.

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #2
Page 4 of 5



Lagoon #4 - The weeds and manure have been removed and centrally piled within the lagoons.

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #2
Page 5 of 5



Lagoon #5 - The weeds and manure have been removed and centrally piled within the lagoons.

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #3
Page 1 of 2

July 26, 2012

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

Re: Cleanup and Abatement Order dated June 11, 2012
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

Please accept this letter as my request to extend the deadline for:

“Address removal of excess vegetation, excess manure, and manure used for construction on the six lagoons, and installation of staff gages.”

Originally, the date stated on the Cleanup and Abatement Order dated June 11, 2012 was June 25, 2012. I am requesting that the deadline for completion of the required work be extended to October 15, 2012.

Sincerely,

See Next Page for Signature

Henry Tosta

_____ Date

cc: file
Dairy Monitoring Co.

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #3

Page 2 of 2

July 26, 2012

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

Re: Cleanup and Abatement Order dated June 11, 2012
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

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Originally, the date stated on the Cleanup and Abatement Order dated June 11, 2012 was June 25, 2012. I am requesting that the deadline for completion of the required work be extended to October 15, 2012.

Sincerely,

x Henry Tosta 8-1-12
Henry Tosta Date

cc: file
Dairy Monitoring Co.

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #4
Page 1 of 2

July 26, 2012

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

Re: Cleanup and Abatement Order dated June 11, 2012
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

Please accept this letter as my request to extend the deadline for:

“Removal of manure must commence.”

Originally, the date stated on the Cleanup and Abatement Order dated June 11, 2012 was July 2, 2012. I am requesting that the deadline for completion of the required work be extended to October 15, 2012.

Sincerely,

See Next Page for Signature

Henry Tosta _____ Date

cc: file
Dairy Monitoring Co.

Ext.
2

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #4

Page 2 of 2

July 26, 2012

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

Re: Cleanup and Abatement Order dated June 11, 2012
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

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Originally, the date stated on the Cleanup and Abatement Order dated June 11, 2012 was July 2, 2012. I am requesting that the deadline for completion of the required work be extended to October 15, 2012.

Sincerely,

X Henry Tosta 8-16-12
Henry Tosta Date

cc: file
Dairy Monitoring Co.

Henry Tosta Dairy
20662 San Jose Road Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #5



Well #1 – Existing concrete pad

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #6
Page 1 of 2

July 26, 2012

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

Re: Cleanup and Abatement Order dated June 11, 2012
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

Please accept this letter as my request to extend the deadline for:

“Install a concrete pad around Well #1 and install controls to ensure that 100 feet of separation is maintained between the well and manured areas.”

Originally, the date stated on the Cleanup and Abatement Order dated June 11, 2012 was June 29, 2012. I am requesting that the deadline for completion of the required work be extended to August 3, 2012.

Sincerely,

See Next Page for Signature

Henry Tosta

Date

cc: file
Dairy Monitoring Co.

P.S. As of the date of this letter this work has been completed, please see the pictures in Attachment #5.

See Next Page for Signature

Henry Tosta

Date

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #7
Page 1 of 10

July 26, 2012

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

Re: Cleanup and Abatement Order dated June 11, 2012
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

Please accept this letter as my request to extend the deadline for:

“Locating and sampling the three monitoring wells in my Production Area and measuring the depth to water in the area”

Originally, the date stated on the Cleanup and Abatement Order dated June 11, 2012 was July 23rd, 2012. I am requesting that the deadline for completion of the required work be extended to August 3rd, 2012.

Sincerely,

See Next Page for Signature _____

Henry Tosta

Date

cc: file

Dairy Monitoring Co.

P.S. Attached are the monitoring well lab samples & depth to water measurements.

See Next Page for Signature _____

Henry Tosta

Date

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #7

July 26, 2012

Page 2 of 10

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

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Sincerely,

x Henry Tosta 8-1-12
Henry Tosta Date

cc: file
Dairy Monitoring Co.

P.S. Attached are the monitoring well lab samples & depth to water measurements.

x Henry Tosta 8-1-12
Henry Tosta Date

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #7
Page 3 of 10

Location of Monitoring Wells



Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #7
Page 4 of 10

Lab Analysis

A & L WESTERN AGRICULTURAL LABORATORIES, INC.

1311 Woodland Avenue, Suite 1 • Modesto, California 95351 • (209) 529-4080

Report No: 12-199-114

Account No: 4206-D



Send To: WESTERN DAIRY DESIGN
316 W. F STREET, SUITE 100
OAKDALE, CA 95361

Project: 053-13

Submitted by: Jeff Fleming

Date Received: 07/17/2012
Date Reported: 07/19/2012

PATHOGEN ANALYSIS REPORT

Lab Number:	Sample ID:	Total Coliform MPN/100 ml	E.coli MPN/100 mL
61701	MW-1 7/16 3.29	>200.5	<1.0
61702	MW-3 7/16 4.00	165.2	<1.0

A & L Western Agricultural Laboratories

Robert Butterfield
Laboratory Director

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Page 1 of 1

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #7
Page 5 of 10

Lab Analysis Continued

A & L WESTERN AGRICULTURAL LABORATORIES, INC.
1311 Woodland Avenue, Suite 1 • Modesto, California 95351 • (209) 529-4080



Report No: 12-199-114

Account No: 4206-D

Send to: WESTERN DAIRY DESIGN
316 W. F STREET SUITE 100
OAKDALE, CA 95361

Project ID: 053-13

Submitted by: Jeff Fleming

Date Received: 07/17/2012
Date Reported: 07/19/2012

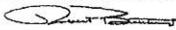
WATER ANALYSIS REPORT

Analyte:	Ammonia Nitrogen	Nitrate Nitrogen	T.D.S.
Detection Limit:	0.05 mg/L	0.5 mg/L	10 mg/L
Method Detection:	SM 4500-NH ₃ H	SM 4500-NH ₃ B	SM 2540 C

Lab Number:	Sample Id:	Ammonia Nitrogen mg/L	Nitrate Nitrogen mg/L	T.D.S. Mg/L
61701	MW-1	1.3	1.6	10329
61702	MW-3	0.4	1.4	5460

BDL-INDICATED THE LEVEL FOUND IS BELOW THE ESTABLISHED DETECTION LIMIT FOR THAT ANALYTE.

A & L Western Agricultural Laboratories


Robert Butterfield
Laboratory Director

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Page 1 of 1

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #7
Page 6 of 10

Lab Analysis Continued

A & L WESTERN AGRICULTURAL LABORATORIES

1311 WOODLAND AVE #1 • MODESTO, CALIFORNIA 95351 • (209) 529-4080 • FAX (209) 529-4736



REPORT NUMBER: 12-199-114

CLIENT: 4206-D

SUBMITTED BY: JEFF FLEMING

SEND TO: WESTERN DAIRY DESIGN ASSOC, INC
316 WEST F STREET, SUITE 100
OAKDALE, CA 95361

GROWER: 053-13

DATE OF REPORT: 07/19/12

IRRIGATION WATER ANALYSIS REPORT

PAGE: 1

Sample ID	Lab Number	Sodium Na meq/L	Calcium Ca meq/L	Magnesium Mg meq/L	Carbonate CO ₃ meq/L	Bicarbonate HCO ₃ meq/L	Chloride Cl meq/L	Conductivity E.C. dS/m	pH	Copper Cu ppm	Iron Fe ppm	Manganese Mn ppm	Zinc Zn ppm
MW-1	61701	46.14	32.09	30.67	0.00	7.90	86.46	12.66	7.3				
MW-3	61702	35.48	29.34	13.82	0.00	11.34	36.49	7.82	7.3				

Sample ID	Phosphorus P ppm	Potassium K ppm	Nitrate NO ₃ ppm	Sulfate SO ₄ ppm	Boron B ppm	Dissolved Solids ppm	Adjusted S.A.R.	Langelier Saturation Index	NOTES:
MW-1	0.12	20.8	7	1013	1.67	6668	10.52		<p>This report applies only to the sample(s) listed. Samples are retained a maximum of thirty days after testing.</p> <p style="text-align: center;"><i>M. Buttress</i> Mike Buttress, CPAG A & L WESTERN LABORATORIES, INC.</p>
MW-3	0.02	5.3	6	1617	5.68	5192	11.36		

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #7
Page 7 of 10

Lab Analysis Continued

A & L WESTERN AGRICULTURAL LABORATORIES, INC.

1311 Woodland Avenue, Suite 1 • Modesto, California 95351 • (209) 529-4080

Report No: 12-199-113

Account No: 4206-D



Send to: WESTERN DAIRY DESIGN
316 W. F STREET SUITE 100
OAKDALE, CA 95361

Project ID: 053-13

Submitted by: Jeff Fleming

Date Received: 07/17/2012
Date Reported: 07/19/2012

WATER ANALYSIS REPORT

Analyte:	Ammonia Nitrogen	Nitrate Nitrogen	T.D.S.
Detection Limit:	0.05 mg/L	2.5 mg/L	10 mg/L
Method Detection:	SM 4500-NH ₃ H	SM 4500-NH ₃ B	SM 2540 C

Lab Number:	Sample Id:	Ammonia Nitrogen mg/L	Nitrate Nitrogen mg/L	T.D.S. mg/L
81700	MW-2	0.6	153	14296

BDL-INDICATED THE LEVEL FOUND IS BELOW THE ESTABLISHED DETECTION LIMIT FOR THAT ANALYTE.

A & L Western Agricultural Laboratories

Robert Butterfield
Laboratory Director

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Page 1 of 1

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #7
Page 8 of 10

Lab Analysis Continued

A & L WESTERN AGRICULTURAL LABORATORIES, INC.
1311 Woodland Avenue, Suite 1 • Modesto, California 95351 • (209) 529-4080

Report No: 12-189-113

Account No: 4206-D



Send To: WESTERN DAIRY DESIGN
316 W. F STREET, SUITE 100
OAKDALE, CA 95361

Project: 053-13

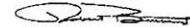
Submitted by: Jeff Fleming

Date Received: 07/17/2012
Date Reported: 07/19/2012

PATHOGEN ANALYSIS REPORT

Lab Number:	Sample ID:	Total Coliform MPN/100 ml	E.coli MPN/100 mL
61700	MW-2 7/16 6:04	>200.5	<1.0

A & L Western Agricultural Laboratories



Robert Butterfield
Laboratory Director

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Page 1 of 1

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #7
Page 9 of 10

Lab Analysis Continued

A & L WESTERN AGRICULTURAL LABORATORIES

1311 WOODLAND AVE #1 • MODESTO, CALIFORNIA 95351 • (209) 529-4080 • FAX (209) 529-4736



REPORT NUMBER: 12-199-113

CLIENT: 4206-D

SUBMITTED BY: JEFF FLEMING

SEND TO: WESTERN DAIRY DESIGN ASSOC, INC
316 WEST F STREET, SUITE 100
OAKDALE, CA 95361

GROWER: 053-13

DATE OF REPORT: 07/19/12

IRRIGATION WATER ANALYSIS REPORT

PAGE: 1

Sample ID	Lab Number	Sodium Na meq/L	Calcium Ca meq/L	Magnesium Mg meq/L	Carbonate CO ₃ meq/L	Bicarbonate HCO ₃ meq/L	Chloride Cl meq/L	Conductivity E.C. dS/m	pH	Copper Cu ppm	Iron Fe ppm	Manganese Mn ppm	Zinc Zn ppm
MW-2	61700	72.53	26.40	44.65	0.00	20.00	91.48	16.62	7.4				

Sample ID	Phosphorus P ppm	Potassium K ppm	Nitrate NO ₃ ppm	Sulfate SO ₄ ppm	Boron B ppm	Dissolved Solids ppm	Adjusted S.A.R.	Langelier Saturation Index	NOTES:
MW-2	0.63	28.4	679	2223	9.66	10145	14.75		<p>This report applies only to the sample(s) tested. Samples are retained a maximum of thirty days after testing.</p> <p style="text-align: center;"><i>M. Bullress</i> Mike Bullress, CPAg A & L WESTERN LABORATORIES, INC.</p>

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

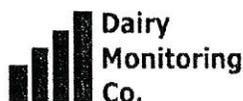
Reply to Cleanup &
Abatement Order dated
June 11, 2012

Attachment #7
Page 10 of 10

Depth to Water

7/26/12

Dairy Monitoring Company Mail - Fwd: Emailing: 4206irrgwtr12-199-114, 4206irrgwtr12-199-113



Fwd: Emailing: 4206irrgwtr12-199-114, 4206irrgwtr12-199-113

Mr. Jeff Fleming <jefflem@dairydesigners.com>
Reply-To: "Mr. Jeff Fleming" <jefflem@dairydesigners.com>
To: Miriam Romero-Garcia <miriam@dairymonitoring.com>

Wed, Jul 25, 2012 at 4:50 PM

We are numbering the MW's 1 to 3 from north to south.

As measured by me, Monday, July 16:

MW1: DTW: 5.33' TD: 20.01'

MW2: DTW: 6.93' TD: 23.29'

MW3: DTW: 7.60' TD: 19.79'

MW2 and MW3 have casing extended 3 or 4 feet above ground, and I failed to measure them, so real DTW for those is probably about 3.9' for MW2, and 3.6' for MW3. I can't do a gradient slope and direction until we re-survey the wells.

[Quoted text hidden]

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #8
Page 1 of 2

July 26, 2012

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

Re: Cleanup and Abatement Order dated June 11, 2012
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

Please accept this letter as my request to extend the deadline for:

“Using a hydropunch or other similar method, collect one-time groundwater samples in the 3-4 acre area where slurry manure was placed and submit the results to the CVWB. Depth to water in the area shall be measured.”

Originally, the date stated on the Cleanup and Abatement Order dated June 11, 2012 was August 27, 2012. I am requesting that the deadline for completion of the required work be extended to October 15, 2012.

Sincerely,

See Next Page for Signature

Henry Tosta

_____ Date

cc: file
Dairy Monitoring Co.

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #8

Page 2 of 2

July 26, 2012

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

Re: Cleanup and Abatement Order dated June 11, 2012
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

Please accept this letter as my request to extend the deadline for:

"Using a hydropunch or other similar method, collect one-time groundwater samples in the 3-4 acre area where slurry manure was placed and submit the results to the CVWB. Depth to water in the area shall be measured."

Originally, the date stated on the Cleanup and Abatement Order dated June 11, 2012 was August 27, 2012. I am requesting that the deadline for completion of the required work be extended to October 15, 2012.

Sincerely,

Henry Tosta 8-1-12
Henry Tosta Date

cc: file
Dairy Monitoring Co.

Henry Tosta Dairy
20662 San Jose Rd Tracy, CA 95304

Attachment #9
Page 1 of 2

July 26, 2012

Charlene Herbst
Ca Regional Water Quality Control Board
11020 Sun Center Dr #200
Rancho Cordova, CA 95670-6114

Re: Cleanup and Abatement Order dated June 11, 2012
Henry Tosta Dairy
20662 San Jose Road
Tracy, CA 95304

Please accept this letter as my request to extend the deadline for:

“If groundwater samples in the vicinity of the Dairy area indicate that waste disposal has caused pollution of groundwater, submit a plan for the remediation of the groundwater. This plan shall also include an engineering evaluation of the impacts of the existing lagoons and settling basins on groundwater quality and a proposal for remedial measures.”

Originally, the date stated on the Cleanup and Abatement Order dated June 11, 2012 was September 27, 2012. I am requesting that the deadline for completion of the required work be extended to November 15, 2012.

Sincerely,

See Next Page for Signature

Henry Tosta

Date

cc: file
Dairy Monitoring Co.

