

**Regional Water Quality Control Board
Central Valley Region
Board Meeting –7/8 August 2014**

**RESPONSE TO WRITTEN COMMENTS ON
TENTATIVE WASTE DISCHARGE REQUIREMENTS FOR
CONAGRA FOODS, INC., AND MADDOX FARMS, LLC
HELM TOMATO PROCESSING FACILITY
FRESNO COUNTY**

At a public hearing scheduled for 7/8 August 2014, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider adoption of Waste Discharge Requirements (WDRs), which were circulated as tentative on 23 May 2014 for discharges from the ConAgra Helms Tomato Processing Facility to 2,646 acres of farm lands owned by Maddox Farms, LLC. This document contains the response to written comments received from the ConAgra Foods, Inc., (Con Agra) regarding the proposed WDRs. Written comments from interested parties were required to be received by the Regional Water Board by 5:00 p.m. on 24 June 2014 in order to receive full consideration. Comments were received from ConAgra Foods, Inc.

Staff has made some minor changes to the proposed WDRs, Information Sheet, and the Monitoring and Reporting Program (MRP) based on the comments. Staff has also made changes to the WDRs to increase clarity and fix typographical errors. Where specific changes are presented below, additions are in bold text and deletions are in strike-out.

CONAGRA FOODS, INC.

ConAgra provided comments to the proposed WDRs and the proposed MRP. Below are ConAgra's salient comments followed by staff's responses.

CONAGRA –COMMENT 1: WDRs, Page 2, Finding 7, Facility size. ConAgra notes the size of the Facility is listed as 25 acres in Finding 7. The actual acreage is 48.98 acres and includes an additional parcel that increases the acreage.

RESPONSE 1: The first paragraph of Finding 7 has been modified and the Information Sheet has been modified to reflect the change. Attachment B has been modified to show the correct property boundary of the ConAgra Facility. The modifications to Finding 7 are shown below:

The Facility is on ~~25~~ **48.89**-acres and the LAAs for wastewater recycling consist of 2,646 acres, as shown on Attachment B, which is attached hereto and made part of this Order by reference.

CONAGRA –COMMENT 2: WDRs, Page 17, Groundwater Limitations, E. b. ConAgra requests that Groundwater Limitation E. b be revised to read that only the Title 22 constituents referenced in this Order be held to Title 22 maximum contaminant levels (MCLs).

RESPONSE 2: No changes were made to the proposed WDRs. ConAgra's discharge of wastewater cannot cause any constituent in groundwater to exceed its respective MCL.

CONAGRA - COMMENT - 3: WDRs, Page 19, Provision F.13. Groundwater Evaluation and Appropriate Monitoring Network. ConAgra requests that a sentence be added to Provision F.13. In addition, Central Valley Water Board staff modified Provision F.13 to include an implementation date to initiate groundwater monitoring.

RESPONSE 3: Provision F.13 was modified as requested and as shown below:

By (6 months from the adoption of this order), the Discharger shall submit a work plan to evaluate groundwater quality beneath and directly downgradient of the LAAs and recommend an appropriate groundwater monitoring network. **By (18 months from the adoption of this order), the Discharger shall implement the approved groundwater monitoring work plan and initiate monitoring of its groundwater monitoring well network. Existing off-site monitoring, irrigation, and domestic water wells may be considered if criteria are met (i.e., reasonable horizontal and vertical placement of well intake intervals reflect uppermost first encountered groundwater in the area).**

CONAGRA - COMMENT - 4: MRP, Page 2, Monitoring Location Description (Table). ConAgra requests the Effluent and Pond monitoring location descriptions be revised slightly for clarity.

RESPONSE 4: The description for effluent monitoring at sampling location EFF-01 was modified as follows:

EFF-01	Location where a representative water quality sample of the Facility wastewater can be obtained prior to discharge to the wastewater retention pond.
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The description for pond monitoring at sampling location PND-01 was modified as follows:

PND -01	Location where a representative water quality sample from the wastewater retention pond can be obtained on a weekly basis as referenced below and when wastewater is present in the pond.
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CONAGRA - COMMENT - 5: MRP, Page 2, Effluent Monitoring Table, Footnote 1. ConAgra requests the footnote be modified to indicate that non-seasonal discharge samples be collected if wastewater discharge occurs.

RESPONSE 5: Footnote 1 of the Effluent Monitoring table was modified as shown below:

1. The frequency listed is for the discharge during the processing season (July through October) only. During the non-seasonal discharge period (November through June), **if wastewater discharge occurs to the wastewater retention pond or the LAAs**, samples **shall** be collected on a monthly basis and General Minerals **shall be** collected **at least once**.

CONAGRA - COMMENT - 6: MRP, Page 3, Groundwater Monitoring. The Groundwater Monitoring section contains a paragraph describing typical groundwater monitoring well purging procedures.

ConAgra requests that the alternative of low-flow sampling be added to the description of the proposed purging descriptions.

RESPONSE 6: The Groundwater Monitoring section was modified as follows:

Depending on the hydraulic conductivity of the geologic setting, the volume removed during purging is typically from 3 to 5 volumes of the standing water within the well casing and screen, or additionally the filter pack pore volume. **Low-flow sampling techniques (purging only the volume of the dedicated tubing) can be used with prior approval from the Executive Officer.**