



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

FILE

6 September 2013

CERTIFIED MAIL
7012 2920 0000 1430 1844

NOTICE OF VIOLATION

Russ Holcomb
General Manager
Malaga County Water District
3580 South Frank Street
Fresno, CA 93725

PRETREATMENT COMPLIANCE INSPECTION, MALAGA COUNTY WATER DISTRICT, WASTEWATER TREATMENT FACILITY, (NPDES CA0084239, RM 389604), FRESNO COUNTY

On 12 July 2012, Central Valley Water Quality Control Board staff and State Water Resources Control Board staff (Water Board staff) conducted a follow-up inspection to the Pretreatment Compliance Inspection (PCI) of Malaga County Water District (District) conducted by Tetra Tech, Inc., a contractor of the United States Environmental Protection Agency on 18 February 2010. The 2010 PCI Summary Report and the 2012 Facilities Inspection Form are enclosed. The PCI Summary Report lists several pretreatment program deficiencies Tetra Tech identified during the inspection, which are listed in Section 10.1, Requirements (pp 9-11) and includes a number of recommended actions in Section 10.2.

On 5 December 2012, Tetra Tech staff confirmed to Water Board staff that at the end of the District's 2010 PCI, the inspector conducted an exit interview and went over a checklist identifying each deficiency with the District. However, the District's 2010, 2011, and 2012 Annual Pretreatment Reports indicate that it has not made any changes recommended or corrected any deficiencies identified as it is waiting for a formal copy of the PCI. Water Board staff has reviewed the PCI, agrees with the identified deficiencies (which are violations of the District's approved Pretreatment Program) and agrees with the recommendations listed in Section 10.2, Recommendations (pp 11-12).

During the 12 July 2012 follow-up, pretreatment records and files were not available onsite for review, and District staff in charge of the Pretreatment Program were unable to answer basic questions about the Pretreatment Program. District staff referred the inspectors to the Chief Plant Operator in charge of the wastewater treatment facility, who, when contacted via telephone, referred the inspectors to the Pretreatment staff. District staff stated that they frequently test the industries' wastewater discharged to the WWTF for electrical conductivity.

Water Board staff visited three of the District's industrial dischargers; Rocktenn, Stratas Foods, and PPG. Stratas Foods and PPG are significant industrial users and are required to be inspected at least once a year by the District pursuant to 40 CFR403.8(f)(2)(v). Travis Johnson, Safety and

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | www.waterboards.ca.gov/centralvalley



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1. Article Addressed to:

Russ Holcomb
 Malaga County Water District
 3580 S. Frank Street
 Fresno, CA 93725

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 Addressee

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 Sarah [unclear] 9-7-13

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PS Form 3811, February 2004

102595-02-M-1540

Environmental Coordinator for Rocktenn, stated that he is not aware of a pretreatment inspection of the facility ever being conducted by the District. He stated that District staff only comes by to test the electrical conductivity of the facility's wastewater. Roger Metzler, Plant Manager, Joe Anderton, Plant Superintendent, and Veronica Perez, Environmental Compliance Specialist for Stratas Foods stated that a pretreatment inspection of the facility had never been conducted by the District. Matthew Fidel, Environmental Engineer and Gary Rosenberg, Safety Operator for PPG Industries stated that a pretreatment inspection of the facility had never been conducted by the District. Each industry presented its industrial user permit issued by the District; however each permit was signed by Michael Taylor of Provost and Pritchard, who is not a District employee.

Tetra-tech findings and Water Board staff findings support the concern that the District is not implementing its Pretreatment Program as required. Additionally, the District reported in its 2012 Annual Biosolids Report that in July 2012 biosolids laboratory results showed hazardous waste concentrations for copper and chromium. These results are another indicator to support the concern that the Pretreatment Program is not being properly implemented.

By 28 February 2014 in its Annual Pretreatment Report, the District is to have addressed and documented all the identified deficiencies in Requirements and Recommendations Section 10.1 (items 1 – 17) and 10.2 (items 1-3) of the PCI, including having conducted the required inspections with documentation showing the inspections have been completed. In the interim, please submit monthly progress reports to the Central Valley Water Board **by the 30th of each month**, documenting the District's progress towards compliance with its Pretreatment Program - along with a description of additional efforts in-progress or planned. Specified dates herein and the District's response to this request does not limit the Central Valley Water Board's ability to pursue formal enforcement.

If you have any questions regarding this matter, please contact Jill Walsh at (559) 445-5130 or at jwalsh@waterboards.ca.gov.



WARREN W. GROSS
Senior Engineering Geologist
CEG 1528, CHG 681

Enclosures: 2010 PCI Summary Report
2012 Facilities Inspection Form

cc via email: Anna Yen USEPA Region IX, WTR-7, San Francisco
Russell Norman, State Water Board, Sacramento
Chuck Durham, Tetra Tech, Inc.
Hsin Lee, Tetra Tech, Inc.

cc: Charles E. Garabedian, Jr. President, Malaga CWD
Michael Taylor, Provost and Pritchard, Fresno
Neal Costanzo, Costanzo & Associates, Fresno

Malaga County Water District	Malaga Wastewater Treatment Facility
DISCHARGER NAME	FACILITY NAME
3580 South Frank Street	3749 South Maple Avenue
STREET ADDRESS	STREET ADDRESS
Fresno, CA 93725	Fresno, CA 93725
CITY, STATE, ZIP CODE	CITY, STATE, ZIP CODE
Russ Holcomb, General Manager	Frank Cruz, Operator
DISCHARGER CONTACT PERSON	FACILITY CONTACT PERSON
559-485-7353	--
TELEPHONE NO.	TELEPHONE NO.
rholcomb@malagacwd.org	fcruz@malagacwd.org
E-MAIL ADDRESS	E-MAIL ADDRESS

GENERAL INSPECTION INFORMATION

Inspection Type: Pretreatment Follow-up, non-sampling Lead Inspector: Melissa Hall SWRCB

07/12/2012 to 07/12/2012 11:00 Sunny, no recent precipitation

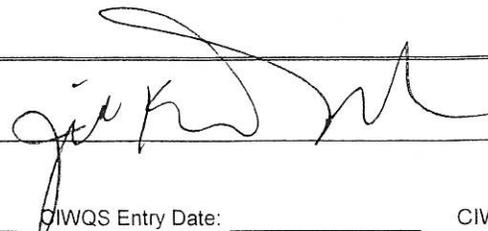
INSPECTION DATE(S) INSPECTION TIME GENERAL WEATHER CONDITIONS

INSPECTION ATTENDEE(S)			
NAME	COMPANY/AGENCY	TELEPHONE NO.	E-MAIL ADDRESS
Melissa Hall	SWRCB	916-341-5773--	mhall@waterboards.ca.gov
NAME	COMPANY/AGENCY	TELEPHONE NO.	E-MAIL ADDRESS
Alvina Prakash	RWQCB		
NAME	COMPANY/AGENCY	TELEPHONE NO.	E-MAIL ADDRESS
See below in summary		--	--
NAME	COMPANY/AGENCY	TELEPHONE NO.	E-MAIL ADDRESS

INSPECTION SUMMARY

As part of the 12 July 2012 State and Regional Water Board (Water Board) joint inspection of Malaga County Water District (District) WWTF, State Water Board staff, Melissa Hall and Regional Water Board Engineering Student Assistant, Alvina Prakash conducted a follow-up Pretreatment Inspection. This inspection report summarizes the observations for the pretreatment portion of the inspection. Water Board staff were told by Frank Cruz that pretreatment records were kept at the District office, Chris Lopes is in charge of the Pretreatment Program, and Jesse Alvarez assists Lopes – they were not available during the inspection. Water Board staff visited the following industrial users: Rocktenn, Stratus Foods, and PPG. Each industry representative stated that District staff frequently samples the wastewater for EC, but that they were not aware of the District having ever conducted a pretreatment inspection. Water Board staff requested to see each industry’s industrial discharge permit and noted that each permit was signed by the District’s consulting engineer, Michael Taylor, rather than by authorized District staff.

On 18 July 2012, Alvina Prakash followed-up with a phone call to Chris Lopes to inquire about the District’s 2004 sewer ordinance and permitting questions. He stated that he just does sampling for the District’s industrial users and was not familiar with permitting. He referred Alvina to the WWTF operators who also could not answer the questions and referred staff to the District office.

Prepared by: Jill Walsh Signature:  Date: 8/29/13

Filename: Malaga CWD WWTF CIWQS Entry Date: _____ CIWQS Inspection ID: 10265093