

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. R5-2003-0045
FOR
PACIFIC COAST PRODUCERS, INC.
OROVILLE PROCESSING FACILITY AND PALERMO LAND APPLICATION AREA
BUTTE COUNTY

This monitoring and reporting program (MRP) presents requirements for monitoring of the land application area, the conveyance pipeline, process wastewater, surface water, and groundwater. This MRP is issued pursuant to Water Code Section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.

LAND APPLICATION AREA MONITORING

The Discharger shall conduct monitoring of process wastewater discharged to the land application area. Monitoring of the land application area shall be conducted daily during operation and the results shall be included in the monthly monitoring report. Evidence of erosion, field saturation, runoff, or the presence of nuisance conditions shall also be noted in the report. Wastewater shall also be monitored to ascertain loading rates at the land application area.

The following information regarding irrigation management at the land application area shall be recorded daily:

- Inches of precipitation at ranch
- Open and closed valves
- Irrigated fields
- Fields with standing water
- Fields that discharge off-site or to the Western Drainage Ditch

The following information regarding effluent disposed at the land application area shall be recorded monthly:

- Daily Acreage Applied (acres)
- Daily Application Rate (gal/acre/day)
- Total Nitrogen Loading Rate as a monthly average (lbs/acre/day)
- Total Dissolved Solids Loading Rate as a monthly average (lbs/acre/day)
- BOD₅ Loading Rate as a monthly average (lbs/acre/day)

VISUAL CONVEYANCE PIPELINE INSPECTIONS

Annually, the Discharger shall visually inspect the conveyance pipeline from the Oroville processing facility to the Palermo land application area for signs of leaks or deterioration. Observations shall be provided in the monthly monitoring report. At any time, should deterioration or the need for repairs be identified, the Discharger shall submit a plan to implement repairs.

EFFLUENT MONITORING

Effluent samples shall be collected from the sump at the Oroville Processing Facility prior to discharge to the conveyance line between Oroville and Palermo. Effluent samples shall be representative of the volume and nature of the discharge. Date and time of collection and sample preservatives used shall be recorded. The following shall constitute the effluent monitoring program:

<u>Constituent</u>	<u>Unit</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Flow	mgd	Continuous	Daily
pH	pH units	Grab	Weekly ¹
Specific Conductance	µmhos/cm @ 25°C	24-Hr. Composite	Weekly ¹
Total Dissolved Solids	mg/L	24-Hr. Composite	Weekly ¹
Inorganic Dissolved Solids	mg/L	24-Hr. Composite	Weekly ^{1,2}
Chemical Oxygen Demand	mg/L	24-Hr. Composite	Weekly ¹
Biochemical Oxygen Demand	mg/L	24-Hr. Composite	Weekly ¹
Total Suspended Solids	mg/L	24-Hr. Composite	Weekly ¹
Total Kjehldahl Nitrogen	mg/L	24-Hr. Composite	Weekly ¹
Nitrate as Nitrogen	mg/L	24-Hr. Composite	Weekly ¹
General Minerals ³	mg/L	24-Hr. Composite	Annually
Priority Pollutant Inorganics ⁴	mg/L	24-Hr. Composite	Annually

¹Weekly, when the weekly average discharge flow rate exceeds 5,000 gpd. Should the Discharger perform process water equalization at the Oroville processing facility prior to discharge to the conveyance system, sampling frequency may be reduced to twice monthly with approval from the Executive Officer.

²For the first year of Order adoption, Inorganic Dissolved Solids shall be reported based on an ion balance once per month. For the remainder of the Order, Inorganic Dissolved Solids shall be reported based on an ion balance once a year.

³Includes analysis for the following: bicarbonate, carbonate, calcium, chloride, magnesium, nitrate, potassium, silica, sodium, and sulfate.

⁴Includes the following: antimony, arsenic, beryllium, cadmium, chromium III, chromium IV, copper, cyanide, lead, mercury, nickel, selenium, silver, thallium, zinc.

GROUNDWATER MONITORING

Prior to construction and/or sampling of any groundwater monitoring wells, the Discharger shall submit plans and specifications to the Regional Board for review and approval. Once installed, all new wells shall be added to this MRP and shall be sampled and analyzed according to the schedule below. All samples shall be collected using approved US EPA methods and water table elevations shall be calculated and used to determine groundwater gradient and direction of flow.

Prior to sampling, the groundwater elevations shall be measured and the wells shall be purged at least three well volumes until temperature, pH, and electrical conductivity have stabilized. Depth to groundwater shall be measured to the nearest 0.01 feet. Groundwater monitoring shall include, at a minimum, the following:

<u>Constituent</u>	<u>Unit</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Depth to Water Table	ft below top of casing	Measurement	Quarterly
Water Table Elevation	ft above mean sea level	Measurement	Quarterly
Specific Conductance	µmhos/cm @ 25°C	Grab	Quarterly
Total Dissolved Solids	mg/L	Grab	Quarterly
Inorganic Dissolved Solids ¹	mg/L	Grab	Quarterly
Nitrate (NO ₃) as N	mg/L	Grab	Quarterly
Total Kjeldahl Nitrogen	mg/L	Grab	Quarterly
Chemical Oxygen Demand	mg/L	Grab	Quarterly

¹Inorganic Dissolved Solids shall be reported based on an ion balance once per year.

Should any priority pollutant inorganic or general mineral be measured in the process facility effluent at concentrations that have a reasonable potential to impact beneficial uses, the Discharger shall sample groundwater monitoring wells for inorganics or/and general minerals at the written request of the Executive Officer.

REPORTING

Monitoring results shall be submitted to the Regional Board monthly. Reports shall be submitted by the **1st day of the second month** after the sampling month (e.g. January report is due by 1 March).

In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly temporal changes as well as whether the discharge complies with waste discharge requirements.

Additionally, the December Report shall summarize all data collected during the previous calendar year. Tabular and graphical summaries of the monitoring data obtained during the previous year shall be included and provided in electronic format if requested. The Report shall discuss the compliance record. If violations have occurred, the Report shall also discuss the corrective actions taken and plans to bring the discharge into full compliance with the waste discharge requirements.

To be included in the December Report, the Discharger shall submit a statement listing the analytical procedures performed on-site. The statement shall certify that these procedures are being performed in accordance with an approved quality assurance/quality control program. The last date when the QA/QC program was revised and reviewed must be included (Standard Provision No. C.2).

If the Discharger monitors any pollutant at the locations designated herein more frequently than is required by this Order, the results of such monitoring shall be included in the calculation and reporting of the values required in the discharge monitoring report form. Such increased frequency shall be indicated on the discharge monitoring report form.

All reports submitted in response to this Order shall comply with the signatory requirements of Standard Provision No. D.6.

Ordered by: _____
THOMAS R. PINKOS, Executive Officer

14 March 2003

(Date)

MEW:

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2003-0045

WASTE DISCHARGE REQUIREMENTS
FOR
PACIFIC COAST PRODUCERS, INC.
OROVILLE PROCESSING FACILITY AND PALERMO LAND APPLICATION AREA
BUTTE COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Regional Board) finds that:

1. On 5 December 1997, the Regional Board adopted Order No. 97-252 for Pacific Coast Producers, Inc., (hereafter Discharger) for the discharge of fruit and vegetable processing wastewater by irrigation and disposal of solids to land. The Discharger submitted a Report of Waste Discharge (ROWD), dated 14 September 2001, requesting revised waste discharge requirements to accommodate additional discharge flows during non-peak production periods from mid-November to June. The Discharger also submitted a technical report, dated 11 September 2001, describing process wastewater management and irrigation methods.
2. The Discharger owns and operates a fruit processing facility in the City of Oroville (Assessor's Parcel No. 035-450-018), and a land application area for wastewater disposal south of the town of Palermo (Assessor's Parcel No. 027-200-075). Limited irrigation also had been performed at a pheasant club owned by the Discharger (Assessor's Parcel Nos. 027-200-028, 027-200-040, 027-200-041, 027-200-042, and 027-200-044). Processing waste is transported from the plant to the land application area by a 6½- mile pipeline, with the first half of the line under pressure. The processing facility, conveyance line, land application area, and Pheasant Club are shown on Attachment A, which is attached hereto and made part of this Order by reference.
3. The processing facility produces canned fruit and plastic "snack cups". Order No. 97-252 limited the 30-day average discharge of process wastewater to 3 million gallons per day (gpd) from July to September; 650,000 gpd from October to mid-November; and 50,000 gpd for the remainder of the year. In the ROWD, the Discharger requested an increase of the November to June flow limitation from 50,000 to 250,000 gpd to accommodate increased production during that time period.
4. The following are the main products produced at the processing facility, actual flow, and the discharge limitations requested by the Discharger in their 14 September 2001 ROWD:

Main Product Lines	Production Period	Discharge Flow Rate (gpd)¹	Maximum Daily Flow Limitations (gpd)
Plastic Cups (fresh fruit, grade pears)	October to mid-November	0 to 360,000	650,000
Plastic Snack Cups (gel products, formulated products, and re-manned products)	mid-November to June	0 to 65,000	250,000
Canned Fruit (peaches, pears, fruit cocktail)	July to September	570,000 to 1,600,000	3.0 million

¹ Based on monitoring data collected in Year 2000 and Year 2001.

OROVILLE PROCESSING FACILITY

5. The Oroville processing facility is located on 21 acres, all of which are owned by the Discharger (Section 17, T19N, R4E, MDB&M). The Discharger also leases a one-acre parking lot from the City of Oroville. The facility consists of a covered production plant, several warehouses, and a 65,000-gallon emergency pond, as shown on Attachment B, which is attached hereto and made part of this Order by reference.
6. Water is supplied to the processing facility by California Water Service Company. Domestic waste is discharged to the Sewage Commission – Oroville Region Wastewater Treatment Plant.
7. Approximately 75% of the facility is covered by pavement or buildings. Approximately 20 percent of the storm water generated is discharged off-site to municipal storm water drains. The remainder of the storm water generated at the processing facility is routed through the conveyance pipeline to the land application area in Palermo for disposal with process wastewater from the processing facility.
8. Process wastewater is generated during fruit washing, equipment sanitation, and product transfers within the processing facility (via flumes and pumps). Solids are removed by a screen prior to process wastewater discharge to a sump and ultimately the conveyance line. During maintenance, process wastewater is discharged to the emergency pond. Effluent samples are collected by a composite sampler located at the sump. Screened solids are used as amendments at the Palermo land application area.
9. A summary of the process wastewater characteristics based on data from October 2000 to September 2001 is provided in the table below. Sampling was performed after solids screening. Values presented are the range of lowest and highest results reported. Average monthly values presented in the information sheet are considered representative.

Month	Discharge Flow Rate (gpd)	Electrical Conductivity (umhos/cm)	pH	Chemical Oxygen Demand (mg/L)	Total Kjehldahl Nitrogen (mg/L)	Total Suspended Solids (mg/L)
October to November 2000	39,000 to 360,000	160 to 5,510	4.6 to 11.8	24 to 30,300	4.8 to 25	20 to 22,300
December 2000 to June 2001	0 to 62,000	67 to 2,700	3.4 to 7.9	9 to 17,400	<1.0 to 38	8 to 890
July to September 2001	710,000 to 1,600,000	230 to 2,200	4.3 to 10.6	1,290 to 12,300	3.6 to 50	100 to 4,520

CONVEYANCE PIPELINE AND LAND APPLICATION AREA

10. A 6½-mile conveyance pipeline transfers process wastewater and storm water from the Oroville processing facility to the land application area in Palermo. In 1998, a pressurized portion of the pipeline broke. An evaluation concluded that the pipeline failure was caused by excessive vehicle loadings and wet conditions. Poor cobble bedding and pipeline deterioration likely also contributed to the failure. Evaluations had estimated the useful life of the pipeline to range from Year 2000 to beyond Year 2008.
11. For final disposal, process wastewater and storm water are applied to the 369-acre land application area located south of Palermo (Sections 17, 20, and 29, T18N, R4E, MDB&M). As shown on Attachment C, which is attached hereto and made part of this Order by reference, the land application area consists of ten fields, a ranch house, several maintenance buildings, a petroleum storage area, and three ponds. The irrigation system at the Palermo land application area is capable of performing both flood and spray irrigation. Limited irrigation had been performed on the Pheasant Club, located on an adjacent 401-acre parcel also owned by the Discharger (also in Sections 17, 20, and 29, T18N, R4E, MDB&M).
12. The land application area is generally flat. The surface soils at the land application area are approximately one foot deep and have been classified as primarily Perkins Gravelly Loam (Fields 0 to 4) and Kimball Loam (Fields 5 to 8). Beneath the topsoil is a discontinuous semi-consolidated to consolidated hardpan. Percolation rates range from 0 to 7.5 in/hr, with an area-weighted mean of 2.44 in/hr.

13. The land application area is divided into ten fields, separated by levees, dikes, and roads and plumbed together through a series of gates, culverts, and pumps. Various crops are grown on each field, including wetland vegetation, grasses, forage crops, and habitation vegetation. Irrigation methods, which vary at each field, include wheel line sprinkling, flood irrigation, and traveling gun sprinkler irrigation. The Discharger has developed a plan to manage the application of process wastewater during the rainy season, as summarized below:
- During dry periods when significant precipitation is not forecasted, process wastewater will be applied to Fields 0 through 4. The combined acreage of these fields is approximately 129 acres.
 - During rainy periods when the 3-day weather forecasts predicts a greater than 25% chance of rain, all process wastewater will be applied to Fields 5A, 5B, 6, 7A, and 8. The combined acreage of these fields is approximately 158 acres.
 - A 2.5 million gallon emergency pond is located in Field 9 (referred to as the “Field 9 Pond”). It is used to manage storm water runoff from Fields 5A, 5B, 6, 7A, and 8. It is also used to hold process wastewater during periods of forecasted heavy rainfall when fields are saturated.
 - The Discharger is prepared to curtail wastewater discharge from the processing facility to maintain compliance with this Order in accordance with the Standard Provisions.

GROUNDWATER AND SURFACE WATER AT LAND APPLICATION AREA

14. Four shallow groundwater monitoring wells located at the land application area surround the Well Water Pond, the Processing Facility Holding Pond, and the Groundwater Pond, as shown on Attachment C. Shallow groundwater has been measured in these wells between 20 and 30 feet below ground surface. The top of the regional aquifer is estimated to be 60 to 70 feet below ground surface. Groundwater flow directions in the vicinity of the ponds vary seasonally. These groundwater elevations likely represent localized effects from the ponds and are not representative of groundwater conditions beneath the land application area or regional conditions.
15. The four shallow groundwater monitoring wells are sampled quarterly. Although consistent impacts have not been identified, nitrate as N groundwater concentrations have been measured above the State and Federal Primary Maximum Contaminant Level of 10 mg/L. A summary of groundwater quality levels measured in Wells D, E, G, and H are provided below.

<u>Parameter</u>	<u>Values measured in 2000-2001</u>
Chemical Oxygen Demand (mg/L)	<3 to 329
Electrical Conductivity (umhos/cm)	390 to 710
Nitrate as N (mg/L)	<0.45 to 18

16. The 369-acre land application area is bordered by the Oroville-Wyandotte Irrigation District (OW-ID) canal along the southeast corner of the land application area, Wyandotte Creek along the south, and an irrigation ditch along the west. OWID and the irrigation ditch drain into Wyandotte Creek. During the rainy season, storm water runoff from the land application area is drained to the irrigation ditch located along the western boundary of the land application area. Gate valves control discharge to the western irrigation ditch; the Discharger manages the gate valves to minimize the discharge storm water that has commingled with process wastewater. Upstream and downstream surface water monitoring of Wyandotte Creek have not demonstrated impacts to surface water as a result of land application area activities.
17. The Palermo land application area receives storm water run-on from areas to its north. This storm water run-on is eventually managed as storm water runoff from the land application area to the western irrigation ditch.
18. Storm water leaves the land application area through a drainage ditch along the western side of the property. The drainage ditch leads to Wyandotte Creek, which drains into North Honcut Creek, which drains into Honcut Creek, a tributary of the Feather River. The processing facility and land application area are both located within the Marysville Hydrologic Unit, Lower Feather River Hydrologic Area No. 515.40 as depicted on the interagency hydrologic map prepared by the California Department of Water Resources (DWR).

BASIN PLAN, BENEFICIAL USES, AND REGULATORY CONSIDERATIONS

19. The Regional Board adopted a Water Quality Control Plan, Fourth Edition, for the Sacramento and San Joaquin River Basins (hereafter Basin Plan). The Basin Plan designates beneficial uses, establishes water quality objectives, and describes an implementation program and policies to achieve water quality objectives for all waters of the Basin. This includes plans and policies adopted by the SWRCB and incorporated by reference, such as Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters in California. These requirements implement the Basin Plan.
20. The beneficial uses of the Feather River are domestic, municipal, and agricultural supply; recreation; and preservation and enhancement of fish, wildlife, and other aquatic resources.

21. The beneficial uses of the underlying groundwater are municipal, industrial, and agricultural supply.
22. The Basin Plan contains narrative water quality objectives for chemical constituents, taste and odor, and toxicity. The toxicity objective requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in plants or animals. The chemical constituent objective requires that groundwater shall not contain chemical constituents in concentrations that adversely affect beneficial uses.
23. Resolution No. 68-16 requires the Regional Board in regulating the discharge of waste to maintain high quality waters of the state unless it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the Regional Board's policies (e.g., quality that exceeds water quality objectives).
24. The Regional Board has considered Resolution No. 68-16 and finds that not enough data exists to determine whether this discharge is consistent with those provisions. Nitrate sampling of the shallow groundwater suggests that the application of process wastewater at the land application area has a reasonable potential to impact the underlying shallow groundwater. However, migration of pollutants to the regional groundwater has not been fully evaluated. The potential impacts on the regional groundwater and the appropriate level of degradation in the shallow groundwater that complies with Resolution No. 68-16 have not been fully evaluated.
25. This Order establishes a schedule for tasks to evaluate Best Practicable Treatment or Controls (BPTCs) for each processing and disposal component of the facility and to determine whether the discharge will cause an increase in groundwater constituents above that of background levels. If the discharge is causing such an increase, then the Discharger may be required to cease the discharge, implement BPTCs (including source control and improved treatment and disposal methods), or take other action to prevent groundwater degradation. This Order establishes discharge limitations that are protective of the beneficial uses of the underlying groundwater and requires installation of groundwater monitoring wells to assure that the discharge of waste is not impacting the underlying groundwater. Completion of these tasks, and implementation of the approved strategies will ensure that BPTC and the highest water quality consistent with the maximum benefit to the people of the State will be achieved.
26. This Order establishes background groundwater limitations for the facility, and contains tasks for evaluating groundwater conditions and assuring that BPTCs are implemented. This Order also includes a provision to reopen the Order should it be determined that groundwater degradation is consistent with the maximum benefit to the people of the state. Accordingly, the discharge is consistent with Resolution No. 68-16. Based on the results of

the scheduled tasks, the Regional Board may reopen this Order to reconsider groundwater limitations and other requirements to comply with Resolution No. 68-16.

27. The United States Environmental Protection Agency (USEPA), on 16 November 1990, promulgated storm water regulations (40 CFR Parts 122, 123, and 124) which require specific categories of industrial facilities which discharge storm water to obtain NPDES permits and to implement Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to reduce or eliminate industrial storm water pollution.
28. The State Water Resources Control Board (SWRCB) adopted Order No. 97-03-DWQ (General Permit No. CAS000001), on 17 April 1997, specifying waste discharge requirements for discharge of storm water associated with industrial activities, excluding construction requirements, and requiring submittal of a Notice of Intent (NOI) by industries covered under the permit. This Discharger's operation has a Standard Industrial Classification Number of 2033; because all storm water at the processing facility and land application area is not contained on-site, the Discharger has sought coverage under the General Industrial Storm Water Permit for storm water discharge from the processing facility. The Discharger will amend the *Storm Water Pollution Prevention Plan* (SWPPP) for the processing facility to include operating and sampling requirements at the Palermo land application area.
29. The DWR has established standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards). These standards are described in two DWR publications: *California Well Standards Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 94-81* (December 1981). These standards, and any more stringent standards adopted by the State or Butte County pursuant to CWC Section 13801, apply to all monitoring wells.
30. The action to adopt waste discharge requirements for this existing facility is exempt from the provisions of the California Environmental Quality Act (CEQA), in accordance with Title 14, CCR, Section 15301.
31. Acidic soil conditions can be detrimental to land treatment system function, and may also cause groundwater degradation. If the buffering capacity of the soil is exceeded and soil pH decreases below 5, naturally occurring metals (including iron and manganese) may dissolve and degrade underlying groundwater. *Pollution Abatement* recommends that water applied to crops have a pH within 6.4 to 8.4 to protect crops from damage by food processing wastewater. Near neutral pH is also required to maintain adequate active microbial populations in the soil.
32. Excessive application of food processing wastewater to land application areas can create objectionable odors, soil conditions that are harmful to crops, and degradation of underlying groundwater by overloading the shallow soil profile and causing pollutants

(organic carbon, nitrate, dissolved solids, and metals) to percolate below the root zone. If sufficient information becomes available, this Order may be reopened to revise loading rates as appropriate. If the Discharger is unable to modify its waste stream or application methods such that groundwater quality will not be impacted, then the Regional Board may be required to classify the waste as a designated waste and require full containment under Title 27 of the California Code of Regulations (CCR)(hereafter Title 27).

33. Section 13267(b) of the California Water Code provides that: “In conducting an investigation specified in subdivision (a), the Regional Board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the Regional Board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the Regional Board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.” The technical reports required by this Order and the attached Monitoring and Reporting Program No. ____ are necessary to assure compliance with these waste discharge requirements. The Discharger operates the facility that discharges the waste subject to this Order.
34. The discharge authorized herein is exempt from the requirements of *Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste*, as set forth in Title 27, CCR, Division 2, Subdivision 1, Section 20005, et seq. The exemption, pursuant to Section 20090(b), is based on the following:
 - a. The Regional Board is issuing these waste discharge requirements,
 - b. These waste discharge requirements implement the Basin Plan and allow discharge only in accordance with the Basin Plan, and
 - c. The wastewater is not hazardous waste and need not be managed according to 22 CCR, Division 4.5, Chapter 11, as a hazardous waste.
35. State regulations pertaining to water quality monitoring for waste management units are found in Title 27, CCR, Division 2, Subdivision 1, Subchapter 3. These regulations prescribe procedures for detecting and characterizing the impact of waste constituents on groundwater. While the facility has been found exempt from Title 27, the data analysis methods of Title 27 are appropriate for determining whether the discharge complies with the terms for protection of groundwater specified in this Order.

36. The Regional Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
37. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Order No. 97-252 be rescinded and that Pacific Coast Producers, Inc., its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1. The direct or indirect discharge of liquid or solid waste to surface waters or surface water drainage courses is prohibited.
2. The discharge of storm water, which has commingled with process wastewater, beyond the boundaries of the land application area is prohibited.
3. The discharge of process wastewater in a manner other than to the land application area identified in Finding No.13 is prohibited, unless approved by the Executive Officer.
4. Bypass or overflow of untreated or partially treated waste is prohibited.
5. The discharge shall not cause the degradation of any water supply.
6. The discharge of domestic waste to the fields or ponds at the land application area in Palermo is prohibited.
7. Discharge of waste classified as 'hazardous,' defined in Section 20164 of Title 27, CCR, or 'designated', as defined in Section 13173 of the California Water Code, is prohibited.
8. Unless authorized under a separate order, the discharge of process wastewater to the Pheasant Club is prohibited.

B. Discharge Specifications

1. The 30-day average discharge of process wastewater shall not exceed:

<u>Time Period</u>	<u>Maximum 30-day Average Discharge Flow Rate (gpd)</u>
1 October to 15 November	650,000
16 November to 30 June	250,000
1 July to 30 September	3 million

2. The discharge shall remain within the land application area or storage ponds at all times.
3. Fields shall be irrigated with process wastewater via a closed system designed and operated to contain all storm water runoff within the boundaries of the specific fields being irrigated during a given storm period.
4. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
5. Ponds shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and additional inflow and infiltration during periods of non-irrigation. Design seasonal precipitation shall be based upon total annual precipitation using a return period of 25 years, distributed monthly in accordance with historical rainfall patterns.
6. Freeboard in the Process Facility Holding Pond shall never be less than two feet (measured vertically from the lowest point of the berm).
7. Unless Provision F.12 is performed to the satisfaction of the Executive Officer, within **6 months of the date of this Order** the process wastewater discharged to the Palermo Land Application Area shall not have a pH less than 6.0 or greater than 9.0 pH units.
8. The Discharger shall operate all systems and equipment to maximize treatment of wastewater and optimize the quality of the discharge.
9. No waste constituent shall be released or discharged, or placed where it will be released or discharged, in a concentration or in a mass that causes violation of the Groundwater Limitations of this Order.

10. Neither the processing facility nor the land application area shall cause a nuisance or condition of pollution as defined by the California Water Code, Section 13050.
11. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the property owned by the Discharger.
12. The land application area shall be managed to prevent breeding of mosquitoes. In particular,
 - a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.

C. Land Application Area Requirements

1. The maximum BOD₅ loading to the land application area shall not exceed the maximum loading rate that ensures that the discharge will not create a nuisance.
2. Effective **18 months from Order adoption**, the dissolved solids and total nitrogen loading to the land application area shall not exceed the daily maximum and 7-day average loading rates established in the *Nutrient Loading Assessment Report* specified in Provision No. F.6 of this Order.
3. The discharge shall be distributed uniformly on adequate acreage in compliance with the Discharge Prohibitions and Discharge Specifications.
4. The discharge of process wastewater, including runoff, spray or droplets from the irrigation system, shall not occur outside the boundaries of the land application area.
5. Application of process water shall not occur within 25 feet of the property line, 50 feet of any domestic well, 50 feet of any drainage course, or 150 feet of any residential property boundary or occupied commercial building, unless it is demonstrated to the satisfaction of the Executive Officer that a shorter distance is justified.
6. The resulting effect of the wastewater discharge on the soil pH shall not exceed the buffering capacity of the soil profile.

D. Solids/Sludge Disposal Requirements

1. Collected screenings, sludge, and other solids removed from liquid wastes shall be appropriately recycled or otherwise disposed in a manner approved by the Executive

Officer, and consistent with the *Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste*, as set forth in Title 27, CCR, Division 2, Subdivision 1, Section 20005, et seq.

2. Sludge and other solids shall be removed from wastewater ponds, sumps, screens, etc. as needed to ensure optimal operation and adequate hydraulic capacity.
3. Any proposed change in solids use or disposal practice from a previously approved practice shall be reported to the Executive Officer at least 90 days in advance of the change.
4. Solid wastes applied to the land application area and used for soil amendment shall be incorporated into the soil by discing or ripping prior to 15 October or, if applied after 15 October, must be immediately incorporated into the soil.

E. Groundwater Limitations

Discharges from the facility shall not cause underlying groundwater or groundwater downgradient of the facility to:

1. Contain waste constituents in concentrations statistically greater than background water quality;
2. Exhibit a pH of less than 6.5 or greater than 8.5 pH units;
3. Impart taste, odor, toxicity, or color that creates nuisance or impairs any beneficial use

F. Provisions

1. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code Sections 6735, 7835, and 7835.1. To demonstrate compliance with Sections 415 and 3065 of Title 16, CCR, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work. Additionally, all reports shall be submitted pursuant to Section 13267 of the California Water Code.
2. The Discharger has prepared a SWPPP containing Best Management Practices (BMPs) to reduce pollutants in the storm water discharges from the processing facility. **By 1 July 2003**, the Discharger shall amend the SWPPP to include operations at the land application area and sampling of the western ditch, OW-ID,

Wyandotte Creek, and all off-site storm water discharge locations. The Discharger shall also amend the SWPPP whenever there is a change in construction, site operation, or maintenance which may affect the discharge of significant quantities of pollutants to surface water or groundwater. The SWPPP must also be amended if the Discharger has not achieved the general objectives of controlling pollutants in the storm water discharges.

3. If after SWPPP amendment, the Discharger still has not achieved the general objectives of controlling pollutants in the storm water discharges, this Order may be rescinded and a site-specific NPDES permit may be prepared.
4. Within **120 days of Order adoption**, the Discharger shall finalize the Draft *Groundwater Investigation Work Plan* dated 29 November 2002 pending receipt of Regional Board comments, and in accordance with the finalized version of this workplan shall install groundwater monitoring wells.
5. Within **60 days of well installation**, the Discharger shall submit a report summarizing field activities, including monitoring well installation and sampling. The report shall include the following: boring logs, well construction diagrams, well development logs, surveyor's report, and map showing well locations and groundwater flow directions.
6. Within **12 months of Order adoption**, the Discharger shall prepare a draft *Nutrient Loading Assessment Report* that establishes daily maximum and 7-day average loading rates for dissolved solids and total nitrogen for process wastewater applied to the land application area. These loading rates shall be established to prevent the accumulation of salts in soil and to maintain high quality groundwater. To evaluate dissolved solids in the waste stream, the report shall include a comparison of inorganic dissolved solids (IDS) and total dissolved solids (TDS) and recommend an appropriate dissolved solids analytical method. The following factors shall be considered in the calculation of nitrogen and TDS loading rates: climate, soil types, groundwater and vadose zone conditions, and types of crops to be grown. Additionally, Plant Available Nitrogen (PAN) of the waste shall be considered in the calculation of the total nitrogen loading rate. PAN shall be calculated as 100% of the total nitrogen content of the waste, unless the Discharger demonstrates that another proportion is technically justified. The draft *Nutrient Loading Assessment Report* is subject to the Executive Officer's review prior to finalization.
7. Within **12 months of Order adoption**, the Discharger shall submit a *Best Practicable Treatment and Control (BPTC) Evaluation Report and Implementation Workplan*. The report shall identify portions of the processing facility and land application area requiring additional BPTCs and include a comprehensive evaluation of potential BPTCs for each such portion of each facility. The evaluation shall include an assessment of the ability to implement, effectiveness, and cost of each

- BPTC. Effectiveness shall be measured by reduction of impacts to groundwater including estimated concentration or mass loading reductions for each BPTC measure. Recommended BPTC's based on the BPTC evaluation, as well as an implementation schedule shall be proposed. The schedule for implementation shall be as short as practicable, and in no case shall it exceed **12 months** past the Executive Officer's approval of the workplan unless specifically approved by the Executive Officer. The component evaluation, recommended improvements, and implementation schedule are subject to the Executive Officer's approval prior to finalization.
8. Within **15 months of Order adoption**, the Discharger shall submit a *Background Groundwater Quality Study Report*. For each groundwater monitoring constituent identified in Monitoring and Reporting Program No. R5-2003-0045, the report shall present a summary of monitoring data, calculation of the concentration in background monitoring well(s), and comparison of background groundwater quality to other monitoring wells around the facility. Determination of background quality shall be made using the methods described in Title 27, Section 20415(e)(10). For each monitoring parameter/constituent, the report shall compare measured concentrations for compliance monitoring wells with the calculated background concentration.
 9. Within **24 months of Order adoption**, the Discharger shall submit a technical report that proposes specific numeric discharge and groundwater limitations that reflect full implementation of BPTC measures. The Discharger shall demonstrate that the proposed discharge limitations will result in compliance with proposed groundwater limitations. Should numerical groundwater limitations other than background be proposed, the Discharger shall: 1) describe how the numerical groundwater limits were determined considering actual data from compliance monitoring wells and impact reductions through full implementation of BPTC; and 2) submit results of a calibrated groundwater model to support its proposal. In addition, the technical report shall describe the overall status of compliance with implementation of BPTC measures and compliance with all groundwater background limitations.
 10. Within **24 months of Order adoption**, the Discharger may elect to submit documentation demonstrating that that degradation of groundwater quality above background conditions resulting from activities at the facility is consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the Regional Board's policies (e.g., quality that exceeds water quality objectives). This provision to provide this information is optional and at the discretion of the Discharger.

11. Upon completion of tasks set forth in Provision Nos. G.6, to G.10, the Regional Board shall consider the evidence provided and make a determination regarding whether the Discharger has implemented justified BPTCs and the appropriate final numeric groundwater limitations that comply Resolution No. 68-16. This Order may be reopened to incorporate final numerical loading rates, discharge limitations, and/or groundwater limitations.
12. Should the Discharger request a relaxation of this Order's pH limitation (Discharge Specification B.7), the Discharger shall submit a technical report within **90 days of the date of this Order**. The report shall summarize and interpret soil, process water, and soil pore data, and demonstrate that the effect of the discharge on soil pH has not exceeded, and will not exceed the buffering capacity of the soil profile. The report shall also present the specifications of the conveyance system materials, and demonstrate that the process water from the Oroville facility is compatible with the conveyance system.
13. **By 30 June 2003**, the Discharger shall perform the following:
 - a. Submit to the Regional Board a report summarizing the inspection of the portions of the high pressure pipeline that failed in Year 2002 (referred to as Sections 270 to 301). The inspection report shall include an assessment of the strength of the high-pressure sections of the pipeline from Sections 270 to 301 based on pressure testing, materials testing, and/or equivalent testing. An estimate of the useful life of Sections 270 to 301 of the pipeline shall also be included. At any time, should the useful life of the high-pressure pipeline or sections of the high-pressure pipeline be estimated to be less than or equal to 5 years, the Discharger shall submit a plan to implement repairs.
 - b. Submit a replacement and/or rehabilitation work plan for the Sections 270 to 301 of the pipeline including design details, specifications, and a construction schedule. The work plan shall include, but not be limited to, design details and/or specifications regarding the following: leak detection systems, shut-offs and alarms, bedding materials, and piping materials. Additionally, start-up pressure tests, and operations, maintenance, and testing schedule shall be included. This work plan shall be prepared and stamped by a professional engineer registered in the state of California and shall be subject to Executive Officer review prior to finalization.
14. **By 30 June 2004**, the Discharger shall replace and/or rehabilitate Sections 270 to 301 of the pipeline in accordance with the work plan specified in Provision F.13.b.
15. **Within 60 days of completion** of the replacement and/or rehabilitation work, the Discharger shall submit a pipeline replacement (or rehabilitation) report. As-built drawings shall be included in the report.

16. **Within 36 months of the date of this Order**, the Discharger shall inspect the portions of the pipeline not addressed in Provisions F.13 and F.14, and submit an inspection report and work plan for replacement and/or rehabilitation. The scope of the inspection report and work plan shall be consistent with the submittals described in Provision F.13.
17. The Discharger shall comply with the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements", dated 1 March 1991, which are attached hereto and by reference a part of this Order. This attachment and its individual paragraphs are commonly referenced as "Standard Provision(s)."
18. In the event of any change in control or ownership of land or waste discharge facilities described herein, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this office.
19. The Discharger shall comply with the Monitoring and Reporting Program No. R5-2003-0045, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.
20. The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Violations may result in enforcement action, including Regional Board orders, the imposition of civil liability, revision or rescission of this Order, or referral to the Attorney General.
21. The Discharger shall submit to the Regional Board on or before each compliance report due date the specified document, or if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is reported, then the Discharger shall state the reasons for noncompliance and shall provide a schedule to come into compliance.
22. The Discharger shall report to the Regional Board any material change or proposed change in the character, location, or volume of the discharge or water treatment chemicals used **within 30 days** of any such change. Notification on water treatment chemical changes shall include information from the manufacturer on toxicity and hazardous classifications
23. The Discharger shall report to the Regional Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to Section 313 of the "Emergency Planning and Community Right to Know Act of 1986."

24. The Discharger shall comply with the standards contained in the Health and Safety Code, Chapter 6.67, Aboveground Storage of Petroleum. The Spill Prevention Control and Countermeasure Plan shall be updated a minimum of every three years or within 30 days of any significant process change. All updates shall be certified by a Professional Engineer registered in the State of California and submitted to the Regional Board.
25. A copy of this Order shall be kept at the discharge facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.
26. The Regional Board will review this Order periodically and will revise requirements when necessary.

I, THOMAS R. PINKOS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 14 March 2003.

THOMAS R. PINKOS, Executive Officer

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