

**16 FEBRUARY 2024 BOARD MEETING
UNCONTESTED AGENDA ITEM**

AGENDA ITEM: 14

SUBJECT:

Following are proposed Waste Discharge Requirements Orders that prohibit discharge to surface waters. All agencies and the dischargers concur or have offered no comments. Items indicated as updates on the summary agenda make the requirements consistent with current plans and policies of the Board.

BOARD ACTION:

Consideration of Waste Discharge Requirements.

BACKGROUND:

A) AQUA CLEAR FARMS, INC. AND HATCH INVESTMENTS LIMITED PARTNERSHIP, AQUA CLEAR FARMS, SOLANO COUNTY

Aqua Clear Farms, Inc. owns and operates Aqua Clear Farms (Facility) and the affiliated Hatch Investments Limited Partnership, owns the land where the Facility is located, approximately 15.5 miles south of Dixon in Solano County. The 84-Acre Facility consists of multiple operational, planned, and former Class II surface impoundments (referred to herein as “basins”), some of which the Dischargers closed as landfills and others the Dischargers clean closed, pursuant to Title 27.

The Dischargers process drilling mud and associated non-hazardous or inert wastes received at the Facility. The drilling mud solids settle to the bottom of the basins and the remaining water separates and rests on top of the settled mud to evaporate. Inorganics such as salinity related constituents and metals are the primary threats to groundwater quality at the Facility.

These WDRs establish a process and requirements for the Dischargers to demonstrate to the Central Valley Water Board that drilling mud solids filling and compaction in the surface impoundments can occur above certain elevations in a manner that meets applicable standards for landfill waste management units while maintaining compliance with Title 27. These WDRs also direct the Dischargers to complete an Environmental Monitoring Plan to define the vertical and lateral extent of the groundwater impacts and submit a workplan to install an expanded groundwater extraction system.

These WDRs further require the Dischargers to fully fund the Closure / Post-Closure Pledged Account and the Corrective Action Pledged Account by 1 November 2024. Based on review of information provided by the Dischargers, Staff estimates the Closure / Post-Closure Pledged Account shortfall is \$2,245,144 and the Corrective Pledged Account shortfall is \$128,363. The County of Kern owns and maintains the

McFarland-Delano Sanitary Landfill (Facility), which is located approximately 1.5 miles southwest of Delano in Kern County. The proposed WDRs prescribe requirements regulating monitoring, corrective action, and post-closure maintenance of the Facility. The Facility is situated on a 136-acre property and currently consists of one unlined, closed waste management unit. The Facility is currently regulated by existing Waste Discharge Requirements Orders R5-2013-0012. The tentative WDRs were updated as part of a policy of administrative review, and the proposed order updates the existing WDRs.

Minor comments from the discharger were received and incorporated into the tentative order.

B) BEAR VALLEY COMMUNITY SERVICES DISTRICT, BEAR VALLEY COMMUNITY SERVICES DISTRICT WASTEWATER TREATMENT FACILITY, KERN COUNTY

The Bear Valley Community Services District Wastewater Treatment Facility (Facility) is owned and operated by Bear Valley Community Services District (Discharger). The Discharger also owns the Bear Valley Oak Tree Country Club golf course to which recycled water from the Facility is discharged. However, the golf course is managed by Bear Valley Springs Association. The Facility discharges treated wastewater to Sycamore Creek and recycles disinfected, tertiary-treated domestic wastewater on the Bear Valley Oak Tree Country Club golf course and on landscaping surrounding the Facility. The Facility is currently regulated by existing NPDES permit, Order R5-2015-0011 (NPDES No. CA0081213). On 19 March 2021, the Discharger requested coverage under Waste Discharge Requirements (WDRs) for discharges to Sycamore Creek and stated it no longer desired a NPDES permit.

The proposed WDRs would authorize the discharge of disinfected, tertiary-treated wastewater to Sycamore Creek and would no longer regulate the discharge under an NPDES permit. The proposed WDRs would also regulate the quality of recycled water leaving the Facility enroute to recycled water use areas. However, the application of recycled water to use areas will be regulated under separate water reclamation requirements.

No comments were received.

C) KINGS WASTE AND RECYCLING AUTHORITY, HOUSTON AVENUE LANDFILL, KINGS COUNTY

The Kings Waste and Recycling Authority owns and maintains the Houston Avenue Landfill (Facility), which is located north of Houston Avenue between 10 1/2 Avenue and 11th Avenue in the City of Hanford in Kings County. The proposed WDRs prescribe requirements regulating corrective action, monitoring, and post-closure maintenance of the Facility. The Facility is situated on a 44-acre property and currently consists of one unlined, closed waste management unit (WMU) covering approximately 38 acres. The WMU has no leachate collection and removal system and is classified as a “closed, abandoned, or inactive” (CAI) site.

The Facility is currently regulated by existing Waste Discharge Requirements Orders

R5-2017-0054. The tentative WDRs were developed as part of a policy of administrative review, and the proposed order updates the existing WDRs.

Minor comments from the discharger were received and incorporated into the tentative order.

D) CITY OF LEMOORE AND LEPRINO FOODS COMPANY, RIVER RANCH RECYCLED WATER PROJECT, KINGS COUNTY

The City of Lemoore provides sanitary wastewater treatment for its residents at its wastewater treatment facility (Lemoore WWTF). In 2002 Leprino Foods Company (Leprino) installed an advanced treatment system with nitrogen removal to treat process wastewater from its two cheese processing facilities in Lemoore. After treatment, Leprino's effluent is combined with disinfected secondary-23 effluent from the Lemoore WWTF. The discharge is currently regulated by WDRs Order R5-2019-0008, which authorizes the discharge of up to 5.0 million gallons per day (mgd) of combined effluent from the City and Leprino for irrigation of crops on approximately 1,900 acres of farmland, owned by Leprino, about four miles west of Lemoore known as Stone Ranch.

On 6 May 2022, Leprino and the City submitted a Report of Waste Discharge (RWD) to increase the combined effluent discharge to Stone Ranch from 5.0 to 7.0 mgd (about a 40% increase). Flows from the City would increase from about 1.7 to 2.0 mgd (or approximately 0.3 mgd), while flows from Leprino would increase from 3.0 to 5.0 mgd (or approximately 2.0 mgd). According to the 2022 RWD Leprino also purchased an adjacent 520 acres, known as the Nederend Property, to expand the LAA. The proposed discharge will be on approximately 2,400 acres of farmland, known as the River Ranch (comprised of the Stone Ranch and the Nederend properties).

The proposed flow increase will be primarily from Leprino. The additional process water will be generated from changes in processing operations to include additional products and specialty lines as well as food safety, and potential stormwater management (no change in production capacity or milk coming into the facilities is proposed).

The revised Order removes the effluent limits for biochemical oxygen demand (BOD) and total suspended solids (TSS) of 40 mg/L (monthly average) and 80 mg/L (maximum) from the combined discharge and sets it only on the City's discharge (EFF-001) and carries over existing land application specifications including a cycle average loading limit for BOD of less than 100 lbs/ac/day, and nutrient and hydraulic loading to be at reasonable agronomic rates.

The tentative WDRs were circulated for public comment on 15 November 2023. Comments regarding the tentative WDRs were received from Leprino and Ms. Jo Anne Kipps. Revisions were made to the tentative WDRs and Monitoring and Reporting Program (MRP) to address the comments. Full responses to the comments received are in the agenda package.

Leprino and Ms. Jo Anne Kipps provided comments on the tentative WDRs. In

response to the comments, staff made some revisions to the tentative WDRs and MRP. Staff's response to comments are included in the agenda package. Both Ms. Kipps and Leprino confirmed they are not contesting the tentative WDRs.

RECOMMENDATION:

Adopt the proposed Waste Discharge Requirements.

REVIEWS:

Management Review:	
Legal Review:	

BOARD MEETING LOCATION:

Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

AND VIA VIDEO AND TELECONFERENCE