| | |
|---|---|
| **From:** | Greenberg, Ken |
| **To:** | Karlson, Kristine |
| **Subject:** | FW: Armstrong Chicken Ranch |
| **Date:** | Friday, March 7, 2014 11:29:32 AM |
| **Attachments:** | image001.jpg<br>Conditional_Waiver_3.pdf<br>Armstrong_October_2008_Inspection.pdf<br>Armstrong_December_2008_Inspection.pdf |

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More on the egg farm, including the RWQCB conditional waiver

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**From:** Sakamoto, Glenn
**Sent:** Thursday, February 27, 2014 11:20 AM
**To:** Greenberg, Ken
**Subject:** FW: Armstrong Chicken Ranch

FYI.

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**From:** Mata, Michelle@Waterboards [mailto:Michelle.Mata@waterboards.ca.gov]
**Sent:** Thursday, February 27, 2014 10:45 AM
**To:** Sakamoto, Glenn
**Subject:** RE: Armstrong Chicken Ranch

Glenn,

I haven't scheduled the inspection yet, however, I plan to do so soon. If there is any particular day(s) or week that would work better for your inspector please let me know so I can aim for that when I talk to owner of the chicken ranch.

I have attached a copy of the conditional waiver and the 2 inspection reports. I had attached these reports to my previous email but it looks like my attachments were deleted. If you receive this email without attachments, let me know and I will post the documents on our ftp site for you to download.

Upon the inspection (and review of the ROWD) we will determine whether to issue WDRs or an NPDES permit and what requirements would be included.

Michelle Mata
Water Resource Control Engineer
2375 Northside Drive, Suite 100
San Diego, CA 92108-2700
(619) 521-3369

Description: cid:image001.jpg@01CEB376.E14FF6B0

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**From:** Sakamoto, Glenn [mailto:Sakamoto.Glenn@epa.gov]
**Sent:** Thursday, February 27, 2014 6:18 AM
**To:** Mata, Michelle@Waterboards
**Subject:** RE: Armstrong Chicken Ranch

Michelle –

Thank you again for your summary on Armstrong Egg Ranch. I have additional questions:

- When will you (the Water Board) be conducting your inspection of this facility? We would like to coordinate with your office on a possible joint inspection. We would be sending down an inspector to join your team.

- Could you also provide me with details on your "conditional waiver?"

- What type of Individual WDR has the Board been considering for this facility? Would this be an WDR/NPDES permit or a non-NPDES WDR?

- What type of provisions would the WDR include? Would it be similar to the requirements from EPA's CAFO regulations?

- Could we get a copy of your Regional Board's November 2008 and Decemeber 2008 inspection reports?

Some or most of this information may only be obtain after your (our joint) inspection; however, we appreciate any answers you can provide in advance of our inspection. Thank you.

Regards,
Glenn

***Glenn H Sakamoto***
Environmental Scientist
Enforcement Division (ENF 3-1)
US EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105

W: (415) 972-3556
Fax: (415) 947-3549
E-mail: sakamoto.glenn@epa.gov

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**From:** Mata, Michelle@Waterboards [mailto:Michelle.Mata@waterboards.ca.gov]

**Sent:** Monday, February 24, 2014 12:07 PM
**To:** Sakamoto, Glenn
**Cc:** Outwin, Brandi@Waterboards; Barker, David@Waterboards
**Subject:** Armstrong Chicken Ranch

Hello Glenn,

Here is a summary of my findings for Armstrong Egg Ranch (Facility):

- The Facility is not covered under an NPDES/WDR permit, however, they are enrolled under a San Diego Water Board conditional waiver for discharges from animal operations. The Conditional Waivers expired February 3, 2014. The San Diego Water Board is in the process of renewing the waivers.
- The Conditional Waiver does not require groundwater monitoring, therefore we do not have any nitrate data. You should contact: Tom Lambert, County of San Diego Department of Environmental Health. I previously sent you his contact information.
- Our records indicate the Facility has over 300,000 hens; based on available information it appears Armstrong Chicken Ranch is a CAFO under 40 CFR 122.23 criteria.
- In October 2008, the San Diego Water Board received an Environmental Complaint and Petition for Enforcement from the Humane Society of the United States (attached). The complaint alleged that the Facility was illegally discharging wastewater into storm drains and onto the neighbors land and requested the San Diego Water Board initiate an investigation.
- An inspection was conducted in October 2008 (attached). In summary, the inspection report states that the Facility was not in compliance with the conditional waiver. Although there were no discharges at the time of the inspection, there was evidence of previous discharges. In addition, the Facility did not have adequate BMPs to ensure process wastewater didn't leave the site or to prevent storm water from coming into contact with manure piles.
- In November 2008, the San Diego Water Board issued a Notice of Violation to the Facility for the failure to comply with the San Diego Water Board Basin Plan Prohibitions and Conditional Waiver Requirements.
- In December 2008, the San Diego Water Board conducted a follow-up inspection of the Facility (attached). The inspection report states that the facility had implemented temporary BMPs and management measures to prevent discharges from flowing onto adjacent properties or to the storm water conveyance system. The report also notes that the San Diego Water Board was considering issuing individual WDRs to the Facility.
- In March 2009, the San Diego Water Board sent a letter to the Facility requesting the submittal of a Report of Waste Discharge (ROWD). I was not able to locate a ROWD in our records. The March 2009 letter did not indicate a deadline for submittal.
- In March 2010, the County of San Diego Agriculture, Weights, and Measures staff conducted an inspection of the Facility and indicated (in an email to the San Diego Water Board) that the owner of the Facility was waiting for grant funding to proceed with engineering designs and construction of additional facilities. This is the last correspondence in our files.

Next steps:

The San Diego Water Board plans to conduct an inspection of the Facility in the near future (date TBD). Please let me know if you (or someone in your office) are interested in attending. We will also be following up on the status of the ROWD.

Feel free to contact me if you have any questions or would like to discuss further.

Respectfully,

Michelle Mata
Water Resource Control Engineer
2375 Northside Drive, Suite 100
San Diego, CA 92108-2700
(619) 521-3369

Description: cid:image001.jpg@01CEB376.E14FF6B0

********** ATTACHMENT NOT DELIVERED **********

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which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

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If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

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For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

********** ATTACHMENT NOT DELIVERED **********

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION

## FACILITY INSPECTION DATA ENTRY FORM

INSPECTION DATE: 10/14/08 TIME: 9:30am WDID: _____ ORDER NO. Waiver FILE NO. _____

FACILITY REPRESENTATIVE(S) PRESENT DURING INSPECTION: Mr. Ryan Armstrong

Ryan & Alan Armstrong
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

(b) (6) [redacted]
OWNER CONTACT NAME AND PHONE #

Armstrong Farms
FACILITY OR DEVELOPER NAME (if different from owner)

Same As Above
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

(b) (6) [redacted]
FACILITY STREET ADDRESS

Valley Center, CA
FACILITY CITY AND STATE

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS (CHECK ALL THAT APPLY)

- ☐ MS4 URBAN RUNOFF REQUIREMENTS NPDES NOS. CAS0108758, CAS0108740 or CAS0108766
- ☐ CONSTRUCTION GENERAL PERMIT ORDER NO. 99-08-DWQ, NPDES NO. CAS000002
- ☐ CALTRANS GENERAL PERMIT ORDER NO. 99-06-DWQ, NPDES NO. CAS000003
- ☐ INDUSTRIAL GENERAL PERMIT ORDER NO. 97-03-DWQ, NPDES NO. CAS000001
- ☐ GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES
- ☑ GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
- ☐ SECTION 401 WATER QUALITY CERTIFICATION
- ☐ CWC SECTION 13264

### INSPECTION TYPE (Check One)

A1 ____ "A" type compliance--Comprehensive inspection in which samples are taken. (EPA Type S)
B1 ____ "B" type compliance--A routine nonsampling inspection. (EPA Type C)
02 ____ Noncompliance follow-up--Inspection made to verify correction of a previously identified violation.
03 ____ Enforcement follow-up--Inspection made to verify that conditions of an enforcement action are being met.
04 X Complaint--Inspection made in response to a complaint.
05 ____ Pre-requirement--Inspection made to gather info. relative to preparing, modifying, or rescinding requirements.
06 ____ Miscellaneous – inspection type is not included on this list, may include NOT, NEC, NONA or other types
07 ____ Pretreatment Audit (every five years)
08 ____ Pretreatment Compliance (yearly except audit year)

### INSPECTION FINDINGS

Y Were violations noted during this inspection? (Yes/No/Review Sample Results)

N Were samples taken? (N=no) If YES then, G= grab or C= Composite and attach a copy of the sample results/chain of custody form

I. COMPLIANCE HISTORY:

This site is regulated under Conditional Waiver No. 3 (Resolution No. R9-2007-0104) - Discharges from Animal Operations.

II. FINDINGS

This site is not in compliance with conditional waiver No. 3. Although staff did not observe either stormwater or process waste water leaving the site on the day of the inspection, staff did note evidence of previous discharges. The site does not have adequate

CONTINUED

FACILITY: Armstrong Farms (WDID) _____ INSPECTION DATE: 10/14/08

best management practices (BMPs) in place to prevent process waste water from leaving the site; from storm water coming into contact with manure piles, or to ensure that storm water & process waste water does not mix + discharge offsite.

Issues/Site Locations Requiring Corrective Actions:

1) Remove roof misting runoff water to east end of facility to tank;
2) Berm manure beds area @ east end of facility
3) Berm manure beds area @ truck entry / gate area. Install curb.
4) Berm + implement BMPs at manure belt truck loading station
5) Route roof fain runoff so that commingling of waters does not occur
6) Consult w/ design engineer for needed modifications
7) wastewater detention pond construction proposal.

III. RECOMMENDATIONS AND ADDITIONAL ITEMS FOR FOLLOWUP

This site may be subject to USEPA CAFO regulations.

SWPPP Reviewed: YES___ NO X

COPY PROVIDED TO OPERATOR? YES___ NO X COPY TO BE MAILED? YES X NO___

COMMENTS REGARDING INSPECTION (**FOR ENTRY INTO SWIM**, such as notes on photos, file locations and/or samples):

RESPONSIBLE PARTY SIGNATURE INSPECTION DATE

STAFF INSPECTOR SIGNATURE INSPECTION DATE

IV. (For internal use only)

Reviewed by Supervisor: Robert Morris Date 10-27-2008

cc: City _____ Contact _____

Program: **NPDES STORM NON15-WDR 401 NPS TITLE 27 AGT DoD LNDISP PTPRG RCRA SLIC REC**

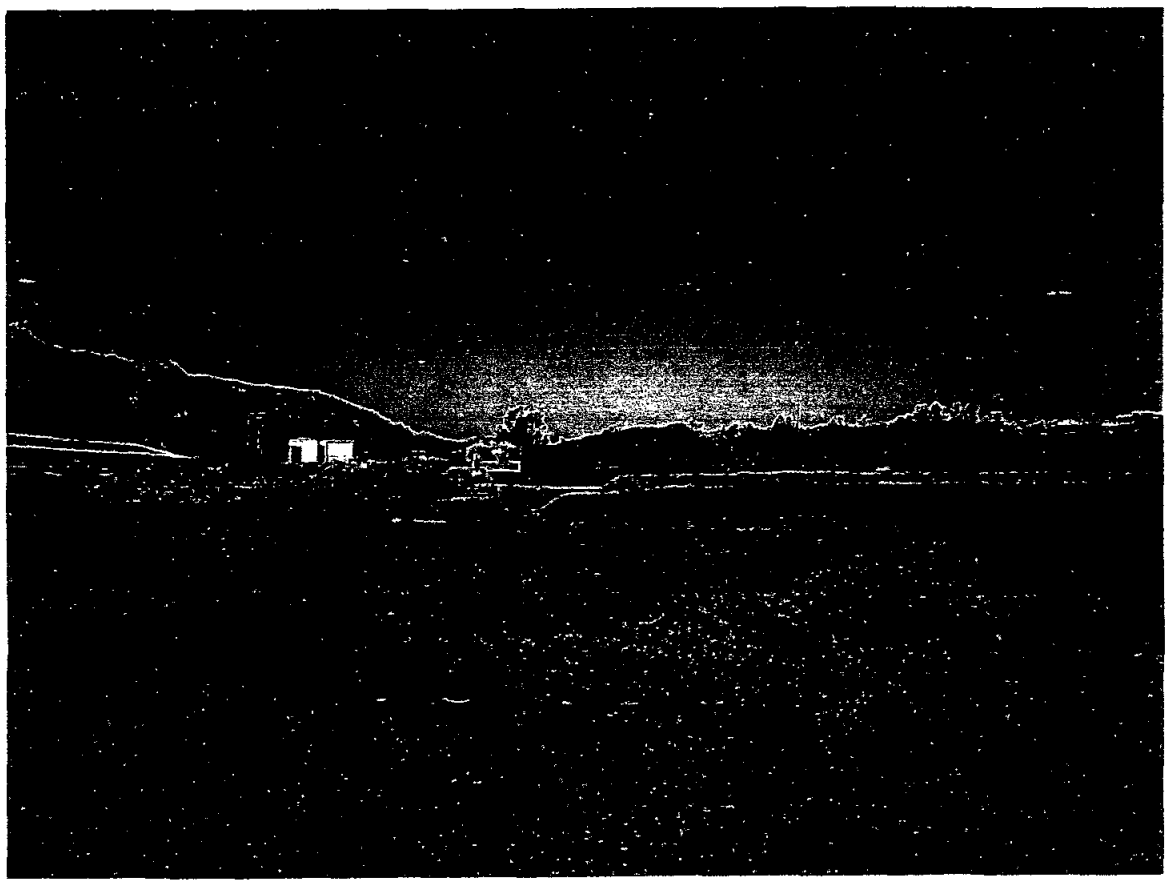
Inter-office Referral: 1) _____ 2) _____ 3) _____ 4) _____ 5) _____

Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

This is the current overflow area for runoff from the roof sprinkler cooling system. There is a pump connected to the over flow area. When the pump is clogged or broken, overflow occurs, discharging process waste water offsite, into a storm water drain, or onto the neighbor's property.

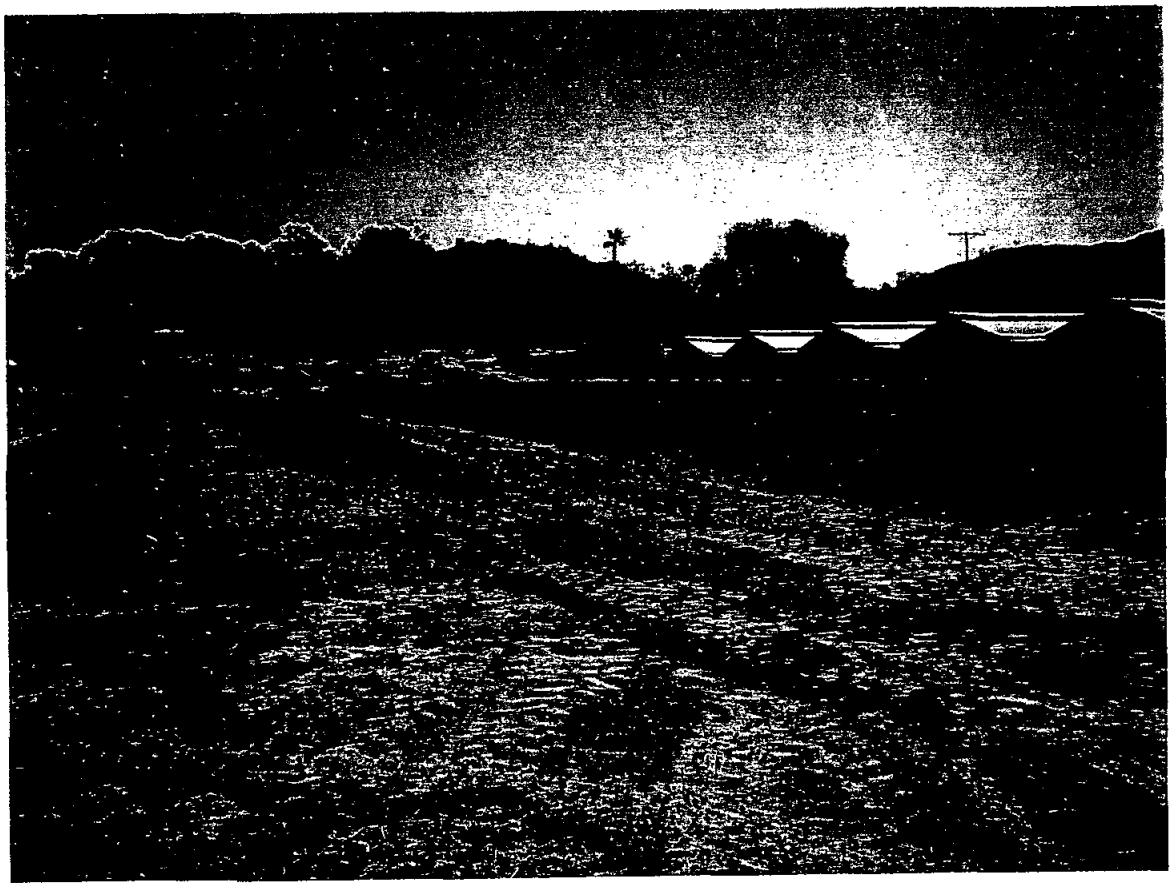
Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

Photo shows manure piles onsite. There are no best management practices (BMPs) in place to prevent storm water from coming into contact with the manure piles, and to prevent that water from leaving the site.



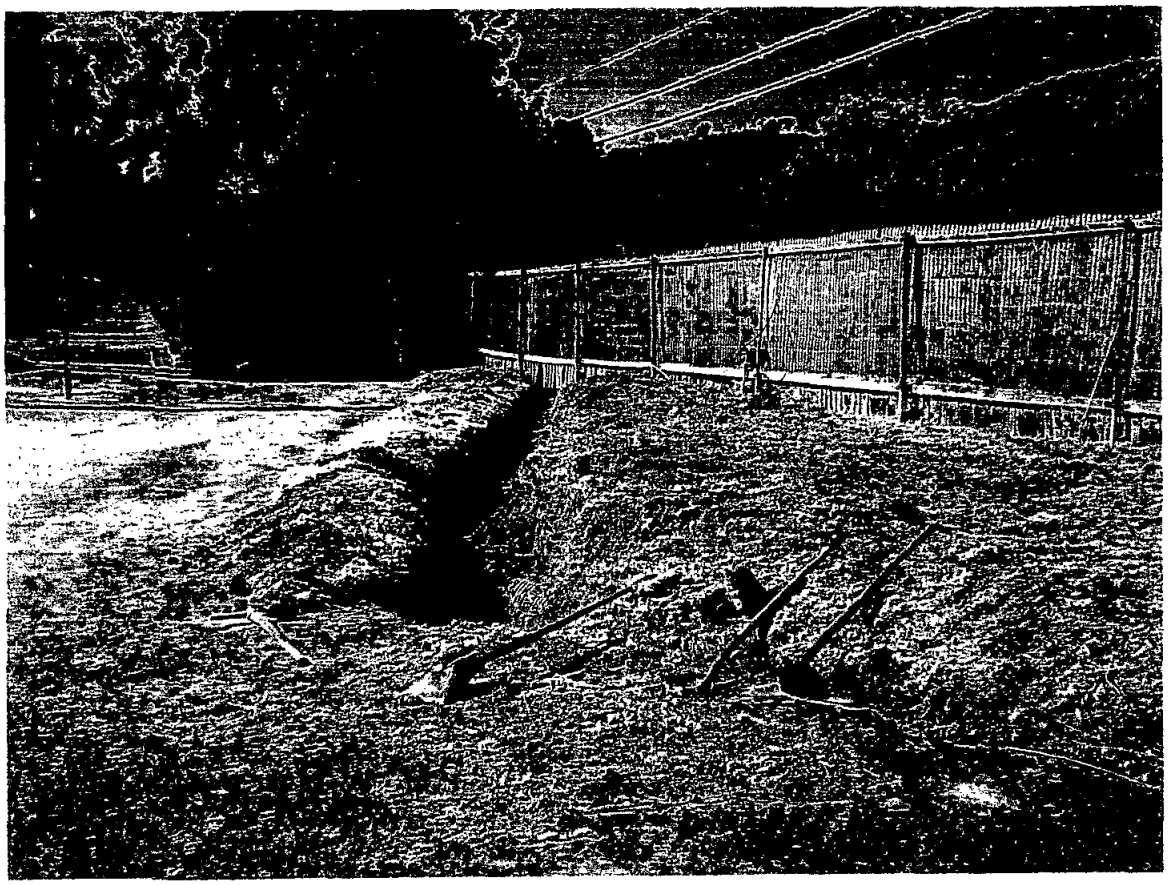
Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

Manure piles near the truck gate which do not have any BMPs in place to prevent storm water from coming into contact with manure, then discharging offsite.



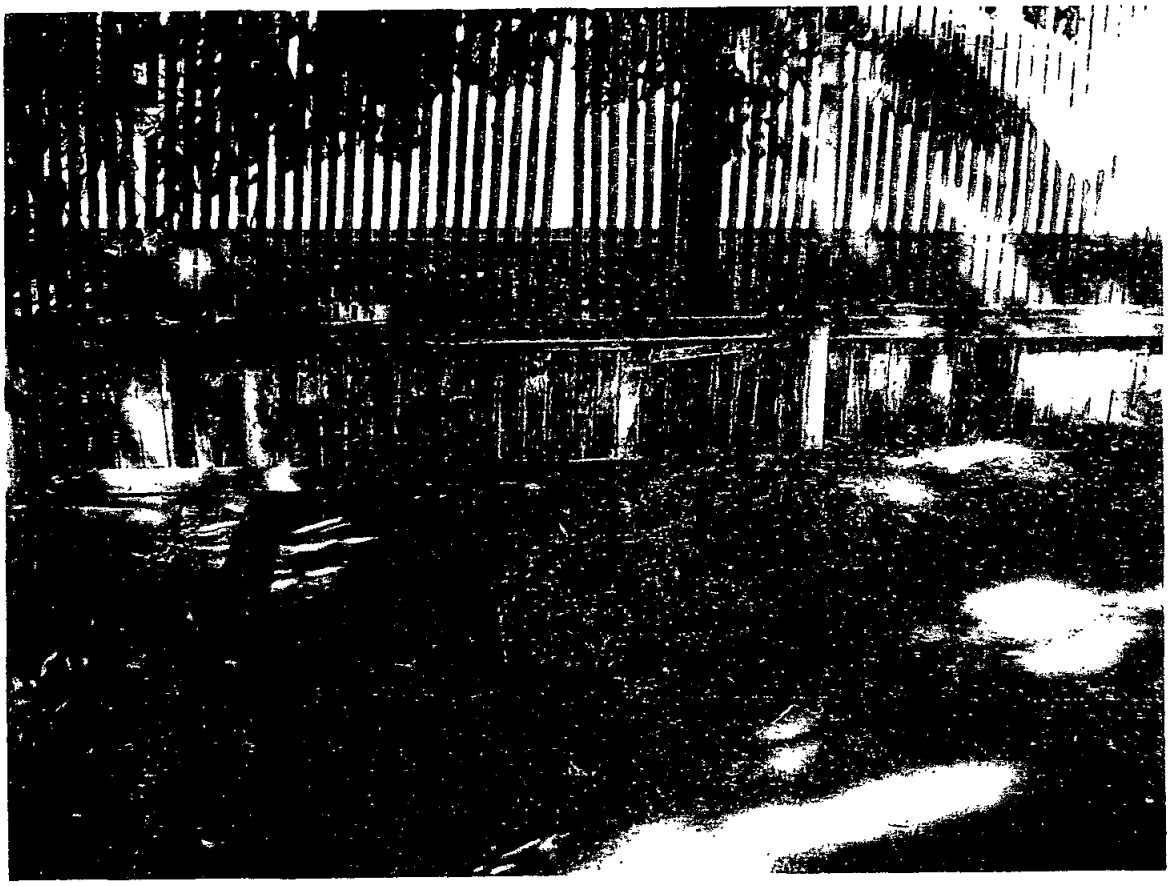
Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

The picture shows a trench constructed by the owners to allow storm water to run offsite to the property boundary and beyond to the roadway easement and culvert.



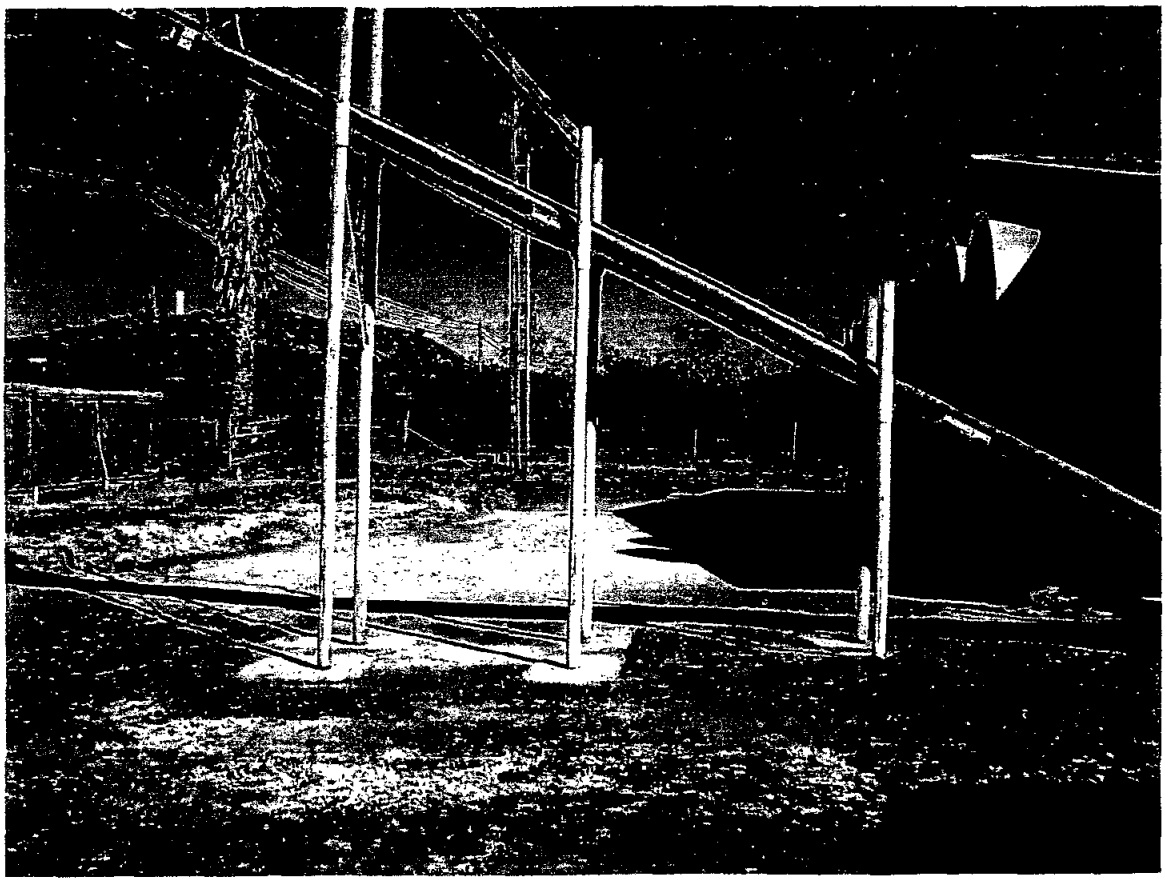
Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

This is a culvert that allows storm water or process water to leave the facility and discharge to the property boundary, and beyond into the roadway easement.



Armstrong Farms
Valley Center, CA
Inspection Date: October 14, 2008

This is the end of the conveyor belt that moves the manure from the chicken house to a truck, which hauls it over to the manure piles twice a week. There are no best management practices in place to catch any manure that misses the truck and falls on the ground. Staff observed manure sitting on the ground in this area.



**Conditional Waiver No. 3 – Discharges from Animal Operations**

Conditional Waiver No. 3 is for discharges from animal operations, which contain pollutants that can percolate to groundwater or runoff to surface waters. Discharges from animal operations include discharges resulting from animal activities and wastes, and storm water runoff which can also transport pollutants from animal operations to surface waters and groundwater.

The following types of discharge not regulated or authorized under WDRs may be eligible for Conditional Waiver No. 3:

- Discharges from small animal feeding operations (less than 300 animal units, where 1 animal unit is equivalent to 1 cow or 1,000 animal pounds)
- Discharges from medium animal feeding operations (300 to 999 animal units)
- Discharges of storm water runoff
- Discharge/application of manure to soil as an amendment or mulch
- Discharges from grazing lands

Discharges from animal operations can be significant sources of sediment, nutrients, and pathogens (i.e., bacteria, viruses, protozoa), which can adversely affect the quality of waters of the state if the animals, animal activities, and animal wastes are not properly managed. Discharges from these types of operations can originate from one land owner/operator, and have similar discharge sources, environmental settings, and waiver conditions. Therefore, these types of discharge were grouped together into one discharge classification. Animal operations that comply with the waiver conditions are not expected to pose a threat to the quality of waters of the state.

Animals maintained at any of these operations generate wastes (i.e., manure, urine, soiled bedding) and may cause erosion. Wastes generated by the animals may be disposed of off site, or stockpiled and/or composted on site by the property/facility owner/operator. Animal wastes may also be allowed to decompose on site at the point of discharge by an animal. Fresh, uncomposted manure and/or dried, processed or composted manure may be used as a fertilizer, soil amendment, or mulch.

Animal wastes that remain on site can be a significant source for several pollutants that can adversely affect water quality. Animals that are allowed to roam and/or graze freely may cause significant erosion, which can result in destruction of wildlife habitat, increased runoff, in addition to adversely affecting water quality.

Animal activities and wastes, if not properly managed, can have a significant adverse impact on the quality of waters of the state. Additionally, storm water and surface runoff that is allowed to come in contact with these wastes can leach pollutants to underlying groundwater, or transport pollutants to surface waters. Storm water runoff from pastures and range lands on animal operations not designated as concentrated animal

feeding operations (CAFOs) is exempt from federal NPDES regulations.[1] However, storm water runoff from pasture and range lands is subject to regulations in the state Water Code and may be regulated with WDRs, unless a waiver is issued. Animal operations that properly manage their animal activities and wastes are not expected to pose a threat to the quality of waters of the state. Therefore, waiver conditions must require proper management and other measures to minimize or eliminate discharges of pollutants from animal operations to waters of the state.

The number of facilities and/or properties that may be eligible for a conditional waiver for discharges from animal operations is not known. According to the United States Department of Agriculture, there are over 700 horse farms in San Diego County. If animal operations with other types of animals are included, the number is likely to be in the thousands. Current San Diego Water Board resources would not be sufficient to issue WDRs to all the animal operations in the Region. However, cumulative discharges from these types of facilities can potentially have a significant impact on the quality of the waters in the Region. This, in turn, can increase the efforts required by cities and counties to comply with NPDES storm water and/or TMDL requirements.

A medium sized animal feeding operation (AFO), which manages 300 to 999 animal units (where 1 animal unit is equivalent to 1 cow or approximately 1,000 animal pounds), could, by itself, potentially be a significant source of pollutants due to the number of animals maintained. Depending on the design and management of a medium AFO, the facility may be designated as a CAFO. If an animal operation is designated as a CAFO, it is subject to NPDES regulations and would require regulation under WDRs that conform to NPDES requirements. Knowledge of the design and operation of a medium AFO is required to ensure MMs/BMPs are implemented and effective, and determine whether or not the facility should be designated as a CAFO. Therefore, medium AFOs should require enrollment as required in the existing conditional waivers.

Small AFOs and grazing lands, on the other hand, may only potentially be significant sources of pollutants if MMs/BMPs for animal wastes and activities are not properly implemented. Small AFOs and grazing lands should be eligible for a conditional waiver without enrollment as long as animal wastes and activities are properly managed. However, owners/operators of small AFOs and grazing lands that violate waiver conditions by not implementing MMs/BMPs and allow the degradation of water quality should be notified of their responsibilities and required to comply with waiver conditions. Enforcement actions can be taken against facilities that fail to comply with waiver conditions. Additionally, a small AFO may also be designated as a CAFO and be subject to NPDES regulations, requiring regulation under WDRs that conform to NPDES requirements.

Because the San Diego Water Board resources are limited, enforcing waiver conditions for animal operations that do not require enrollment is often limited to violators that are brought to the attention San Diego Water Board. Therefore, the San Diego Water

[1] Code of Federal Regulations Title 40 section 122.3(e)

Board must rely upon the assistance of the municipalities, government agencies, non-governmental organizations, and members of the public to identify animal operations that are not in compliance with waiver conditions.

Waiver conditions should be developed in order for members of the public, cities, counties, local agencies and organizations, as well as the San Diego Water Board to determine if an animal operation is adequately managing its discharges and meeting its responsibilities. If owners/operators of animal operations are not in compliance with waiver conditions, they can be issued a Notice of Violation, be required to file Notice of Intent with the San Diego Water Board, and required to comply with waiver conditions in order to be eligible for Conditional Waiver No. 3. Sufficient information demonstrating compliance with the waiver conditions would have to be submitted to avoid regulating an animal operation with WDRs. However, if the owner/operator of an animal operation violates any waiver conditions, the San Diego Water Board has the option to terminate the conditional waiver for the operation and begin regulating the animal operation with individual WDRs and/or take other enforcement actions.

Or, depending on the seriousness of the violation, small and medium AFOs could also be designated as CAFOs and be subject to NPDES regulations, which requires regulation by WDRs that conform with NPDES requirements. Other enforcement actions could also be taken against facilities that fail to comply with waiver conditions, including issuing Notices of Violation, Cease and Desist Orders, or Cleanup and Abatement Orders.

In order to be eligible for Conditional Waiver No. 3, discharges must comply with certain conditions to be protective of water quality. The waiver conditions applicable to discharges from animal operations include the following:

- 3.I.A. General Facility Design and Management Waiver Conditions
- 3.I.B. General Manure Management Waiver Conditions
- 3.I.C. General Waiver Conditions for Application of Manure from Animal Operations as a Fertilizer, Amendment, or Mulch to Soil
- 3.I.D. General Inspection and Reporting Waiver Conditions

- 3.II.A. Specific Waiver Conditions for Small Animal Feeding Operations
- 3.II.B. Specific Waiver Conditions for Medium Animal Feeding Operations
- 3.II.C. Specific Waiver Conditions for Grazing Operations

Discharges from animal operations that comply with the general and specific waiver conditions in Conditional Waiver No. 3 are not expected to pose a threat to the quality of waters of the state.

### *3.I.A General Facility Design and Management Waiver Conditions*

1. Animal operations must comply with any local, state, and federal ordinances and regulations and obtain any required approvals, permits, certifications, and/or licenses from authorized local agencies.
2. Animal operations must implement management measures (MMs) and/or best management practices (BMPs) to minimize or eliminate the discharge of pollutants that may adversely impact the quality or beneficial uses of waters of the state. Recommended MMs/BMPs are provided in *Equestrian-Related Waste Quality Best Management Practices* available from the County of San Diego Department of Agriculture, Weights and Measures, and/or the *Field Office Technical Guide* available from the Natural Resource Conservation Service (NRCS), or other sources.
3. Animal operations must prevent direct contact of animals with surface water bodies. Animals should not be allowed to graze directly adjacent to or within stream banks. Animal operations should maintain a buffer zone or riparian filter strip between the animals and any surface waters of the state. The buffer zone must adequately minimize the discharge of pollutants from an animal operation. There should be no direct exposure of a surface water body to an animal.

### *3.I.B. General Manure Management Waiver Conditions*

1. Animal operations must prevent the direct or indirect discharge of animal wastes (manure, urine, soiled bedding) to any surface waters of the state (including ephemeral streams and vernal pools).
2. Animal operations must properly manage the wastes (i.e., manure, urine, soiled bedding) generated by the animals at the facility in accordance with the following guidelines:
   a) Animal wastes should be collected and disposed of regularly (at least once every two weeks).
   b) Animal wastes can be stored temporarily (no longer than two weeks) on site until disposal, unless animal wastes are composted on site. The amount of animal wastes stored in temporary storage area must not exceed the capacity of the storage area. If animal wastes exceed, or threaten to exceed the capacity of the temporary storage area, the animal wastes should be disposed of immediately.
   c) Areas adjacent to temporary storage area for animal wastes should be graded to prevent storm water and surface runoff from reaching the storage area.
   d) Temporary storage area should be on an impervious surface (e.g., concrete pad or plastic tarp) to prevent leaching of pollutants to groundwater.
   e) Temporary storage area should protected with a roof or cover, or at a minimum be covered with plastic sheeting if precipitation is forecast within the next 24 hours, to prevent direct contact between precipitation and animal wastes.

f) A buffer zone of at least 100 feet should be maintained between the temporary storage area for animal wastes and any surface water body unless sufficient information is provided to demonstrate that a proposed alternative is protective of water quality.

g) If animal wastes are used as a fertilizer, soil amendment, or mulch on grazing lands, application of animal wastes to soil must comply with the conditions in 3.I.D.

### *3.I.C. General Waiver Conditions for Application of Manure from Animal Operations as a Fertilizer, Amendment, or Mulch to Soil*

1. If fresh and/or uncomposted manure is applied as a fertilizer, amendment, or mulch to soil, manure must be applied to the same property where the manure was generated.
2. Dried, processed, or composted manure may be applied as a fertilizer, amendment, or mulch to soil on sites other than the property where the manure was generated. Dried, processed, or composted manure may also be applied as a fertilizer, amendment, or mulch to soil on the same property where the manure was generated. Use of dried, processed, or composted manure on or off the property where the manure was generated must comply with the waiver conditions in 3.I.D.
3. A buffer zone of at least 100 feet should be maintained between the manure applied to soil and any surface waters of the state, unless sufficient information is provided to demonstrate that a proposed alternative is protective of water quality.
4. The amount of soil amendment or mulch materials that can be applied to soil must be reasonable for the crop or plant, soil, climate, special local situations, management system, and type of soil amendment or mulch. Application rates must take into account storm events during the rainy season (October-May). Application rates must not allow soil amendment or mulch materials to be transported off the property in storm water runoff during the rainy season. Resources are available from the NRCS, University of California Cooperative Extension (UCCE), and other organizations. A copy of the calculations and/or estimate of the application rate must be available on site for inspection.
5. Apply amendment or mulch materials to soil at site-specific rates appropriate to the season (i.e., dry vs. rainy).
6. Implement MMs/BMPs in areas with soil amendment or mulch materials to minimize or eliminate runoff and leachate to surface waters and groundwater.

### *3.I.D. General Inspection and Reporting Waiver Conditions*

1. The San Diego Water Board and/or other local regulatory agencies must be allowed reasonable access to the site in order to perform inspections and conduct monitoring.
2. Animal operations must submit a Notice of Intent or technical and/or monitoring program reports when directed by the San Diego Water Board.

### *3.II.A. Specific Waiver Conditions for Small Animal Feeding Operations*

1. Small animal feeding operations (AFOs) must not discharge any pollutants to waters of the United States through any man-made conveyance, or directly to waters of the United States which originate outside of and pass over, across or through the facility or otherwise come into direct contact with the animals confined in the operation.
2. Small AFOs must be operated and maintained in accordance with the regulations in California Code of Regulations Title 27 sections 22562 through 22565.

### *3.II.B. Specific Waiver Conditions for Medium Animal Feeding Operations*

1. Medium AFOs must not discharge any pollutants to waters of the United States through any man-made conveyance, or directly to waters of the United States which originate outside of and pass over, across or through the facility or otherwise come into direct contact with the animals confined in the operation.
2. Medium AFOs must be operated and maintained in accordance with the regulations in California Code of Regulations Title 27 sections 22562 through 22565.
3. Medium AFO facility owners or operators must file a Notice of Intent with the San Diego Water Board containing, at a minimum, the following information:
   a) Property owner name and address
   b) AFO owner/operator name and address
   c) Number and types of animals
   d) Map of the AFO facility showing the locations of manure stockpiles, nearby surface water bodies, and/or water wells
   e) Description of existing and planned MMs/BMPs for the prevention of erosion and discharges of animal wastes that could affect the quality of waters of the state.

   Sufficient information demonstrating compliance with general and specific waiver conditions must be submitted in order for the medium AFO facility to be eligible for a conditional waiver.

### *3.II.C. Specific Waiver Conditions for Grazing Operations*

1. Grazing operations must manage grazing fields to allow lands to revegetate and minimize topsoil erosion.
2. Owners of pasture and range lands used for grazing, must implement MMs/BMPs to minimize or eliminate any discharge that could adversely affect the quality or beneficial uses of waters of the state.

The following list of references provides additional information that is available regarding appropriate MMs/BMPs for minimizing pollutants in runoff and other discharges from animal operations.


1. Equestrian-Related Waste Quality Best Management Practices, County of San Diego Department of Agriculture, Weights and Measures http://www.sdcounty.ca.gov/awm/docs/equestrian_bmp.pdf
2. Electronic Field Office Technical Guide (eFOTG), United States Department of Agriculture, Natural Resources Conservation Service http://www.nrcs.usda.gov/technical/efotg/
3. Agricultural Management Measures, State Water Resources Control Board http://www.swrcb.ca.gov/nps/docs/guidance/agricmms.pdf
4. California Nonpoint Source Encyclopedia, State Water Resource Control Board http://www.swrcb.ca.gov/nps/docs/encyclopedia/agriculture.pdf

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - SAN DIEGO REGION

## FACILITY INSPECTION DATA ENTRY FORM

INSPECTION DATE: 12/22/08 TIME: 9:30am WDID: 9000001871 ORDER NO. W-3 FILE NO. 731059

FACILITY REPRESENTATIVE(S) PRESENT DURING INSPECTION: Mr. Ryan Armstrong

Ryan & Alan Armstrong
NAME OF OWNER, AGENCY OR PARTY RESPONSIBLE FOR DISCHARGE

(b) (6) [redacted]
OWNER CONTACT NAME AND PHONE #

Armstrong Farms
FACILITY OR DEVELOPER NAME (if different from owner)

Same
FACILITY OR DEVELOPER CONTACT NAME AND PHONE #

(b) (6) [redacted]
FACILITY STREET ADDRESS

Valley Center, CA
FACILITY CITY AND STATE

APPLICABLE WATER QUALITY LICENSING REQUIREMENTS (CHECK ALL THAT APPLY)

- ☐ MS4 URBAN RUNOFF REQUIREMENTS NPDES NOS. CAS0108758, CAS0108740 or CAS0108766
- ☐ CONSTRUCTION GENERAL PERMIT ORDER NO. 99-08-DWQ, NPDES NO. CAS000002
- ☐ CALTRANS GENERAL PERMIT ORDER NO. 99-06-DWQ, NPDES NO. CAS000003
- ☐ INDUSTRIAL GENERAL PERMIT ORDER NO. 97-03-DWQ, NPDES NO. CAS000001
- ☐ GENERAL OR INDIVIDUAL WASTE DISCHARGE REQUIREMENTS OR NPDES
- ☑ GENERAL OR INDIVIDUAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
- ☐ SECTION 401 WATER QUALITY CERTIFICATION
- ☐ CWC SECTION 13264

### INSPECTION TYPE (Check One)

A1 ___ "A" type compliance--Comprehensive inspection in which samples are taken. (EPA Type S)
B1 ___ "B" type compliance--A routine nonsampling inspection. (EPA Type C)
02 ___ Noncompliance follow-up--Inspection made to verify correction of a previously identified violation.
03 X Enforcement follow-up--Inspection made to verify that conditions of an enforcement action are being met.
04 ___ Complaint--Inspection made in response to a complaint.
05 ___ Pre-requirement--Inspection made to gather info. relative to preparing, modifying, or rescinding requirements.
06 ___ Miscellaneous – inspection type is not included on this list, may include NOT, NEC, NONA or other types
07 ___ Pretreatment Audit (every five years)
08 ___ Pretreatment Compliance (yearly except audit year)

### INSPECTION FINDINGS

N Were violations noted during this inspection? (Yes/No/Review Sample Results)

N Were samples taken? (N=no) If YES then, G= grab or C= Composite and attach a copy of the sample results/chain of custody form

I. COMPLIANCE HISTORY:

Nov. R9-2008-0149 issued 11/21/08 for Violations of Conditional Waiver No. 3, Resolution No. R9-2007-0104

II. FINDINGS

Staff did not observe Stormwater or process water leaving the site - it was raining at the time of the inspection. Temporary BMPs and management measures are in place to divert Stormwater + process water back onto the site, and to prevent run-off from leaving

FACILITY: Armstrong Farms (WDID) 900001871 INSPECTION DATE: 12/22/08

the site. The owners have consulted with several engineers regarding the design of permanent BMPs and specifically, detention ponds to collect stormwater + process water; and for the design of permanent management measures ~~of~~ for composting areas.

Staff informed the owners of its intent to issue site-specific waste discharge requirements, as composting is no longer covered under the Regional Board waivers.

III. RECOMMENDATIONS AND ADDITIONAL ITEMS FOR FOLLOWUP

Temporary BMPs should be updated to more permanent BMPs. Regional Board staff will meet with owners in January 2009 to discuss plans for permanent BMPs and water detention ponds.

SWPPP Reviewed: YES___ NO ✓

COPY PROVIDED TO OPERATOR? YES___ NO ✓ COPY TO BE MAILED? YES ✓ NO___

COMMENTS REGARDING INSPECTION (**FOR ENTRY INTO SWIM**, such as notes on photos, file locations and/or samples):

| RESPONSIBLE PARTY | SIGNATURE | INSPECTION DATE |
|---|---|---|
| | | Dec. 22, 2008 |
| STAFF INSPECTOR | SIGNATURE | INSPECTION DATE |

IV. (For internal use only)

Reviewed by Supervisor: _____ Date

cc: City _____ Contact _____

Program: **NPDES STORM NON15-WDR 401 NPS TITLE 27 AGT DoD LNDISP PTPRG RCRA SLIC REC**

Inter-office Referral: 1) _____ 2) _____ 3) _____ 4) _____ 5) _____

Armstrong Farms
Valley Center, CA
Inspection Date: December 22, 2008

Photo shows some of the temporary best management practices installed by the owners to prevent the discharge of waste water from the site. This inspection occurred on a rainy day, and staff did not observe any runoff or discharges of waste water from the site.

Armstrong Farms
Valley Center, CA
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This is the same photo shown above at a closer range. The owners installed sand bags as temporary controls for runoff. According to the owners, these temporary measures will remain in place until the permanent best management practices or management measures can be installed.

Armstrong Farms
Valley Center, CA
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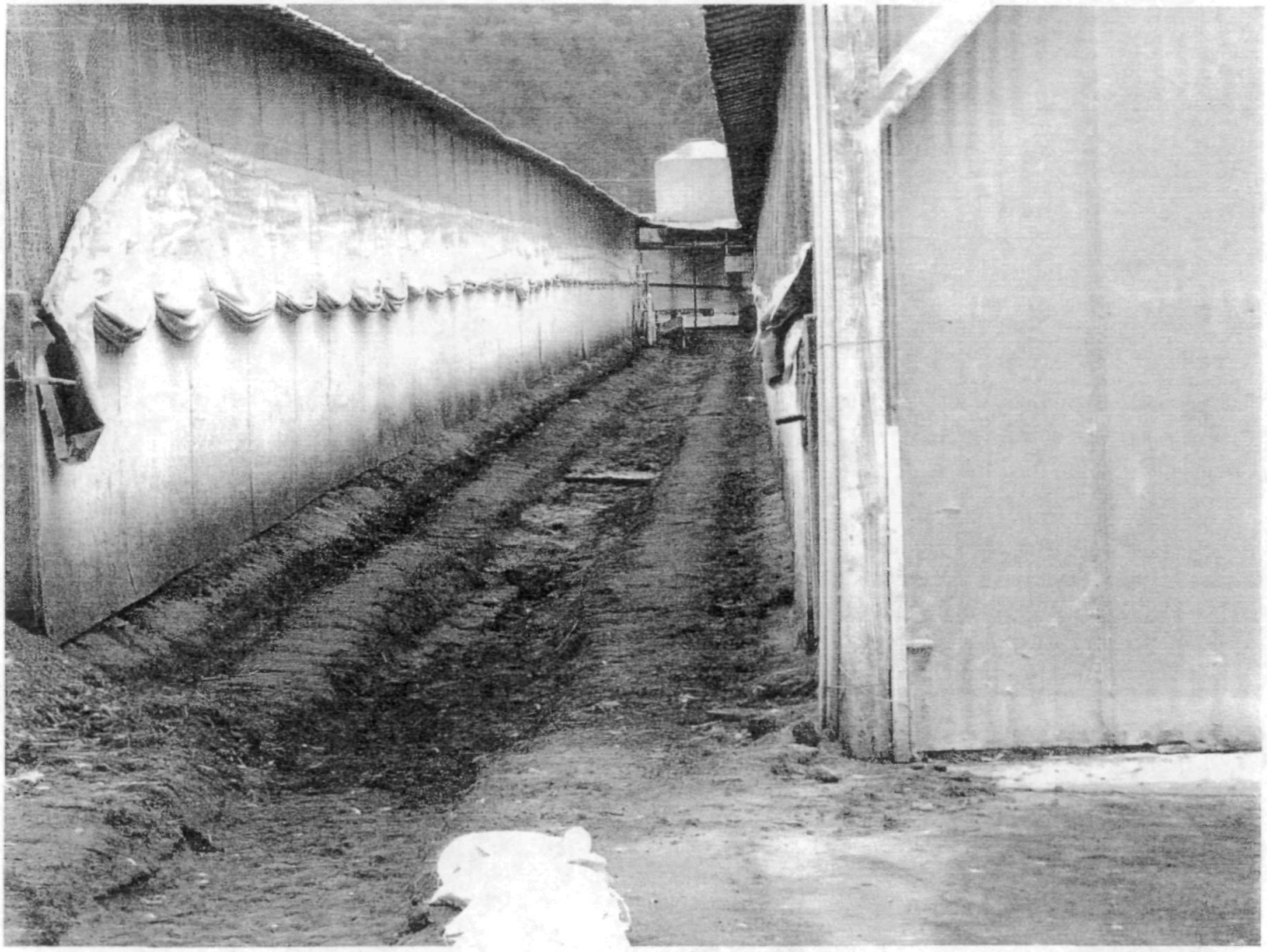
This photos depicts as earthen trench constructed by the owners to divert storm water and/or waste water back onto the site, and to prevent the illicit discharge of these waters from the site. Staff recommended the owners line the trench to help prevent sediment build-up, and to make this a more permanent management measure.



Armstrong Farms
Valley Center, CA
Inspection Date: December 22, 2008

This photo depicts one of the composting areas. The photo shows that the area is lined with asphalt, preventing infiltration of nutrients into groundwater in this area. Permanent best management practices have not yet been installed in this area due to issues with the machinery used in composting. More permanent measures will be installed once a decision is made regarding the number of detention ponds appropriate for this site.