

Ponderosa Chronology

- November 5, 1996 - NDEP notified Ponderosa that a permit was required for their activities
- December 26, 1996 - Application fee and incomplete application received from Ponderosa, flow 0.25 MGD)
- February 1997 NDEP sent letter requiring additional information to complete permit
Ponderosa did not respond to request for additional information
- July 3, 1997 EPA notified NDEP of citizen compliant.
- February 26, 1998 BWQP received call from Lahontan RWQCB regarding release, referred to BWPC. (02/23/98 start of release, flow approx. 2 days and 1.7 million gallons)
- November 1998 - After much deliberating, Ponderosa agreed to pay \$35,000.00 penalty
- January 22, 1999 - Newspaper article stipulates that Eric Goedhart thrown in jail for lying to federal investigators (Criminal Investigation Division)
(01/21/99 agreed to pay \$250,000 fine -\$150,000 w/ completion of probation and apply for NPDES w/in 60 days)
- March 9, 1999 Second NPDES permit application received.
- June 16, 2000 NV0023027 issued with incorrect flow limit, 0.030 MGD.
- December 4, 2000 Minor Modification – Flow limit increased to 0.350 MGD.
- January 29, 2002 Major Modification public hearing held.
- February 13, 2002 Major Modification issued – third barn 0.625 MGD.
- November 8, 2002 - Minor Modification – Allowed delay in lining south and west barn 3 ponds until May 2, 2004.
- April 1, 2004 - Telephone call w/ NDEP (Bruce Holmgren) and Ponderosa. Ponderosa claims that it was agreed to address flow exceedances by explaining water use and a proposal to meter water use for one year (thru September 2004) and if necessary, request a modification to permit. Letter was to be addressed to Val King.
- April 16, 2004 - Ponderosa's letter received by NDEP
- May 27, 2004 - NDEP sends non-compliance letter to Ponderosa regarding flow violations. Requires:

1. Facility to be in compliance w/ permitted flows by June 7, 2004
 2. Explanation for flow violations by June 14, 2004
 3. Explanation for delayed response to flow violations by June 14, 2004
 4. Plan for addressing future violations by June 14, 2004
- June 17, 2004 - Joe Maez requests supportive information to approve not lining South and West Ponds at Dairy #3
- June 18, 2004 - Ponderosa submits response to NDEP's letter in May 2004.
1. Specified they had informed Bruce Holmgren on April 1, 2004 about flow violations and had conceded to take more accurate flow measurements from the flow meters installed Sept 2003 and had taken measures to more accurately manage flow activities (transfers from pond to pond etc.)
 2. deferred to answer #1
 3. Ponderosa again states that NDEP agreed to allow monitoring of flows using more accurate method for a year.
 4. Plans of monitoring, modifying permit and submitting timely DMRs
- August 3, 2004 - NDEP telephones Glorietta, Ponderosa's consultant (Jordan Vaughn and Jay Lazarus) and directs Ponderosa to address flows and nitrates in groundwater by August 20, 2004 (Plan and Schedule)
- August 18, 2004 - NDEP receives Ponderosa's response
- September 8, 2004 - NDEP approves various plans for eliminating nitrates at Dairy #2, requested submittal of permit modification application to address excessive flows and notes that flow violations have not, nor will be, approved by NDEP. Requests a schedule for various activities that Ponderosa has committed to.
- September 28, 2004 - NDEP receives Ponderosa's permit modification application and schedule
- October 1, 2004 Major Modification application received.
- November 9, 2004 - Meeting w/ Glorietta