

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CENTRAL VALLEY REGION

Fresno Office
1685 "E" St.
Fresno, CA 93706-2007

Sacramento Office (Main)
11020 Sun Center Dr. #200
Rancho Cordova, CA
95670-6114

Redding Office
364 Knollcrest Dr. #205
Redding, CA 96002

[Regional Board Website](https://www.waterboards.ca.gov/centralvalley) (<https://www.waterboards.ca.gov/centralvalley>)

WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-####



ORDER INFORMATION

Order Type(s):	Waste Discharge Requirements (WDRs)
Status:	ADMINISTRATIVE DRAFT
Program:	Non-15
Region 5 Office:	Redding
Discharger(s):	Sierra Nevada Cheese Company, Inc. and Gregersen Properties, LLC
Facility:	Sierra Nevada Cheese Processing Facility
Address:	6505 County Road 39, Willows
County:	Glenn County
Parcel Nos.:	020-160-004-0, 020-160-006-0, 020-330-004-9
CIWQS Place ID:	214132
Prior Order(s):	R5-2007-0043

CERTIFICATION

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on _____ April 2023.

PATRICK PULUPA,
Executive Officer

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GLOSSARY

Antidegradation Policy.....	Statement of Policy with Respect to Maintaining High Quality Waters in California, State Water Board Resolution 68-16
Basin Plan	Water Quality Control Plan for [BASIN]
Bgs	Below Ground Surface
BOD[5]	[Five-Day] Biochemical Oxygen Demand at 20° Celsius
BPTC.....	Best Practicable Treatment and Control
CEQA	California Environmental Quality Act, Public Resources Code section 21000 et seq.
CEQA Guidelines	California Code of Regulations, Title 14, section 15000 et seq.
C.F.R.....	Code of Federal Regulations
COC[s]	Constituent[s] of Concern
DO.....	Dissolved Oxygen
DTSC	California Department of Toxic Substances Control
DWR.....	California Department of Water Resources
EC	Electrical Conductivity
EIR	Environmental Impact Report
FDS	Fixed Dissolved Solids
FEMA	Federal Emergency Management Agency
IPP	Industrial Pretreatment Program
LAA	Land Application Area
lbs/ac/yr.....	Pounds per Acre per Year
µg/L.....	Micrograms per Liter
µmhos/cm.....	Micromhos per Centimeter

MG[D]	Million Gallons [per Day]
mg/L	Milligrams per Liter
msl	Mean Sea Level
MRP	Monitoring and Reporting Program
MW	Monitoring Well
MCL	Maximum Contaminant Level per Title 22
mJ/cm ²	Millijoules per Square Centimeter
N	Nitrogen
ND	Non-Detect
NE	Not Established
NM	Not Monitored
ORP	Oxygen Reduction Potential
Recycled Water Policy	Policy for Water Quality Control for Recycled Water, State Water Board Resolution 2009-0011, as amended per Resolutions 2013-0003 and 2018-0057
R[O]WD	Report of Waste Discharge
RCRA	Resource Conservation and Recovery Act
SPRRs	Standard Provisions and Reporting Requirements
SERC	State Emergency Response Commission
TDS	Total Dissolved Solids
Title 22	California Code of Regulations, Title 22
Title 23	California Code of Regulations, Title 23
Title 27	California Code of Regulations, Title 27
TKN	Total Kjeldahl Nitrogen

Unified Guidance.....Statistical Analysis of Groundwater Monitoring Data at
RCRA Facilities, Unified Guidance (USEPA, 2009)

USEPA.....United States Environmental Protection Agency

VOC[s].....Volatile Organic Compound[s]

WDRs.....Waste Discharge Requirements

WQO[s]Water Quality Objective[s]

FINDINGS

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) hereby finds as follows:

Introduction

1. Sierra Nevada Cheese Company, Inc. and Gregersen Properties, LLC, (Discharger) owns and operates a cheese processing facility (Facility) located at 6505 County Road 39, approximately four miles north of Willows, Glenn County, Sections 15 and 22 of T20N, R3W, MDB&M. The Facility location is depicted on the Facility Location Map in **Attachment A**.
2. The Facility and discharge area is within Glenn County Assessor Parcel Number (APN) 020-160-004-0, 020-160-006-0, and 020-330-004-9. The parcels consist of approximately 129-acres and are owned by the Discharger.
3. As Facility owner and operator, the Discharger is responsible for compliance with the Waste Discharger Requirements (WDRs) prescribed in this order.
4. The following materials are attached and incorporated as part of this Order:
 - a. Attachment A – Site Location Map Location Map
 - b. Attachment B – Facility Map Facility Map
 - c. Standard Provisions & Reporting Requirements dated 1 March 1991 (SPRRs).
 - d. Information Sheet.
5. Also attached is **Monitoring and Reporting Program R5-2023-####** (MRP), which requires monitoring and reporting for discharges regulated under these WDRs.
6. Any additional information set forth in the attached **Information Sheet** is also incorporated herein.
7. On 2 December 2021, the Discharger submitted a Report of Waste Discharge (ROWD) to update WDRs for an existing cheese processing facility that discharges treated process wastewater to three onsite wastewater ponds.

Regulatory History

8. The Discharger purchased the Facility in 2003 from Dairy Farmers of America who operated Glenn Milk Plant. The Glenn Milk Plant discharged up to

280,000 gallons per day (gpd) of cooling water to adjacent Walker Creek and up to 200,000 gpd of process water to seven onsite wastewater ponds. The Glenn Milk Plant operated under National Pollutant Discharge Elimination System (NPDES) Order R5-2002-0161.

9. Current WDRs Order R5-2007-0043 was adopted by the Central Valley Water Board on 4 May 2007 to reflect changes to operations and discharge at the Facility. The Discharger converted the powdered milk plant to a small cheese production facility, which reduced the volume and organic loading, as well as ceased discharge to Walker Creek. The prior NPDES permit was rescinded.
10. The Central Valley Water Board adopted Cease and Desist Order R5-2015-0114 (CDO) on 2 October 2015 for the Discharger's failure to comply with WDRs, including bypass of untreated or partially treated wastewater, failure to report bypass, odors resulting from bypass, failure to maintain dissolved oxygen concentration limit in the treatment ponds, and failure to comply with monitoring and reporting requirements in the MRP. The CDO prompted installation of four groundwater monitoring wells, removal of sludge from the treatment ponds, hauling whey wastewater off site, reconfiguration of the treatment ponds, and increasing the contact time for coagulant before solids removal in the suspended air floatation unit. The Discharger met all requirements indicated by the CDO, which was rescinded on 6 April 2018 by Order R5-2018-0031.

Existing Facility and Discharge

11. The Facility produces cheese, yogurt, butter, and other cultured products; the waste streams from this production include wastewater from cheese production, wash water, and boiler blowdown.
12. During the last five years the Facility has discharged an average of approximately 48,000 gallons per day (gpd) as shown in Table 1.

Table 1 – Average Annual Flow

Year	Average Annual Flow (gpd)
2017	48,999
2018	46,580
2019	58,506
2020	45,774
2021	41,240

13. Process wastewater and wash water commingle in a wet well where it is pumped through a screen and into two storage tanks. From the storage tanks, water is treated with coagulant, metered through a serpentine line, and flows into a suspended air floatation unit (SAF). Effluent from the SAF is discharged into a series of three, unlined aerated treatment ponds. Pond 1 has a capacity of 2.2 million gallons, Pond 2 has a capacity of 3.1 million gallons, and Pond 3 has a capacity of 10.8 million gallons. The Facility has four overflow ponds on the north side of County Road 39, where excess wastewater can be discharged from Pond 3. The four unlined overflow ponds have a total capacity of approximately 183 million gallons.
14. Previously, whey wastewater and solids from the SAF were discharged to a 5,500-gallon truck and transported three times daily to North State Rendering or Black Rock Cattle Company at Hillside in Orland. Solids from the screens are disposed of in the local landfill. In November 2022, the Discharger installed a reverse osmosis system to concentrate whey wastewater and reduce the amount of waste hauled offsite. The resulting permeate from the reverse osmosis system will be reused for pre-rinse and wash water or discharged to Pond 1.
15. Boiler blowdown is discharged directly into Pond 1. Water softeners are used for boiler makeup and clean in place water. Less than 1,200 pounds of salt are used per month.
16. The Discharger measures the volume of each waste stream. Table 2 shows the characteristics and volume of each waste stream.

Table 2 – Waste Stream Characteristics

Waste Stream	Characteristics	Volume gallons per month	Volume gallons per day	Percent of Discharge
Whey Wastewater	Milk, cream, enzymes, bacteria, salt	60,000	2,000	0 ^a
Wash Water	Milk, cream, enzymes, bacteria, salt, detergents, caustic acid	1,749,000	58,300	100
Boiler Blowdown	Source water, salt for water softener	60	2	<1

a. Whey wastewater is disposed of offsite.

17. The Facility is supplied with water from an onsite approximately 200-foot deep production well. An additional supply well is located onsite and is held in reserve. Both supply wells are located immediately north of the facility. The Discharger performed constituent testing in September 2021 as part of the ROWD. Table 3 shows sampling results from this monitoring event.

Table 3 – Supply Well, September 2021

Constituent	Unit	Result
pH	Standard Unit	7.39
Electrical Conductivity	micromhos per centimeter	596
Nitrate as Nitrogen	milligrams per liter	3.42
Total Kjeldahl Nitrogen	milligrams per liter	0

18. The Facility currently operates five days per week and processes approximately 90,000 gallons of milk weekly.
19. The Facility performs monthly constituent monitoring of Pond 3, averages from 2017-2021 are shown in Table 4.

Table 4 – Pond 3 Constituent Monitoring 2017-2021

Constituent	Units	Average	Range
Electrical Conductivity	micromhos per centimeter	3,567	1,560-5,710
Total Dissolved Solids	milligrams per liter	2,041	868-3,020
Fixed Dissolved Solids	milligrams per liter	1,800	679-2,730
pH	standard units	8.4	7.0-10.4
Biochemical Oxygen Demand	milligrams per liter	122.3	34.0-342.0
Total Kjeldahl Nitrogen	milligrams per liter	24.5	12.0-40.9
Nitrate as Nitrogen	milligrams per liter	0.06	0.02-0.26
Chloride	milligrams per liter	781.2	255-1,210
Sulfate	milligrams per liter	39.6	1.39-493

- Domestic wastewater is discharged to a septic tank/leach field located between the office and Pond 1.

Site-Specific Conditions

Topography, Climate, and Land Use

- Surface elevation at the site ranges from approximately 140 to 150 feet above mean sea level and slopes eastward.
- The Facility is in a Mediterranean climate characterized by dry summers and wet winters; the rainy season is typically from November through April.
- Average annual precipitation in the area is approximately 17.5 inches and the 100-year total annual precipitation is 32.46 inches, according to data from the Willows climate station which is approximately 7.5 miles southwest of the Facility. Average annual evaporation in the area is approximately 68 inches according to pan evaporation data from the Chico Experiment Stations. The annual evapotranspiration rate in the area is approximately 52.1 inches. Monthly evapotranspiration ranges from 1.05 inches in January to 7.93 inches in July as shown in the California Irrigation Management Information System's Orland Station.

24. Stormwater at the site is collected in several storm drain inlets and conveyed to Pond 1.
25. The Facility is located within the Colusa Trough Hydrologic Subarea (No. 520.21), as shown in hydrologic maps prepared by the Department of Water Resources (DWR). The nearest surface water drainage is Walker Creek that bisects the property and sits adjacent to the treatment ponds. Walker Creek is a tributary of Willow Creek, a tributary of Colusa Trough, which is a tributary of Colusa Basin Drain.
26. Land use in the surrounding area is predominantly agricultural. There are approximately 12 rural residences located within ½ mile of the Facility.
27. The Facility and three treatment ponds are outside of the Federal Emergency Management Agency (FEMA) flood maps. According to FEMA map number 06021C0610D, the four overflow ponds are located in FEMA flood Zone A, with a 1 percent annual chance of flooding.

Groundwater Conditions

28. The Facility is in the Stony Creek Fan of the Sacramento Valley Groundwater Basin (5-021.52), as depicted on interagency hydrologic maps prepared by California Department of Water Resources (DWR). The Stony Creek Fan is an unconfined aquifer system, consisting mainly of unconsolidated, unweathered gravel and sand, with areas of clay interspersed.
29. Soils underlying the Facility and four overflow ponds are classified primarily as Hillgate loam and Hillgate gravelly loam; these soils are well to moderately well drained, with low to very low permeability. Soils underlying the three treatment ponds is classified as Riverwash, which has very low runoff and high to very high permeability according to the United States Department of Agriculture Web Soil Survey.
30. The Facility had four groundwater monitoring wells when previous Order R5-2007-0043 was adopted. A monitoring well assessment performed on 2 June 2011 recommended abandonment of Monitoring Well MW-3 due to nearby agricultural practices impacting the well. Additionally, Monitoring Wells MW-1, MW-2, and MW-4 were reported as dry and unable to be sampled. Current WDRs Order R5-2007-0043 indicate a depth to water in the four monitoring wells as approximately 30 feet below ground surface. After April 2013 all monitoring wells were reported as dry, except for one sampling event of MW-1 and MW-4 in January 2014. The Facility Map, located in Attachment B shows that MW-1 is cross gradient to the treatment ponds, MW-2 and MW-3 are cross

gradient to the storage ponds, and MW-4 is upgradient of the treatment ponds. Table 5 shows averages from monitoring events between 2009-2014.

Table 5– Groundwater Monitoring from 2009-2014

Constituent	Unit	MW-1	MW-2	MW-3	MW-4
Electrical Conductivity	micromhos per centimeter	524	498	492	631
pH	standard units	6.52	6.52	6.89	6.39
Total Dissolved Solids	milligram per liter	246	253	256	319
Fixed Dissolved Solids	milligram per liter	209	186	190	262
Nitrate as Nitrogen	milligram per liter	1.5	5.6	1.3	3.1
Total Kjeldahl Nitrogen	milligram per liter	4.6	0.2	6.8	1.5
Iron, Total	micrograms per liter	42.2	16.4	17.4	36.0
Arsenic, Total	micrograms per liter	2.3	0.6	2.4	1.93
Manganese, Total	micrograms per liter	4.7	2.8	13.7	5.2

31. CDO Order R5-2015-0114 required installation of a new groundwater monitoring network; four groundwater monitoring wells, MW-1A, MW-5, MW-6, and MW-7, were installed and monitoring began in April 2016. The monitoring wells range in depth from 73 to 93 feet below ground surface (bgs)
32. According to the driller's logs, soils in the vicinity vary and consist of silty clay mixed with sand and gravel; moisture could be seen at 18-22 feet bgs in each boring. From 2016-2021, the groundwater elevation in the four newer monitoring wells ranged from 82.31-125.07 feet above mean sea level, with a hydraulic gradient between 0.0003-0.0020 feet/foot that generally flows towards the southwest.
33. The Discharger has been collecting groundwater data in the newer wells since 2016.

Table 6 – Groundwater Monitoring from 2016-2021

Constituent	Unit	MW-1A	MW-5	MW-6	MW-7	WQO
Electrical Conductivity	micromhos per centimeter	708	1,101	811	751	700
pH	standard units	7.44	7.15	7.34	7.21	6-8
Total Dissolved Solids	milligram per liter	398	613	383	450	500
Fixed Dissolved Solids	milligram per liter	296	476	301	329	-
Nitrate as Nitrogen	milligram per liter	6.16	9.57	1.79	9.46	10
Total Kjeldahl Nitrogen	milligram per liter	0.12	0.13	0.13	0.15	-
Chloride	milligram per liter	20.3	82.9	52.8	27.0	250
Sodium	milligram per liter	23.3	67.8	25.9	32.9	-
Sulfate	milligram per liter	24.1	27.1	31.6	28.2	250
Arsenic, Total ²	micrograms per liter	1.09	0.94	0.74	1.53	10
Manganese, Total ²	micrograms per liter	0.2	1.7	4.6	8.4	50
Iron, Total ²	micrograms per liter	11	79	153	172 ¹	300

1. The average value of iron in MW-7 was obtained after removing two values deemed as outliers at 7,380 and 66,000 ug/L, which is not consistent with values generally seen in MW-7. If iron values were high due to reduced groundwater conditions arsenic and manganese are expected to be high also, yet there are no elevated levels in the historical groundwater monitoring of arsenic and manganese.
 2. Dissolved metals are used to determine compliance with water quality objectives; the data from this groundwater monitoring are total metals, which makes these values conservative. Given that total metals do not exceed water quality objectives, dissolved metals concentrations would not be expected to exceed water quality objectives.
34. As can be seen in Attachment B - Facility Map, MW-1A is cross gradient of the treatment ponds, MW-5 is downgradient of treatment Ponds 2 and 3, MW-6 is downgradient of storage Ponds 5-7, and MW-7 is downgradient the production and wastewater treatment facility.

35. Groundwater monitoring shows exceedances of Water Quality Objectives for electrical conductivity (EC) in all monitoring wells, MW-5 shows the highest levels of EC. See Salt and Nitrate Control Programs findings below.

Regional Groundwater Conditions

36. California Department of Water Resources (DWR) has available groundwater quality data from a well located approximately one mile northwest of the Facility, Table 6 shows results from a sampling event performed on 9 August 2006.

Table 7 – Regional Groundwater Characterization

Constituent	Unit	Offsite DWR Well
DWR Well ID	-	20N03W16E001M
Depth of Screened Interval	feet below ground surface	Unknown
pH	standard units	7.8
Electrical Conductivity	micromhos per centimeter	471
Turbidity	nephelometric turbidity units	0.19
Total Alkalinity	milligrams per liter as calcium carbonate	213
Dissolved Chloride	milligrams per liter	13

Table Note: Link to [regional water quality data](https://wdl.water.ca.gov/WaterDataLibrary/WaterQualityDataLib.aspx?StationNumber=20N03W16E002M&MapStationName=20N03W16E002M)
 (https://wdl.water.ca.gov/WaterDataLibrary/WaterQualityDataLib.aspx?StationNumber=20N03W16E002M&MapStationName=20N03W16E002M)

Statutory Authority

37. This Order is adopted pursuant to Water Code section 13263, subdivision (a), which provides in pertinent part as follows:

The regional board, after any necessary hearing, shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge..., with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed.

38. Compliance with section 13263, subdivision (a), including implementation of applicable water quality control plans, is discussed in the findings below.

39. The ability to discharge waste is a privilege, not a right, and adoption of this Order shall not be construed as creating a vested right to continue discharging waste. (Wat. Code, § 13263, subd. (g).)
40. This Order and its associated Monitoring and Reporting Program (MRP) are also adopted pursuant to Water Code section 13267, subdivision (b)(1), which provides as follows:

[T]he 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 ... 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.

41. The reports required under this Order, as well as under the separately issued MRP, are necessary to verify and ensure compliance with WDRs. The burden associated with such reports is reasonable relative to the need for their submission.

Basin Plan Implementation

42. Pursuant to Water Code section 13263, subdivision (a), WDRs must “implement any relevant water quality control plans and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241.”

Beneficial Uses of Water

43. This Order implements the Central Valley Water Board’s Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin (Basin Plan), which designates beneficial uses for surface water and groundwater and establishes water quality objectives (WQOs) necessary to preserve such beneficial uses. (See Wat. Code, § 13241 et seq.)
44. The designated beneficial use of water in the Colusa Basin Drain are agricultural supply; water contact recreation; warm and cold (potential) freshwater habitat; migration of warm water aquatic organisms; spawning, reproduction and/or early development of warm water aquatic organisms; and wildlife habitat.

45. The designated beneficial uses of underlying groundwater are municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.

Water Quality Objectives

46. The Basin Plan establishes narrative WQO's for chemical constituents, taste and odors, and toxicity in groundwater. The toxicity objective, in summary, requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life associated with designated beneficial uses.
48. The Basin Plan's narrative WQO's for chemical constituents require MUN designated water to at least meet the MCLs specified in California Code of Regulations, title 22 (Title 22). The Basin Plan recognizes that the Central Valley Water Board may apply limits more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses.
49. Quantifying a narrative WQO requires a site-specific evaluation of those constituents that have the potential to impact water quality and beneficial uses. The Basin Plan states that when compliance with a narrative objective is required to protect specific beneficial uses, the Central Valley Water Board will, on a case-by-case basis, adopt numerical limitations to implement the narrative objective.
50. In the absence of specific numerical water quality limits, the Basin Plan methodology is to consider any relevant published criteria. General salt tolerance guidelines, such as *Water Quality of Agriculture* by Ayers and Westcot and similar references indicate that yield reductions in nearly all crops are not evident when irrigation water has an electrical conductivity (EC) of less than 700 $\mu\text{mhos/cm}$. There is, however, an eight-to ten-fold range in salt tolerance for agricultural crops and the appropriate salinity values to protect agriculture in the Central Valley are considered on a case-by-case basis. It is possible to achieve full yield potential with groundwater EC up to 3,000 $\mu\text{mhos/cm}$, if the proper leaching fraction is provided to maintain soil salinity within the tolerance of the crop.

Salt and Nitrate Control Programs

51. The Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. The Basin Plan amendments were conditionally approved by the State Water Board on 16 October 2019

(Resolution 2019-0057) and the Office of Administrative Law on 15 January 2020 (OAL Matter No. 2019-1203-03) and became effective on 17 January 2020.

52. For the Salt Control Program, dischargers that are unable to comply with stringent salinity requirements will instead need to meet performance-based requirements and participate in a basin-wide effort known as the Prioritization and Optimization Study (P&O Study) to develop a long-term salinity strategy for the Central Valley. The Discharger (**CV-SALTS ID 1890**) was issued a Notice to Comply for the Salt Control Program on 5 January 2021. On 1 April 2021, the Discharger paid the fee payment to join the P&O Study. In the interim, to maintain existing salt discharges and minimize salinity impacts, this Order:
- a. Requires the Discharger to continue efforts to control salinity in its discharge to the extent feasible; and
 - b. Sets performance-based effluent limitations. Effluent limits for EC is set at 125% of the measured annual average concentration. Effluent limitations are shown in Requirements C and D, below.

Compliance with Antidegradation Policy

53. The *Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Water Board Resolution 68-16 (Antidegradation Policy), which is incorporated as part of the Basin Plan, prohibits the Central Valley Water Board from authorizing degradation of “high quality waters” unless it is shown that such degradation: (1) will be consistent with the maximum benefit to the people of California; (2) will not unreasonably affect beneficial uses, or otherwise result in water quality less than as prescribed in applicable policies; and (3) is minimized through the discharger’s best practicable treatment or control (BPTC).
54. The Discharger has been consistently monitoring groundwater quality at the site since 2016. Based on the available data, it is not possible to determine pre-1968 shallow groundwater quality. Therefore, determination of compliance with Resolution 68-16 must be based on background water quality.
55. Constituents of concern (COCs) that could have the potential to degrade groundwater include salts (EC and TDS). MW-6 in Table 8 is used as background water quality. MW-5 and MW-7 are used in Table 8 as downgradient water quality. Table 8 summarizes relevant water quality data for these COCs.

Table 8 – Constituents with Potential for Degradation

Constituent	Units	Effluent Averages	MW-5 (Downgradient)	MW-6 (Upgradient)	MW-7 (Downgradient)	Water Quality Objectives
Electrical Conductivity	µmhos /cm	3,734	1,101	811	751	700
Total Dissolved Solids	mg/L	2,098	613	383	450	500
Fixed Dissolved Solids	mg/L	1,800	476	301	329	-
Chloride	mg/L	781	82.9	52.8	27	250

Salinity (EC, TDS, FDS). The Facility’s wastewater appears to threaten/degrade the underlying groundwater for salinity constituents. The Facility discharges high strength waste with regard to salinity. The Discharger selected to participate in the Prioritization and Optimization Study for the Salt Control Program. To help ensure that the Discharger continues to implement salinity reduction measures, this Order includes a performance based effluent limit. Effluent limitations are shown in Requirements C and D, below.

Chloride. The Facility’s wastewater could threaten/degrade underlying groundwater quality with regard to chloride. The Facility discharges an average concentration above the maximum contaminant level of 250 milligrams per liter, however downgradient monitoring wells MW-5 and MW-7 maintain constituent levels well below the maximum contaminant level and does not appear to be degrading groundwater quality at this time.

56. The Discharger implements, or will implement, as required by this Order, the following BPTC measures:
 - a. Wastewater is treated with coagulant and the subsequent solids are removed in a suspended air floatation unit, then routed through a series of three aerated treatment ponds.
 - b. Comprehensive wastewater/effluent monitoring;

- c. Compliance with effluent and groundwater limitations;
 - d. Compliance with the Salt Control Program.
57. The Discharger's implementation of the above-listed BPTC measures will minimize the extent of water quality degradation resulting from the Facility's continued operation.
58. Economic prosperity of valley communities and associated industry is of maximum benefit to the people of the state and, therefore, sufficient reason exists to accommodate growth and limited groundwater degradation around the Facility, provided that the terms of the Basin Plan are met. Degradation of groundwater by some typical waste constituents released with discharge from the Facility after effective source reduction, treatment and control, and considering the best efforts of the Discharger and magnitude of degradation, is of maximum benefit to the people of the state.
59. The Facility contributes to the economic prosperity of the region by providing a necessary service and employment for the local community; by providing incomes for numerous aligned businesses; and by providing a tax base for local and county governments. Sierra Nevada Cheese Company employs approximately 130 people. Accordingly, to the extent that any degradation occurs as the result of the Facility's operation, such degradation is consistent with the maximum interest of the people of the State of California.
60. Based on the foregoing, the adoption of this Order is consistent with the State Water Board's Antidegradation Policy.

California Environmental Quality Act

61. The issuance of this Order, which prescribes requirements and monitoring of waste discharges at an existing facility, with negligible or no expansion of its existing use, is exempt from the procedural requirements of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., pursuant to California Code of Regulations, title 14, section 15301 (CEQA Guidelines). The discharges authorized under this order are substantially within parameters established under prior WDRs, particularly with respect to character and volume of discharges.
62. To the extent that the construction of any new basins, ponds and/or surface impoundments are authorized under this Order, such features involve minor alterations to land, which are exempt from CEQA procedural requirements pursuant to California Code of Regulations, title 14, section 15304 (CEQA Guidelines).

63. This Order is further exempt from CEQA procedural requirements insofar as it is adopted for protection of the environment and does not authorize construction activities or the relaxation of standards allowing for environmental degradation, in accordance with California Code of Regulations, title 14, section 15308 (CEQA Guidelines).
64. This Order is further exempt from CEQA procedural requirements because it can be seen with certainty that there is no possibility that the discharges and activities authorized herein will have a significant effect on the environment. (See Cal. Code Regs., tit. 14, § 15061, subd. (b)(3) [CEQA Guidelines].)

Other Regulatory Considerations

Human Right to Water

65. Pursuant to Water Code, section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This General Order promotes this policy by including process water discharge specifications and prohibitions and requiring that discharges not cause or contribute to exceedances of water quality objectives that have been developed to protect municipal and domestic water supplies.

Threat-Complexity Rating

66. For the purposes of California Code of Regulations, title 23 (Title 23), section 2200, the Facility has a threat-complexity rating of **2-B**.
 - a. Threat Category “2” reflects waste discharges that can impair receiving water beneficial uses, cause short-term water quality objective violations, cause secondary drinking water standard violations, and cause nuisances.
 - b. Complexity Category “B” reflects any discharger not included in Category A, with either (1) physical, chemical or biological treatment systems (except for septic systems with subsurface disposal), or (2) any Class II or Class III WMUs.

Title 27 Exemption

67. This Order, which prescribes WDRs for discharges of wastewater, is exempt from the prescriptive requirements of California Code of Regulations, title 27 (Title 27), section 20005 et seq. (See Cal. Code Regs., tit. 27, § 20090, subd. (b).)

Stormwater

68. This Order does not cover stormwater or other discharges that are subject to the Clean Water Act's National Pollution Discharge Elimination System (NPDES). All stormwater is discharged to Pond 1 and retained on site; therefore, the Facility is not subject to stormwater permitting coverage.

Scope of Order

69. This Order is strictly limited in scope to those waste discharges, activities and processes described and expressly authorized herein.
70. Pursuant to Water Code section 13264, subdivision (a), the Dischargers are prohibited from initiating the discharge of new wastes (i.e., other than those described herein), or making material changes to the character, volume and timing of waste discharges authorized herein, without filing a new Report of Waste Discharge (ROWD) per Water Code section 13260.
71. Failure to file a new ROWD before initiating material changes to the character, volume or timing of discharges authorized herein, shall constitute an independent violation of these WDRs.
72. This Order is also strictly limited in applicability to those individuals and/or entities specifically designated herein as "Dischargers," subject only to the discretion to designate or substitute new parties in accordance with this Order.

Procedural Matters

73. All of the above information, as well as the information contained in the attached Information Sheet (incorporated herein), was considered by the Central Valley Water Board in prescribing the WDRs set forth below.
74. The Discharger, interested agencies and other interested persons were notified of the Central Valley Water Board's intent to prescribe the WDRs in this Order, and provided an opportunity to submit their written views and recommendations at a public hearing. (See Wat. Code, § 13167.5.)
75. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.
76. The Central Valley Water Board will review and revise the WDRs in this Order as necessary.

REQUIREMENTS

It is Hereby Ordered, pursuant to Water Code sections 13263 and 13267, that WDRs Order R5-2007-0043 is rescinded (except for enforcement purposes); and that the Discharger and their agents, employees and successors shall comply with the following.

A. Standard Provisions

Except as expressly provided herein, the Dischargers shall comply with the Standard Provisions and Reporting Requirements dated 1 March 1991 (SPRRs), which are incorporated herein.

B. Discharge Prohibitions

1. Waste classified as “hazardous” (per Cal. Code Regs., tit. 22, §66261.1 et seq.), shall not be discharged at the Facility under any circumstance.
2. Waste constituents shall not be discharged or otherwise released from the Facility (including during treatment and storage activities) in a manner that results in:
3. Violations of the Groundwater Limitations of this Order; or
4. Conditions of “nuisance” or “pollution,” as defined per Water Code section 13050.
5. Discharge of wastes other than the treated Sierra Nevada Cheese production plant process wastewater at the location and in the manner described in the Findings and authorized herein is prohibited.
6. Treatment system bypass of untreated or partially treated waste is prohibited, except as allowed by Standard Provision E.2 of the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements*.
7. The discharge of industrial wastewater to the septic systems is prohibited.

C. Flow Limitation

1. Effective immediately, effluent flows to Pond 1 shall not exceed a maximum daily flow limit of 58,302 gallons per day.

D. Effluent Limitations

1. To Comply with the Salt Control Program, the Discharger has selected the Alternative Salinity Permitting Approach (i.e., participate in the

Prioritization and Optimization [P&O] Study) therefore, as discussed in Finding 52.b, these WDRs establish a performance-based effluent limitation for electrical conductivity.

Table 9 — Effluent Limitations

Constituent/Parameter	Limit	Basis for Compliance Determination
Electrical Conductivity (EC)	4,400 µmhos/cm	Annual Average (see 1 below)

1. The EC effluent limitation is a performance-based effluent limitation (as discussed in finding 52 b) since the Discharger has selected to participate in the P&O Study. The purpose of this limit is to ensure the Discharger is implementing appropriate performance-based measures at the Facility.

E. Discharge Specifications

1. No waste constituent shall be released, discharged, or placed where it will cause a violation of the Groundwater Limitations of this Order.
2. Wastewater treatment, storage, and disposal shall not cause pollution or a nuisance as defined by Water Code section 13050.
3. The discharge shall remain within the permitted waste treatment/containment structures.
4. The Discharger shall operate all systems and equipment to optimize the quality of the discharge.
5. All conveyance, treatment, storage, and disposal systems shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
6. Objectionable odors shall not be perceivable beyond the limits of the property where the waste is generated, treated, and/or discharged at an intensity that creates or threatens to create nuisance conditions.
7. As a means of ensuring compliance with Discharge Specification C.6, the dissolved oxygen (DO) content in the upper one foot of all ponds shall not be less than 1.0 mg/L for three consecutive weekly sampling events.

8. The Discharger shall design, construct, operate, and maintain all ponds sufficiently to protect the integrity of containment dams and berms and prevent overtopping and/or structural failure. The operating freeboard in any pond shall never be less than two feet (measured vertically from the lowest possible point of overflow). As a means of management and to determine compliance with this requirement, the Discharger shall install and maintain in Pond 3 a permanent staff gauge with calibration marks that clearly show the water level at design capacity and enable determination of available operational freeboard.
9. Wastewater treatment, storage, and disposal ponds or structures shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary inflow and infiltration during the winter while ensuring continuous compliance with all requirements of this Order. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.
10. On or about 1 October of each year, available capacity shall at least equal the volume necessary to comply with Discharge Specifications E.8 and E.9. The Discharger provides reasonable assurance that wastewater management includes added storage requirements in the winter season.
11. All ponds and open containment structures shall be managed to prevent breeding of mosquitoes. Specifically:
 - a. An erosion control program shall be implemented to ensure 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.
 - d. The Discharger shall consult and coordinate with the local Mosquito Abatement District to minimize the potential for mosquito breeding as needed to supplement the above measures.
12. Newly constructed or rehabilitated berms or levees (excluding internal berms that separate ponds or control the flow of water within a pond) shall be designed and constructed under the supervision of a California Registered Civil Engineer.

13. Wastewater contained in any unlined pond shall not have a pH less than 6.0 or greater than 9.0.
14. The Discharger shall monitor sludge accumulation in the wastewater treatment/storage ponds at least every five years upon adoption of this Order and shall periodically remove sludge as necessary to maintain adequate treatment and storage capacity.
15. Storage of residual solids in areas not equipped with means to prevent storm water infiltration is prohibited.

F. Groundwater Limitations

Release of waste constituents from any portion of the Facility shall not cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below or in excess of background groundwater quality, whichever is greater:

1. Contain constituents in concentrations that exceed either the Primary or Secondary MCLs established in Title 22 of the California Code of Regulations, excluding salinity.
2. Contain taste or odor-producing constituents, toxic substances, or any other constituents in concentrations that cause nuisance or adversely affect beneficial use.

G Solids Disposal Specifications

1. For the purpose of this Order, residual solids include the solid, semisolid, and liquid organic matter removed during the screening of wastewater.
2. Residual solids shall be removed from screens, vaults, and ponds as needed to ensure optimal operation, prevent nuisance conditions, and maintain adequate storage capacity.
3. Any handling and storage of residual solids shall be temporary and controlled and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate the groundwater limitations of this Order.
4. If removed from the site, residual solids shall be disposed of in a manner approved by the Executive Officer and consistent with Title 27, division 2. Removal for reuse as animal feed, biofuel feedstock, or land disposal at facilities (i.e., landfills, composting facilities, soil amendment sites

operated in accordance with valid waste discharge requirements issued by a Regional Water Board) will satisfy this specification.

5. Any proposed change in solids use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change.

H. Provisions

1. The following reports shall be submitted pursuant to CWC section 13267 and shall be prepared as described in Provision H.6:
 - a. In the event that storage ponds 4, 5, 6, and 7 are in regular use, which is considered in use for three or more quarters within a two-year period, then the Discharger shall submit a Groundwater Monitoring Well Installation Workplan that proposes the installation of an additional upgradient monitoring well.
2. The Discharger shall comply with the separately issued Monitoring and Reporting Program (MRP) R5-2023-XXXX, and any revisions thereto as ordered by the Executive Officer. The submittal dates of Discharger self-monitoring reports shall be no later than the submittal date specified in the MRP.
3. A copy of this Order (including Information Sheet, Attachments and SPRRs) and the MRP, shall be kept at the Facility for reference by operating personnel. Key operating personnel shall be familiar with their contents.
4. The Discharger shall comply with the Basin Plan amendments adopted in Resolution R5-2018-0034 incorporating new programs (Salt and Nitrate Control Program) for addressing ongoing salt and nitrate accumulation in the Central Valley developed as part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative.
5. In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if

not explicitly stated. Each technical report submitted by the Discharger shall bear the professional's signature and stamp.

6. The Discharger shall submit the technical reports and work plans required by this Order for consideration by the Executive Officer and incorporate comments the Executive Officer may have in a timely manner, as appropriate. Unless expressly stated otherwise in this Order, the Discharger shall proceed with all work required by the foregoing provisions by the due dates specified.
7. A discharger whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment, collection, and disposal facilities. The projections shall be made in January, based on the last three years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in four years, the discharger shall notify the Central Valley Water Board by 31 January.
8. The Discharger shall comply with all conditions of this Order, including timely submittal of technical and monitoring reports. On or before each report due date, the Discharger shall submit the specified document to the Central Valley Water Board or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, then the Discharger shall state the reasons for such noncompliance and provide an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board in writing when it returns to compliance with the time schedule. Violations may result in enforcement action, including Central Valley Water Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.
9. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Discharger when the operation is necessary to achieve compliance with the conditions of this Order.

10. The Discharger shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to comply with this Order.
11. As described in the SPRRs, the Discharger shall report promptly to the Central Valley Water Board any material changes or proposed change in the character, location, or volume of the discharge.
12. In the event of any change in control or ownership of the Facility, the Discharger must notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.
13. To assume operation as Discharger under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. If approved by the Executive Officer, the transfer request will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.
14. The Central Valley Water Board will review this Order periodically and will revise requirements when necessary.

ENFORCEMENT

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

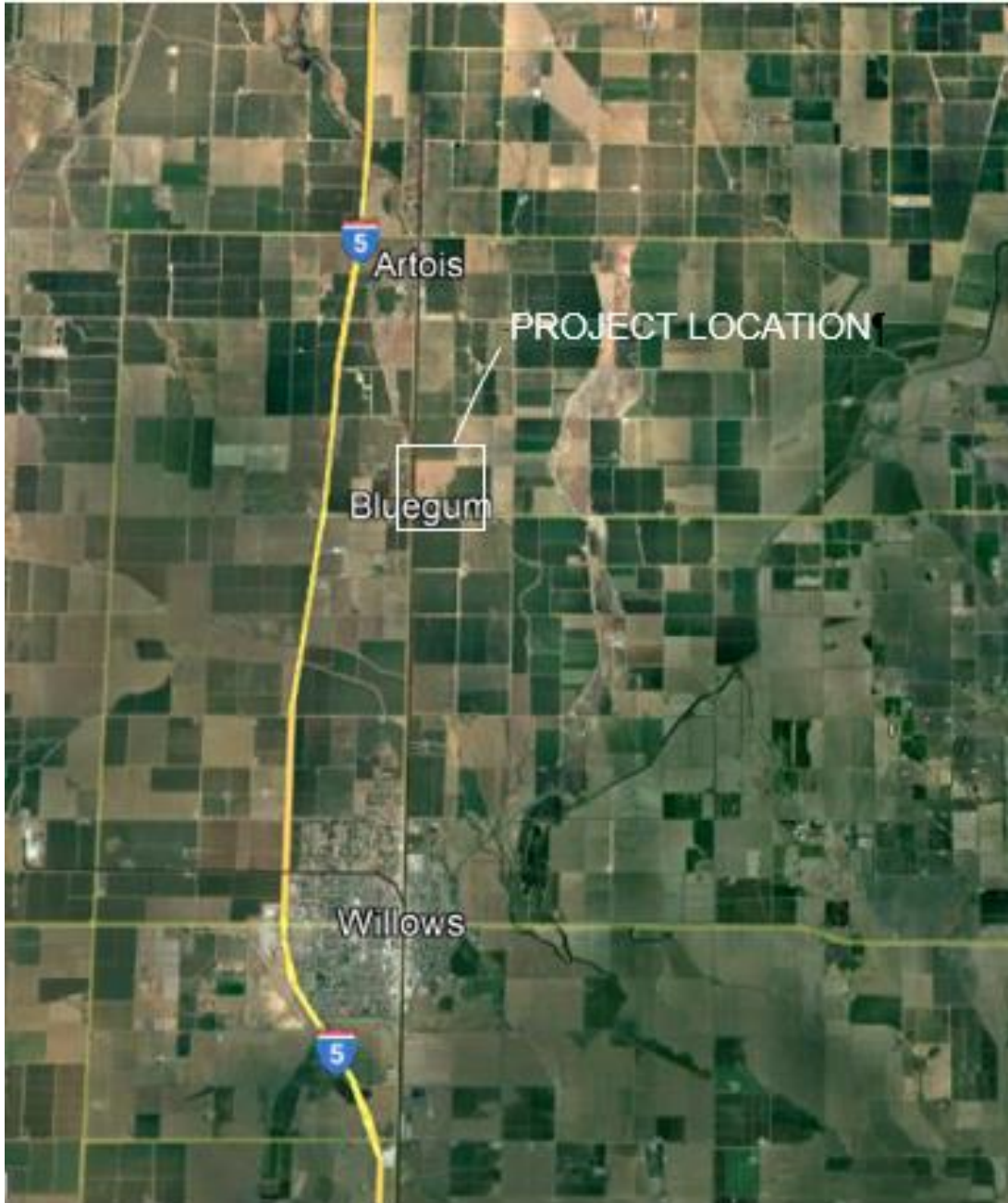
ADMINISTRATIVE REVIEW

Any person aggrieved by this Central Valley Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition by 5:00 p.m. on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of [the law and regulations applicable to filing petitions](#) are available on the Internet (at the address below) and will be provided upon request.
(http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

ATTACHMENTS

Attachment A – Site Location Map
Attachment B – Facility Map
Standard Provisions & Reporting Requirements Information Sheet
Monitoring and Reporting Program R5-2023-####

Attachment A – Site Location Map



Attachment B – Facility Map



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-####
FOR
SIERRA NEVADA CHEESE COMPANY
SIERRA NEVADA CHEESE PROCESSING FACILITY
GLENN COUNTY

INFORMATION SHEET

BACKGROUND

Sierra Nevada Cheese Company, Inc. and Gregersen Properties, LLC owns and operates a cheese production facility (Facility) located approximately four miles north of Willows, Glenn County (Figure 1). From 2019-2021 the Facility treated and discharged approximately 48,500 gpd to the treatment and disposal ponds.

Wastewater from the Facility is from the production of cheese, yogurt, butter, and sour cream. The waste streams include wastewater from cheese production, wash water, and boiler blowdown.

In 2015, the Facility was issued a CDO for discharging untreated or partially treated whey wastewater into their final disposal ponds. The CDO prompted installation of four groundwater monitoring wells, removal of sludge from the treatment ponds, hauling whey wastewater off site, reconfiguration of the treatment ponds, and increasing the contact time for coagulant before solids removal in the suspended air floatation unit.

Surface water drains to nearby Walker Creek, which is a tributary of Willow Creek, that discharges to the Colusa Basin Drain, and subsequent Sacramento River. Stormwater on the site discharges to storm drain inlets where it is conveyed to Pond 1.

Soils underlying the Facility and four overflow ponds are classified primarily as Hillgate loam and Hillgate gravelly loam, these soils are well to moderately well drained, with low to very low permeability. Soils underlying the three treatment ponds is classified as Riverwash, which has very low runoff and high to very high permeability according to the United States Department of Agriculture Web Soil Survey.

Domestic wastewater from the Facility is discharged to an onsite septic tank/leach field.

WASTEWATER TREATMENT AND DISPOSAL

Wastewater and wash water commingle in a wet well where it is pumped through a screen and into two storage tanks. From the storage tanks water is treated with coagulant, metered through a serpentine line, and into a suspended air floatation (SAF) unit. Effluent from the SAF unit discharges to a series of three unlined aerated ponds. The Facility has four overflow ponds on the north side of County Road 39.

Previously, whey wastewater and solids from the SAF were discharged to a 5,500-gallon truck and transported three times daily to North State Rendering or

Sierra Nevada Cheese Company
Sierra Nevada Cheese Processing Facility
INFORMATION SHEET

Black Rock Cattle Company at Hillside in Orland. Solids from the screens are disposed of in the local landfill. In November 2022, the Discharger installed a reverse osmosis system to concentrate whey wastewater and reduce the amount of waste hauled offsite. The resulting permeate from the reverse osmosis system will be reused for pre-rinse and wash water or discharged to Pond 1. Solids from the screen are placed in a dumpster and disposed of in the landfill.

GROUNDWATER CONSIDERATIONS

Groundwater conditions are discussed in Findings 28 to 37 of the Order.

ANTIDegradation

Antidegradation analysis and conclusions are discussed in Findings 53 to 60 of the Order.

DISCHARGE PROHIBITIONS, EFFLUENT LIMITATIONS, DISCHARGE SPECIFICATIONS, AND PROVISIONS

The Order sets a maximum daily average flow limit of 58,302 gallons per day for the Facility's discharge to the series of three treatment ponds. The Order also specifies interim, performance-based effluent limitations, as well as participation in the Prioritization and Optimization Plan for the Salt Control Program.

MONITORING REQUIREMENTS

Section 13267 of the California Water Code authorizes the Central Valley Water Board to require monitoring and technical reports as necessary to investigate the impact of waste discharges on waters of the State. Water Code Section 13268 authorizes assessment of civil administrative liability where appropriate. The Order includes influent, effluent, solids, and groundwater monitoring requirements. This monitoring is necessary to characterize the discharge and evaluate compliance with the requirements and specifications in the Order.

SALT AND NITRATE CONTROL PROGRAMS REGULATORY CONSIDERATIONS

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments (Resolution R5-2018-0034) incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. On 16 October 2019, the State Water Resources Control Board adopted Resolution No. 2019-0057 approving the Central Valley Water Board Basin Plan amendments and also directed the Central Valley Water Board to make targeted revisions to the Basin Plan amendments within one year from the approval of the Basin Plan amendments by the Office of Administrative Law. The Office of Administrative Law approved the Basin Plan amendments on 15 January 2020 (OAL Matter No. 2019-1203-03).

For the Salt Control Program, a Notice to Comply for the Salt Control Program was issued to Sierra Nevada Cheese (CV-SALTS ID 1890) was issued a Notice to Comply

for the Salt Control Program on 5 January 2021. On 1 April 2021, the Discharger paid the fee payment to join the P&O Study.

SPECIAL PROVISIONS

This order requires the following reports, Provisions H. 1.a:

In the event that storage ponds 5, 6, and 7 are in regular use, which is considered in use for three or more quarters within a two-year period, then the Discharger shall submit a Groundwater Monitoring Well Installation Workplan that proposes the installation of an additional upgradient monitoring well.

REOPENER

The conditions of discharge in the Order were developed based on currently available technical information and applicable water quality laws, regulations, policies, and plans, and are intended to assure conformance with them. The Order sets limitations based on the information provided thus far. If applicable laws and regulations change, or once new information is obtained that changes the overall discharge and its potential to impact groundwater, it may be appropriate to reopen the Order.

LEGAL EFFECT OF RESCISSION OF PRIOR WDRS OR ORDERS ON EXISTING VIOLATIONS

The Central Valley Water Board's rescission of prior waste discharge requirements and/or monitoring and reporting orders does not extinguish any violations that may have occurred during the time those waste discharge requirements or orders were in effect. The Central Valley Water Board reserves the right to take enforcement actions to address violations of prior prohibitions, limitations, specifications, requirements, or provisions of rescinded waste discharge requirements or orders as allowed by law.