

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

ORDER R7-2015-0042  
WASTE DISCHARGE REQUIREMENTS  
FOR  
EIICHI KATO, OWNER  
EARTHRISE NUTRITIONALS, LLC, OPERATOR  
IMPERIAL VALLEY BIO-PRODUCTS FACILITY  
Calipatria – Imperial County

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board), finds that:

1. Eiichi Kato, 2151 Michelson Drive, Suite #258, Irvine, CA 92612, owner, and Earthrise Nutritionals, LLC, 113 East Hooper Road, Calipatria 92233, operator, (collectively known as Discharger), own and operate a food production facility (Facility) that grows and harvests algae for the production of spirulina whole foods and dietary supplements.
2. The Discharger submitted a report of waste discharge (ROWD), dated February 23, 2015, proposing the construction of two new evaporation ponds for wastewater disposal. Revised engineered drawings for the project dated April 8, 2015, were also submitted by the Discharger and incorporated into the ROWD.
3. The Facility has not previously been regulated under Waste Discharge Requirements (WDRs). The Colorado River Basin Water Board has determined that WDRs are required for the Facility upon construction and use of the new evaporation ponds for wastewater disposal. The Facility and these WDRs are identified in the California Integrated Water Quality System (CIWQS) by WDID No. 7A130133001.

**Facility**

4. The Facility is located on approximately 160 acres at 113 East Hooper Road, Calipatria, California 92233, as shown on Attachment A, incorporated herein and made a part of this Order. The legal description of the location is the southeast quarter of Section 33 and a portion of the southwest quarter of Section 34 lying west of the east line of the right of way for the railroad, Township 11 South, Range 14 East, San Bernardino Base and Meridian, Imperial County.
5. The Facility is located within an "Agricultural" land use classification within the General Plan of the City of Calipatria and "A-2G- General Agriculture with Geothermal Overlay" zone. Surrounding land uses include industrial and agricultural: The Southern Pacific Railroad and Calipatria Prison are to the east, agricultural fields and the City of Niland are to the north, agricultural fields and the Salton Sea are to the west, and the City of Calipatria is to the south.
6. The California Department of Public Health has inspected and approved the Facility for food production.

7. The Facility maintains an aquaculture license from the California Department of Fish and Wildlife which oversees the facility and regulates algal species. Imperial County considers the Facility to be an agricultural land use operation.
8. Algae are produced in variously-sized racetrack type aquaculture ponds where the water chemistry is optimized to promote algal growth. Water from the aquaculture ponds is circulated through a filter to harvest the algae and then put back into the aquaculture ponds. When water in the aquaculture ponds becomes too saline for optimal conditions, a portion is discharged into the evaporation ponds and replaced with fresh water. No pesticides, herbicides, GMO's or preservatives are used in the production of spirulina. The U.S. Food and Drug Administration has issued the facility a "Generally Recognized As Safe" (GRAS) status.
9. The filtered algae is dewatered and then dried in a warm air tower where it is turned into powder and packaged for shipment. An air scrubber ensures that no algae are released into the environment.
10. The Discharger has constructed a new production facility on the site that will extract blue food coloring from the algae cells. The powdered algae will be rehydrated and processed chemically and mechanically to extract the food color. Only food grade additives will be used in this additional processing of the algae. After the blue coloring is extracted from the algae, the remaining plant material will be dried and marketed as a separate product. All wastes from the color removal process will be routed directly to a new Evaporation Pond Number 4 (EVP 4).
11. Sanitary wastewater from the Facility, and all laboratory sinks and drains, is disposed of into a septic system and is not discharged into drainage channels or the evaporation ponds.
12. Three single-lined disposal ponds have been in use at the facility. Wastewater flows from a single discharge pipe into EVP 2. A portable pump is used to move water from EVP 2 into the other available ponds which are designated as EVP 1 and EVP 3. The three existing ponds provide approximately 5 acres of surface area and are approximately 4 feet deep.
13. The Discharger has constructed two new evaporation ponds: one 140,030 square foot (3.21 acres) pond and one 10,764 square-foot (0.25 acres) pond for a total surface area of 150,794 square feet (3.46 acres). Both of the new ponds were excavated to four feet below the existing ground surface.
14. The liners of the two new evaporation ponds, EVP 4 and EVP 5, consist of the following layers from bottom to top:
  - a. Native soil compacted to 95% maximum dry density.
  - b. A secondary reinforced 45-mil thickness reinforced linear low density polyethylene (LLDPE) membrane liner.

- c. Double-sided geocomposite material consisting of a geogrid bonded top and bottom to two layers of 6-ounce per square yard nominal weight geotextile fabric.
  - d. A primary reinforced 45-mil thickness LLDPE membrane liner.
15. The new evaporation ponds include a leachate collection and removal system (LCRS) that will be monitored to detect discharges from the primary pond liner.

### **Hydrogeologic Conditions**

16. The Imperial Valley is located in the southeastern half of the Salton Trough and is bounded by uplifted lacustrine sediments along the San Andreas Fault zone to the north, alluvial fans of the Chocolate Mountains to the east, dunes of the Sand Hills to the south, and the Salton Sea to the west. The Salton Trough is a broad northwest-trending basin that represents the northward extension of the Gulf of California. Tectonic activity that formed the trough continues at a high rate, as evidenced by deformed young sedimentary deposits and high levels of seismicity.
17. The average annual precipitation in the Imperial Valley is about 3 inches per year. The average annual evapotranspiration rate is about 71 inches per year.
18. Water is supplied to the Facility through an agricultural account with the Imperial Irrigation District (IID). Water supplied by the IID is diverted from the Colorado River and has an average Total Dissolved Solids (TDS) concentration of about 750 mg/L. The Discharger owns and operates an existing 50 gallon per minute potable water treatment system.
19. There are no known groundwater or domestic wells within one mile of the Facility wastewater evaporation ponds.

### **Basin Plan, Beneficial Uses, and Regulatory Considerations**

20. The Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) designates beneficial uses and establishes water quality objectives for ground and surface waters in the Region, and contains implementation programs and policies to achieve objectives. In addition, State Water Resources Control Board (State Water Board) Resolution 88-63 requires that, with certain exceptions, the Colorado River Basin Water Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan), as amended to date, designates the beneficial uses of ground and surface water in this Region.
21. The Facility is located in the Imperial Hydrologic Unit. The beneficial uses of ground waters in the Imperial Hydrologic Unit are:
- a. Municipal and domestic supply (MUN)
  - b. Industrial service supply (IND).
22. WDRs implement numeric and narrative water quality objectives for ground and surface waters established by the Basin Plan. The numeric objectives for groundwater

designated for municipal and domestic supply are the maximum contaminant levels (MCL), and bacteriological limits specified in Section 64421 et seq. of Title 22, California Code of Regulations (CCR). The narrative objectives are:

- a. Ground water for use as domestic or municipal water supply (MUN) shall not contain taste or odor-producing substances in concentrations that adversely affect beneficial uses as a result of human activity (Basin Plan, page 3-8).
  - b. Discharges of water softener regeneration brines, other mineralized wastes, and toxic wastes to evaporation facilities which ultimately discharge in areas where such wastes can percolate to ground water usable for domestic and municipal purposes are prohibited (Basin Plan, page 3-8).
23. Section 13267 of the California Water Code (CWC) authorizes the regional water boards to require technical and monitoring reports. The Monitoring and Reporting Program (MRP) establishes monitoring and reporting requirements to implement federal and state requirements.
24. 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 order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
25. This Order establishes WDRs pursuant to Division 7, Chapter 4, Article 4, of the CWC for discharges that are not subject to regulation under Clean Water Act (CWA) Section 402 (33 U.S.C. Section 1342).
26. Pursuant to CWC section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

### **Groundwater Degradation**

27. State Water Board Resolution 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State", hereinafter Resolution 68-16) requires a regional water board in regulating the discharge of waste to maintain high quality waters of the state (i.e., background water quality) until 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 as described in plans and policies (e.g., violation of any water quality objective). Moreover, the discharge is required to meet WDRs that result in the best practicable treatment or control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and highest water quality consistent with maximum benefit to the people will be maintained.
28. The Facility is located in an area that is zoned for agricultural production. The water quality impacts associated with aquaculture are consistent with other forms of agricultural production. The constituents in the aquaculture wastewater that present the greatest risk to groundwater degradation are nutrients and total dissolved salts (TDS).

29. Agriculture is an important component of the economic development of the Imperial Valley. The development of these aquaculture practices and the production of high-quality low-volume food sources provide a benefit to the people of the State.
30. Only food grade materials are added to the supply water to optimize conditions for algal growth. The evaporation ponds are double lined and have a leak detection and LCRS to prevent wastewater from migrating to the groundwater. The LCRS will be monitored regularly and any leaks in the primary liner will be repaired before discharge to the ground water occurs.
31. These WDRs constitute BPTC methods for the prevention of areal groundwater degradation. Accordingly this discharge, as authorized, is consistent with the anti-degradation provisions of Resolution 68-16.

### **CEQA and Public Participation**

32. In accordance with the California Environmental Quality Act (CEQA (California Public Resources Code Section 21000 et seq.) and implementing Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), the County of Imperial, acting as the lead agency, prepared an Initial Study (IS#14-0024) and Environmental Checklist and determined that no significant environmental impact would result from the Evaporation Pond Project. Accordingly, the County of Imperial prepared a Negative Declaration and filed a Notice of Determination with the Imperial County Recorder's Office on March 3, 2014.
33. The Colorado River Basin Water Board has reviewed the Initial Study, Negative Declaration, and other relevant Project documents and has concluded that compliance with these WDRs should prevent any potentially significant water quality impacts associated with the Project.
34. The Colorado River Basin Water Board has notified the Discharger and all known interested agencies and persons of its intent to draft WDRs for this discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
35. The Colorado River Basin Water Board, in a public meeting, heard and considered all comments pertaining to this discharge.

**IT IS HEREBY ORDERED**, that in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the Discharger shall comply with the following:

#### **A. Discharge Prohibitions**

1. Discharge of waste classified as "hazardous", as defined in Title 23, CCR, Section 2521(a), or "designated", as defined in California Water Code section 13173, is prohibited.

2. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in sections 13050(l) and 13050(m) of Division 7 of the California Water Code.
3. Discharge of wastewater to a location other than the designated evaporation ponds is prohibited.
4. The discharge of any wastewater from the Facility to any surface waters or surface drainage courses is prohibited.
5. Bypass, overflow or spill of untreated or partially treated waste is prohibited.

#### **B. Groundwater Limitations**

1. Discharge from the aquaculture evaporation ponds shall not cause groundwater to contain waste constituents in concentrations statistically greater than background water quality.
2. Discharge from the aquaculture evaporation ponds shall not cause groundwater to contain constituents in excess of California Maximum Contaminant Levels (MCLs), as set forth in Title 22, Section 64426.1 for bacteriological constituents; Section 64431 for inorganic chemicals; Section 64432.1 for nitrates; and Section 64444 for organic chemicals.
3. Discharge from the aquaculture evaporation ponds shall not cause groundwater to acquire taste, odor, toxicity, or color that creates nuisance or impairs beneficial use.

#### **C. Discharge Specifications**

1. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in Section 13050(l) and 13050(m) of Division 7 of the California Water Code.
2. A minimum depth of freeboard of two (2) feet shall be maintained at all times in the evaporation ponds.
3. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives. Conspicuous signs shall be posted in a prominent location in each area where wastewater is stored on-site.
4. The discharge shall not cause degradation of any water supply.
5. The evaporation ponds 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.

6. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the wastewater disposal area.
7. The wastewater evaporation ponds shall be protected from any washout or erosion of wastes or covering material, and from any inundation, which could occur as a result of floods, having a predicted frequency of once in 100 years.

#### **D. Provisions**

1. The Discharger shall comply with all of the conditions of this Board Order. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (CWC Section 13000 et seq.), and is grounds for enforcement action.
2. The Discharger shall comply with Monitoring and Reporting Program (MRP) R7-2015-0042, and future revisions thereto, as specified by the Colorado River Basin Water Board's Executive Officer, which is incorporated by this reference and attached hereto.
3. The Discharger shall not cause degradation of any water supply in accordance with State Water Board Resolution 68-16.
4. Prior to any modifications in this facility, which would result in material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Colorado River Basin Water Board and obtain revised requirements before any modifications are implemented.
5. Prior to any change in ownership or management of this operation, the Discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Colorado River Basin Water Board.
6. The Discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
7. The Discharger shall allow the Colorado River Basin Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
  - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
  - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and

- d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
8. The Discharger shall, at all times, properly operate and maintain all systems and components of treatment and control, including, but not limited to, sludge disposal facilities which are installed or used by the Discharger to achieve compliance with the conditions of this Board Order. Proper operation and maintenance includes, but is not limited to, effective performance, adequate process controls, adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this Board Order. All systems, both those in service and reserved, shall be inspected and maintained on a regular basis. Records shall be kept of the inspection results and maintenance performed and made available to the Colorado River Basin Water Board upon demand.
9. The Discharger shall report any noncompliance that may endanger human health or the environment. Information shall be provided orally within 24 hours of when the Discharger becomes aware of the incident to the Colorado River Basin Water Board office and the Office of Emergency Services. The Discharger shall also leave a message on the Colorado River Basin Water Board office voice recorder during non-business hours. A written report shall also be provided within five (5) business days of the time the Discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance.
10. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
11. The Discharger shall ensure that all operating personnel are familiar with the contents of this Board Order.
12. The Discharger is the responsible party for the WDRs and the monitoring and reporting program for the facility. The Discharger shall comply with all conditions of these WDRs. Violations may result in enforcement actions, including Colorado River Basin Water Board Orders or court orders, requiring corrective action or imposing civil monetary liability or in modification or revocation of these WDRs by the Colorado River Basin Water Board.
13. The Discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board Executive Officer and in Monitoring and Reporting Program R7-2015-0012. Such specifications are subject to periodic revisions as may be warranted. Documents that are normally sent via mail by the Discharger, such as regulatory reports, documents, submissions, materials, data, and correspondence, to the Colorado River Basin Water Board shall be converted to Portable Document Format (PDF) or other appropriate Microsoft application, such as Excel, and emailed to RB7-wdrs\_paperless@waterboards.ca.gov. Documents that are too large or that cannot be easily converted to an electronic format or cannot be emailed should be transferred to a

disk or otherwise hard copy mailed to the Colorado River Basin Water Board office in Palm Desert. The Facility is identified CIWQS by WDID No. 7A130124001.

**F. Limitations**

14. This Board Order does not authorize violation of any federal, state, or local laws or regulations
15. This Board Order does not convey property rights of any sort, or exclusive privileges, nor does it authorize injury to private property or invasion of personal rights, or infringement of federal, state, or local laws or regulations
16. This Board Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for a Board Order modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land application plans, adoption of new regulations by the State Water Board, the adoption of SNMPs and other revisions of the Basin Plan

I, Robert Perdue, 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, Colorado River Basin Region, on November 19, 2015.

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ROBERT PERDUE  
Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

MONITORING AND REPORTING PROGRAM R7-2015-0042  
FOR  
EARTHRISE NUTRITIONALS, LLC, OWNER/OPERATOR  
IMPERIAL VALLEY BIO-PRODUCTS FACILITY  
Calipatria – Imperial County

Location of Discharge:  
S/E ¼ of Section 33, and portion of S/W ¼ of Section 34, T11S, R14E, SBB&M

**MONITORING**

1. This Monitoring and Reporting Program (MRP) describes requirements for monitoring a wastewater system and groundwater quality (when needed). This MRP is issued pursuant to California Water Code (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.

2. Water Code section 13267 states, in part:

*“In conducting an investigation specified in subdivision (a), the Colorado River Basin Water 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.”*

3. Water Code section 13268 states, in part:

*“(a) (1) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of § 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of Section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor, and may be liable civilly in accordance with subdivision (b). (b) (1) Civil liability may be administratively imposed by a regional board in accordance with Article 2.5*

*(commencing with § 13323) of Chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”*

4. The Discharger owns and operates the wastewater system that is subject to Board Order R7-2015-0042. The reports are necessary to ensure that the Discharger complies with the Order. Pursuant to Water Code section 13267, the Discharger shall implement the MRP and shall submit the monitoring reports described herein.
5. All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Colorado River Basin Water Board staff.
6. Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that:
  - a. The user is trained in proper use and maintenance of the instruments;
  - b. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
  - c. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
  - d. Field calibration reports are submitted as described in the “Reporting” section of this MRP.
7. The collection, preservation and holding times of all samples shall be in accordance with United States Environmental Protection Agency (USEPA) approved procedures. Unless otherwise approved by the Colorado River Basin Water Board Executive Officer, all analyses shall be conducted by a laboratory certified by the Environmental Laboratory Accreditation Program, Division of Drinking Water, State Water Resources Control Board. All analyses shall be conducted in accordance with the latest edition of the “Guidelines Establishing Test Procedures for Analysis of Pollutants” (40 CFR Part 136), promulgated by the USEPA.
8. Samples shall be collected at the locations specified in this Board Order. If no locations are specified, sampling shall be conducted at the most representative sampling point available.
9. If the facility is not in operation, or there is no discharge during a required reporting period, the Discharger shall forward a letter to the Colorado River Basin Water Board indicating that there has been no activity during the required reporting period.

## **EFFLUENT MONITORING**

The volume of flow that is discharged into the evaporation ponds shall be measured monthly and reported quarterly.

### POND MONITORING

The Discharger shall collect a sample EVP 2 and EVP 4 and have it analyzed for the following constituents:

pH	pH units	Grab	Quarterly
Total Dissolved Solids	mg/L <sup>1</sup>	Grab	Quarterly
Total Suspended Solids	mg/L	Grab	Quarterly
Carbonate	mg/L	Grab	Quarterly
Nitrate	mg/L	Grab	Quarterly
Sulphate	mg/L	Grab	Quarterly

### LINER SYSTEM / LEACHATE MONITORING

The Discharger shall inspect the leachate collection system monthly and estimate, record, and report the amount of liquid present in the system. If liquid is present in the system, a liquid waste sample shall be collected quarterly and analyzed for the constituents listed below. If no liquid is present in the system, it shall be noted in the monthly monitoring report.

<u>Constituent</u>	<u>Units</u>	<u>Type</u>	<u>Frequency</u>
pH	pH units	Field	Quarterly
Total Dissolved Solids	mg/L	Grab	Quarterly
Carbonate	mg/L	Grab	Quarterly
Nitrate	mg/L	Grab	Quarterly
Sulphate	mg/L	Grab	Quarterly

### OPERATION AND MAINTENANCE

The Discharger shall inspect the disposal system and evaporation ponds annually and report the results to the Colorado River Basin Water Board. Any equipment failures or repairs and maintenance of the ponds shall be documented and reported. Calibration of flow meters and other monitoring equipment shall be performed at least annually and documented and reported

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<sup>1</sup> Milligrams per liter

## REPORTING

1. The Discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with waste discharge requirements.
2. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurement(s);
  - b. The individual(s) who performed the sampling or measurement(s);
  - c. The date(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or method used; and
  - f. The results of such analyses.
3. The results of any analysis taken, more frequently than required at the locations specified in this Monitoring and Reporting Program shall be reported to the Colorado River Basin Water Board.
4. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this monitoring report.
5. Each report shall contain the following statement:

"I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations".
6. A duly authorized representative of the Discharger may sign the documents if:
  - a. The authorization is made in writing by the person described above;
  - b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and
  - c. The written authorization is submitted to the Colorado River Basin Water Board's Executive Officer.

7. Reporting of any failure in the facility (wastewater treatment plant, and collection and disposal systems) shall be as described in Board Order R7-2015-0012. Results of any analysis performed as a result of a failure of the facility shall be provided within ten (10) days after collection of the samples.
8. The Discharger shall attach a cover letter to the Self-Monitoring Report. The information contained in the cover letter shall clearly identify violations of the WDRs, discuss corrective actions taken or planned and the proposed time schedule of corrective actions. Identified violations should include a description of the requirement that was violated and a description of the violation.
9. Daily, semi-weekly and monthly monitoring reports shall be submitted to the Colorado River Basin Water Board by the 15th day of the following month. Quarterly monitoring reports shall be submitted to the Colorado River Basin Water Board by January 15, April 15, July 15, and October 15, of each year. Annual monitoring reports shall be submitted to the Colorado River Basin Water Board by January 15 of each year.
10. The Discharger shall submit, technical monitoring and all documents that are normally mailed by the Discharger, such as regulatory documents, submissions, materials, data, and correspondence electronically. All information required to be submitted in accordance to this Board Order must be emailed prior to the regulatory due date. To accomplish electronic submittal of documents the Discharger shall convert the signed original report to Portable Document Format (PDF), other appropriate Microsoft application, such as Excel documents may also be emailed. Email all the documents to RB7-wdrs\_paperless@waterboards.ca.gov. Documents that are too large or that cannot be easily converted to an electronic format or cannot be emailed should be transferred to a disk or otherwise hard copy mailed to the Colorado River Basin Water Board office as follows:

California Regional Water Quality Control Board  
Colorado River Basin Region  
Attention: Waste Discharge Requirements Unit  
WDID No. 7A130124001  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

Ordered by: \_\_\_\_\_

Robert Perdue  
Executive Officer

November 19, 2015

Date

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**



**Attachment A – Site Vicinity**

EARTHRISE NUTRITIONALS, LLC, OWNER/OPERATOR  
IMPERIAL VALLEY BIO-PRODUCTS FACILITY  
Calipatria – Imperial County  
S/E ¼ of Section 33, and portion of S/W ¼ of Section 34, T11S, R14E, SBB&M  
Board Order R7-2015-0042

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**



**Attachment B – Facility Layout**

SYNTHETIC GENOMICS, INC., OWNER/OPERATOR  
IMPERIAL VALLEY BIO-PRODUCTS FACILITY  
Calipatria – Imperial County  
S/E ¼ of Section 33, and portion of S/W ¼ of Section 34, T11S, R14E, SBB&M  
Board Order R7-2015-0042