



California Regional Water Quality Control Board

Lahontan Region



Linda S. Adams
Secretary for
Environmental Protection

Victorville Office
14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
<http://www.swrcb.ca.gov/rwqcb6>

Arnold Schwarzenegger
Governor

December 4, 2008

TO: ATTACHED MAILING LIST

WDID NO. 6B360704003

TENTATIVE WASTE DISCHARGE REQUIREMENTS FOR GREEN VALLEY FOODS CHEESE PROCESSING FACILITY; CLASS II SURFACE IMPOUNDMENT, San Bernardino County

Enclosed are tentative Waste Discharge Requirements (WDRs) for the above subject.

The California Regional Water Quality Control Board requests that you review the enclosed documents and provide us with your written comments no later than **December 22, 2008**. Comments received after that date cannot be given full consideration in preparation of the recommended Board Order to be presented to the Regional Board for adoption at the meeting scheduled for February 10, 2009.

If you need further information regarding the WDRs, please contact our office.

Sincerely,

Rebecca Phillips
Office Technician

Enclosures: Tentative Board Order
Comment form

cc: Mailing List

Notice
Submittal of Written Material for Regional Board Consideration

In order to ensure that the State of California Lahontan Regional Water Quality Control Board has the opportunity to fully study and consider written material, it is necessary to submit it at least ten (10) days before the Regional Board Meeting. Pursuant to Title 23 of the California Code of Regulations, Section 648.2, the Regional Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Regional Board may refuse to admit it.

COMPLETE FORM AND RETURN

To: CA Regional Water Quality Control Board, Lahontan Region
 14440 Civic Drive, Suite 200
 Victorville, CA 92392
 ATTN: Brianna Bergen

Comments on GREEN VALLEY FOODS CHEESE PROCESSING FACILITY

_____ We concur with proposed requirements

_____ We concur; comments attached

_____ We do not concur; comments attached

_____ (Sign)

_____ (Type or print name)

_____ (Organization)

_____ (Address)

_____ (City and State)

_____ (Telephone)

GREEN VALLEY FOODS TENTATIVE MAILING LIST

Hector Huerta
Green Valley Foods

John Driscoll
Green Valley Foods

John Stanford
Green Valley Foods

Joan Mulcare
San Bernardino Co EPA EHS

Gordon Innes
SWRCB
Division Of Water Quality

Leslie Graves
Land Disposal Program
Div. Of Clean Water Programs

Rich Boyland
Division Of Clean Water Programs

Brianna Bergen
CRWQCB

Patrice Copeland
CRWQCB

D. Norman Diaz

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. R6V-2009-(TENTATIVE)
WDID NO. 6B360704003

WASTE DISCHARGE REQUIREMENTS
FOR

**GREEN VALLEY FOODS CHEESE PROCESSING FACILITY,
CLASS II SURFACE IMPOUNDMENT**

San Bernardino County

The California Regional Water Quality Control Board, Lahontan Region (Water Board), finds that:

1. Discharger

Hector Huerta owns and operates Green Valley Foods, hereafter referred to as the "Discharger." Green Valley Foods is a cheese manufacturing plant that processes milk (both liquid and solid) into rounds of Mexican style hard cheese called Cotija. On April 6, 2007, the Discharger submitted an unsigned Report of Waste Discharge (RWD) in support of discharging to land the cheese processing wastewater from its plant in Barstow, hereafter referred to as the "Facility." Staff requested more information (via email) and informed the Discharger that the RWD was not complete on April 18, 2007. The Discharger submitted additional information April 25, 2007. Staff requested additional information via email, including a signed RWD, on April 26, 2007. A signed Form 200 Certification page was received on May 1, 2007. Staff requested additional clarification via email on May 8, 2007. Additional information was submitted by the Discharger on May 17, 2007. Staff determined the RWD was incomplete and issued a request for more information on May 24, 2007. The Discharger submitted additional information on September 12, 2007. Staff determined the additional information was incomplete and requested additional information on August 12, 2008. Additional information was submitted by the Discharger on September 10, 2008. Staff determined the RWD was incomplete and requested additional information on October 10, 2008.

2. Facility

The Facility consists of two parcels located at 25660 and 25684 Community Drive in Barstow (Assessor's Parcel Numbers 0497-221-13-0-000 and 0497-221-14-0-000, respectively), as shown on Attachment A, which is made a part of this Order. Parcel 0497-221-13-0-000 is currently used for wastewater disposal to land. Parcel 0497-221-14-0-000 contains the food processing operations, domestic water supply well, unpaved access roads, employee parking, the proposed evaporation ponds, and four residential houses. Historically, the Facility has intermittently discharged 8,000 to 10,000 gallons of wastewater per day of discharge to this currently vacant parcel. Land use within 1,000 feet of the facility includes residential, dairy, and agriculture.

3. Enforcement History

On December 10, 2007, the Executive Officer ordered the Discharger to submit Technical Reports to determine if discharges from the Facility have polluted or threaten to pollute groundwater, pursuant to California Water Code (CWC) 13267.

4. Reason for Action

The Facility's wastewater discharge to land is not currently regulated by Waste Discharge Requirements (WDRs), although the Facility has been in operation for over ten years. Continued disposal to land surface at the volume and concentration reported in the RWD is likely to cause or threaten to cause a violation of water quality objectives (WQOs) if the discharge is not regulated under the WDRs.

5. Climate

Precipitation in the area of the Facility is less than 5 inches annually. The evaporation rate is approximately 74 inches annually. The area typically has hot summers and mild winters. The city of Barstow reports an average summer high of 109.6 degrees Fahrenheit and an average winter high of 64.2 degrees Fahrenheit.

6. Site Geology

Surficial soils at the Facility are sandy soils. The soils in the vicinity of the current wastewater discharge to land are indurated (cemented) to an unknown depth, likely due to salt-cementation when liquids evaporate and leave residual salt in pore spaces of the sandy soils. Subsurface soils are poorly sorted, fine- to coarse-grained sand to sandy gravel, with some cobble layers.

The Lenwood-Lockhart fault zone, Lenwood Section, is approximately 2 miles south of the facility and is the closest Holocene fault. Dextral slip is between 0.2 and 1.0 millimeters per year (mm/yr), but can occur at greater values when triggered by other seismic events.

7. Site Hydrogeology and Hydrology

The Facility site is located approximately $\frac{3}{4}$ mile north of the Mojave River, but the site is not located within a 100-year floodplain of the river. Groundwater beneath the Facility is encountered at approximately 65 feet below ground surface.

8. Groundwater Quality

Groundwater in the vicinity of the Facility is used primarily for domestic and agricultural uses. Water Board staff sampled the Facility's domestic groundwater supply well on February 9, 2007. Private domestic wells (Wells 7 and 1, respectively), located south of the Facility and Community Boulevard, were sampled on February 7, 2007, and February 14, 2008. Selected results are presented in Table 1, Groundwater Quality Results, below.

Table 1 – Groundwater Quality Results

Date Sampled		2/9/2007	2/7/2007	2/14/2008	
Constituent	Units	Facility Domestic Supply Well	Private Domestic Supply Well (7)	Private Domestic Supply Well (1)	MCL
Chloride	mg/L	120	100	76	250
Nitrate as nitrogen	mg/L	6.2	3.6	0.6	10
Iron	mg/L	<0.1	0.24	<0.1	0.3
pH	units	7.04	7.26	7.6	6.5-8.5
Specific Conductance	µmhos/cm	1100	1100	800	900
Sulfate	mg/L	200	210	140	250
Total Dissolved Solids (TDS)	mg/L	700	660	520	500
Zinc	mg/L	0.022	<0.020	<0.050	5.0

Notes: Bolded values indicate an exceedance of the Maximum contaminant level (MCL).
MCL = Maximum contaminant level.
mg/L = Milligrams per liter.
µmhos/cm = Micromhos per centimeter

The Discharger must conduct a groundwater investigation pursuant to a California Water Code section 13267 Order to submit a technical report, dated December 7, 2007. The Order requires the Discharger to determine the effects of the Facility's activities and discharges on groundwater at the site. This investigation is ongoing and corresponding results are pending but will be used to supplement groundwater quality information for the aquifer beneath the site.

9. Waste Classification

Wastewater discharged from the Facility consists of water and solvents used for cleaning the cheese-making equipment and the wastes cleaned from the milk delivery trucks. Currently, the solids washed off of the equipment, the water and solvents used to clean the equipment, and the byproducts from washing the milk delivery trucks are commingled in an underground storage tank, pumped off site, and discharged to the ground.

Wastewater from the Facility was sampled by Water Board staff on February 9, 2007. Two samples were collected: one of the flowing effluent discharge and one of the wastewater that had ponded at the discharge location. The analytical results of that sampling effort are presented in Table 2.

Table 2 – Wastewater Discharge Sample Results, February 9, 2007

Constituent	Units	Flowing Effluent Discharge Concentration	Ponded Discharge Concentration	MCL
Fecal Coliform	MPN/100 ml	NA	>1,600	
Total Coliform	MPN/100 ml	Present	>1,600	
Sodium	mg/L	1,900	3,800	NE
Potassium	mg/L	320	440	NE
Chloride	mg/L	2,600	6,600	250
Nitrate	mg/L	19	13	45
Fluoride	mg/L	180	400	2
pH	units	4.49	3.96	6.5-8.5
Specific Conductance	µmhos/cm	10,000	18,000	900
TDS (Total Dissolved Solids)	mg/L	9,800	18,000	500
TSS (Total Suspended Solids)	mg/L	720	490	NE
BOD (Biological Oxygen Demand)	mg/L	>2,500	12,000	NE
COD (Chemical Oxygen Demand)	mg/L	26,000	15,000	NE
Ammonia – Nitrogen	mg/L	24	85	NE
Kjeldahl Nitrogen	mg/L	140	290	NE
Orthophosphate Phosphorous	mg/L	220	260	NE
Total Phosphorous	mg/L	82	130	NE
Barium	µg/L	160	130	1,000
Iron	µg/L	2,000	3,900	300
Manganese	µg/L	<50	15	50
Zinc	µg/L	130	240	5,000
Sulfate	mg/L	230	260	250
Calcium	mg/L	220	210	NE
Magnesium	mg/L	30	41	NE
Hardness	mg/L	670	700	NE
Bis(2-ethylhexyl)- phthalate	µg/L	<10	17	2
3,4-Methylphenol	µg/L	15	<10	NE
Acetone	µg/L	63	4,200	NE
Bromodichloromethane	µg/L	1	<5	80
Chloroform	µg/L	16	34	80

Notes: Bolded values indicate an exceedance of the MCL.
MCL = Maximum contaminant level.
mg/L = Milligrams per liter.
NA = Not analyzed.
NE = MCL not established for this constituent.
µg/L = micrograms per liter.

Based on these analytical results, the discharge from the Facility is classified as a designated waste. Designated waste is defined in CWC Section 13173 as "nonhazardous waste that consists of, or contains, pollutants that, under ambient environmental conditions at a waste management unit, could be released in concentrations exceeding applicable water quality objectives or that could

reasonably be expected to affect beneficial uses of the waters of the state as contained in the appropriate state water quality control plan." Continued discharge of waste at these concentrations without containment will likely violate or cause a violation of WQOs.

10. Waste Management Unit Classification

Per Title 27 CCR, Section 20210, designated waste "shall be discharged only at Class I waste management units or at Class II waste management units which comply with the applicable SWRCB-promulgated provisions of this subdivision and have been approved by the RWQCB for containment of the particular kind of waste to be discharged." Because the wastewater is a designated waste, according to CWC section 13173, and Title 27 subsection 20210, the discharge from this Facility must be fully contained in a Class II double-lined surface impoundment. The solids collected from the discharge must be disposed at a Class II landfill.

The Discharger proposes to construct a treatment system to treat its wastewater by chlorination to disinfect and reduce odors. This treatment system will not treat the wastewater to non-designated waste; therefore, the wastewater will then be pumped into double-lined evaporation ponds per Title 27 CCR subsection 20210 to reduce the wastewater to solid constituents only. The solids will be removed by hand on a semiannual basis and disposed of at an authorized Class II landfill.

The double-lined surface impoundment (proposed ponds) shall be constructed according to Title 27 CCR subsection 20250, SWRCB – Class II: Waste Management Units for Designated Waste, and Title 27 CCR, Division 2, Subdivision 1, Chapter 3, Subchapter 2, Article 4, SWRCB – Waste Management Unit Construction Standards.

In addition to the proposed ponds, a Leachate Collection and Removal System (LRCS) shall be installed pursuant to subsection 20340 of Title 27 CCR and State Water Resources Control Board Resolution No. 93-62. A monitoring and detection system will be established and followed per the provisions of Title 27 for leachate, groundwater, and the unsaturated zone.

11. Authorized Disposal Sites

The only authorized disposal location is the evaporation pond, as shown in Attachment B.

12. Water Quality Protection Standard

A Water Quality Protection Standard (WQPS) is established in the Order for the Facility, and consists of constituents of concern (including monitoring parameters), concentration limits, monitoring points, and the point of compliance. The WQPS applies over the active life of the Facility, post-closure monitoring period, and the compliance period.

13. Land Uses

The land uses in the surrounding area are predominantly agricultural, dairy, and residential. There are several domestic and agricultural wells within 1,000 feet of the Facility. The nearest residence is located approximately 650 feet southeast of the southeastern boundary of the facility.

14. Receiving Waters

The receiving waters are the groundwaters of the Middle Mojave Hydrologic Area of the Mojave Hydrologic Unit. The Department of Water Resources (DWR) designation for the Middle Mojave Hydrologic Area is 628.30. The groundwater basin is the Middle Mojave River Valley Groundwater Basin. The DWR designation for this groundwater basin is 6-41.

15. Lahontan Basin Plan

The Water Board adopted a *Water Quality Control Plan for the Lahontan Region* (Basin Plan) which became effective on March 31, 1995. This Order implements the Basin Plan.

16. Beneficial Groundwater Uses

The designated beneficial uses of the groundwater in the Middle Mojave River Valley Groundwater Basin, as set forth in the Basin Plan, are:

- a. (MUN) - Municipal and Domestic Supply,
- b. (AGR) - Agricultural Supply,
- c. (IND) - Industrial Service Supply,
- d. (FRSH) - Freshwater Replenishment, and
- e. (AQUA) - Aquaculture.

17. Non-Degradation

State Water Resources Control Board Resolution No. 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (hereafter Resolution 68-16) prohibits degradation of groundwater unless it has been shown that:

- a. The degradation is consistent with the maximum benefit to the people of the State;
- b. The degradation will not unreasonably affect present and anticipated future beneficial uses;
- c. The degradation does not result in water quality less than that prescribed in state and regional policies, including violation of one or more water quality objectives; and,
- d. The discharger employs Best Practicable Treatment and Control (BPTC) to minimize degradation.

In order to determine compliance with Resolution 68-16, regular groundwater monitoring must be conducted to establish both background and downgradient groundwater concentrations for selected constituents. If groundwater is degraded or there is evidence that the discharge may cause degradation, then the Discharger will be required to evaluate and implement additional BPTC measures. Completion of these tasks will ensure that BPTC and the highest water quality consistent with the maximum benefit to the people of the state will be achieved.

The Discharger will be allowed to discharge only to the proposed lined evaporation ponds, once the plans have been submitted and approved, until data suggest the ponds are not functioning as protective of the environment. If the Water Board concludes that unreasonable groundwater impacts or surface discharge may occur or has occurred, this Order may be rescinded and a new order adopted requiring implementation of additional BPTC measures to prevent unreasonable impacts from occurring or continuing to occur.

18. Constituents of Concern

The Constituents of Concern (COCs) consist of total and fecal coliforms, biological oxygen demand, chemical oxygen demand, nutrients (nitrogen species, phosphorus, nitrate, and potassium), total dissolved solids, total suspended solids, disinfection byproducts (volatile organic compounds and semi-volatile organic compounds), sulfate, orthophosphate, sodium, chloride, fluoride, barium, iron, manganese, zinc, calcium, magnesium, hardness, electrical conductivity, and pH.

19. Water Quality Data Evaluation

Five groundwater monitoring wells were installed between March and April 2008, and sampled on April 4, 2008. However, due to improper well installation procedures and a limited data set, it is not possible to adequately characterize the shallow groundwater until additional information is collected. Groundwater flow has not yet been established.

The DWR has established standards for the construction and destruction of groundwater wells, as described in *California Water Well Standards, Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 94-81* (December 1981). These standards, and any more stringent standards adopted by the state or county pursuant to CWC section 13801, apply to all monitoring wells.

20. Detection Monitoring

The Discharger shall comply with the detection monitoring program provisions of Title 27 for surface impoundments with respect to groundwater, leachate, and the unsaturated zone monitoring and in accordance with Monitoring and Reporting Program No. R6V-2009-(TENTATIVE). All monitoring shall be conducted in accordance with a Sampling and Analysis Plan, which includes quality assurance/quality control standards, that is acceptable to the Executive Officer.

21. Evaluation Monitoring

The Discharger shall collect and analyze all data necessary to assess the nature and extent of a release from any waste management unit. This assessment shall include a determination of the spatial distribution and concentration of each COC throughout the zone affected by the release. In conjunction with the assessment, the Discharger shall monitor groundwater and the unsaturated zone to evaluate changes in water quality resulting from the release. Based on the data collected, the Discharger shall submit an engineering feasibility study for corrective action pursuant to section 20420 of Title 27, CCR, and Monitoring and Reporting Program No. R6V-2009-(TENTATIVE).

22. Corrective Action

A Corrective Action Program (CAP) to remediate released wastes from the Facility may be required pursuant to sections 20385 and 20430, title 27, CCR, if results of an Evaluation Monitoring Program (EMP) warrant a CAP.

23. Surface Impoundment Closure Specifications

At closure of the surface impoundment, all residual wastes, including liquids, sludges, precipitates, settled solids, and liner materials and adjacent natural geologic materials contaminated by wastes shall be completely removed and discharged to a waste management unit approved by Board staff. If, after reasonable attempts to remove contaminated natural geologic materials, the Discharger demonstrates that removal of all remaining contamination is infeasible, the impoundment shall be closed as a landfill pursuant to Landfill Closure Specifications per section 21400, title 27, CCR.

24. California Environmental Quality Act

This project is subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) in accordance with title 14, section 15301, CCR. The Lahontan Water Board is the lead agency for this project under CEQA.

An Initial Study describing this project is being prepared by the Lahontan Water Board. It will be circulated via the State Clearinghouse to satisfy CEQA with the Water Board as Lead Agency.

25. Notification of Interested Parties

The Lahontan Water Board notified the Discharger and all known interested parties of its intent to adopt waste discharge requirements for this discharge.

26. Consideration of Interested Parties

The Lahontan Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Receiving Water Limitations

The discharge of waste shall not cause a violation of any applicable water quality standards. The discharge shall not cause the presence of the following substances or conditions in groundwaters of the Middle Mojave River Valley Groundwater Basin.

1. Bacteria – Groundwaters designated as MUN, the medium concentration of coliform organisms, over any seven-day period, shall be less than 1.1 MPN/100ml in groundwaters.
2. Chemical Constituents – Groundwaters shall not contain concentrations of chemical constituents in excess of the MCL or Secondary MCL (SMCL) based upon drinking water standards specified in the following provisions of Title 22 of the CCR: Table 64431-A of Section 64431 (Inorganic Chemicals), Table 64431-B of Section 64431 (Fluoride), Table 64444-A of Section 64444 (Organic Chemicals), Table 64449-A of Section 64449 (SMCLs – Consumer Acceptance Limits), and Table 64449-B of Section 64449 (SMCLs – Ranges). This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.

Groundwaters designated as AGR shall not contain concentrations of chemical constituents that adversely affect the water for beneficial uses (i.e., agricultural uses).

Groundwaters shall not contain concentrations of chemical constituents that adversely affect the water for beneficial uses.

3. Taste and Odors – Groundwaters shall not contain taste or odor-producing substances in concentrations that cause a nuisance or that adversely affect beneficial uses. For groundwater designated as Municipal or Domestic Supply, at a minimum, concentrations shall not exceed adopted SMCLs specified in Table 64449-A of Section 64449 (SMCLs – Consumer Acceptance Limits) and Table 64449-B of Section 64449 (SMCLs – Ranges) of Title 22 of the CCR, including future changes as the changes take effect.
4. Color – Groundwaters shall not contain color-producing substances from tracers in concentrations that cause a nuisance or that adversely affect beneficial uses.
5. Toxic Substances – Any presence of toxic substances in concentrations that individually, collectively, or cumulatively cause a detrimental physiological response in humans, plants, animals, or aquatic life is prohibited.

B. Facility Limitations

1. Only liquid designated waste shall be discharged into the approved evaporation ponds.

2. The Discharger shall immediately notify the Regional Board of any flooding, unpermitted discharge of waste off-site, equipment failure, damage to or change in the structural integrity of the proposed ponds, or any other change in site conditions which could impair the integrity of containment control structures.
3. The Discharger shall maintain in good working order any facility, control system, or monitoring device installed to achieve compliance with these waste discharge requirements.
4. Surface drainage within the facility shall either be contained on-site or be discharged in accordance with applicable storm water regulations. All wastewater shall be contained. The Discharger shall maintain a *Storm Water Pollution Prevention Plan and Monitoring Program and Reporting Requirements* in accordance with State Water Resources Control Board Order No. 97-03-DWQ, or retain all storm water on-site.

C. Discharge Limitations – Surface Impoundment

1. No hazardous waste, as defined in CCR, title 23, chapter 15, section 2521, shall be discharged to the impoundment.
2. The surface impoundment freeboard shall be a minimum of two feet at all times, as specified in section 20375, Title 27, CCR.
3. There shall be no discharge of waste from the surface impoundment to the adjacent land areas.
4. Direct pipeline discharge to the Impoundment shall be either equipped with devices, or shall have fail-safe operating procedures, to prevent over-filling. Dischargers shall be stopped immediately in the event of any containment system failure and the system repaired.

II. REQUIREMENTS AND PROHIBITIONS

A. General

1. Surface flow or visible discharge of waste to land surface, surface waters, surface water drainage courses, or groundwater is prohibited.
2. The discharge shall not cause any increase in the concentration of waste constituents in soil-pore gas, soil-pore liquid, soil, or other geologic materials outside of the Unit if such waste constituents could migrate to waters of the State – in either the liquid or gaseous phase – and cause a condition of nuisance, degradation, contamination, or pollution.
3. The discharge must not cause pollution as defined in section 13050 of the Water Code, or a threatened pollution.
4. Neither the treatment nor the discharge shall cause a nuisance as defined in section 13050 of the Water Code.
5. The discharge of waste except to the authorized disposal pond is prohibited.
6. The discharge of waste, as defined in the Water Code, that causes a violation of any narrative Water Quality Objective contained in the Basin Plan, including the Nondegradation Objective, is prohibited.
7. The integrity of the proposed pond must be maintained throughout the life of the Facility, and shall not be diminished as a result of any maintenance operation.
8. The discharge of solid wastes, leachate, or any other deleterious material to the groundwater of the Middle Mojave River Valley Groundwater Basin is prohibited.
9. The discharge of waste that causes a violation of any numeric WQO contained in the Basin Plan is prohibited.
10. Where any numeric or narrative WQO contained in the Basin Plan is already being violated, the discharge of waste that causes further degradation or pollution is prohibited.

11. The Discharger shall remove and relocate or otherwise mitigate any wastes that are discharge not in accordance with these WDRs.
12. Hazardous waste, as defined under article 1, chapter 11, division 4.5, section 66261.3 et seq. of title 22, CCR, must not be disposed and/or treated at the Facility outside the scope of these discharge requirements.
13. The discharge to the ground of any chemicals stored at the Facility is prohibited.
14. Discharge of solid waste to the Facility is prohibited.
15. At closure, the Facility shall be closed in accordance with a Final Closure and Post-Closure Maintenance Plan approved by the Water Board.
16. All lined ponds shall be effectively sealed to prevent the exfiltration of liquids to the environment. For this Facility, Class II surface impoundments that are designed and constructed in accordance with the requirements of Title 27 are considered "effectively sealed."

B. Detection Monitoring Program

The Discharger shall maintain a detection monitoring program as required in section 20385 (a)(1), Title 27, CCR.

C. Evaluation Monitoring Program

The Discharger shall establish an evaluation monitoring program whenever there is evidence of a release from the Facility as required by section 20385 (a)(2) or (3), Title 27, CCR.

D. Corrective Action Program

The Discharger shall institute a Corrective Action Program when required pursuant to section 20385 (a)(4), Title 27, CCR.

III. WATER QUALITY MONITORING AND RESPONSE PROGRAMS

A. Water Quality Protection Standard

1. The Discharger shall propose to the Water Board any new constituents of concern proposed for discharge to the Facility at least 180 days before discharge. Before a new discharge commences, the Discharger shall estimate the concentration for such constituents within the waste stream and submit written statistical method(s) in order to detect a release of such constituents.
2. At any given time, the concentration limit for each monitoring parameter constituent of concern shall be equal to the background value of that constituent.
3. If the Discharger or Executive Officer determines that concentration limits were or are exceeded, the Discharger may immediately institute verification procedures upon such determination as specified below or submit an amended Report of Waste Discharge (RWD) within 90 days of such determination in order to establish an evaluation monitoring program.
4. A Point of Compliance monitoring well (currently unconstructed) shall be identified by the Executive Officer to be used to detect a release from the Facility to groundwater.

B. Statistical Methods

1. The Discharger shall use approved statistical data analysis methods to evaluate Point of Compliance data in order to determine statistically significant evidence of a release from the Facility. Approved methods may include an intrawell statistical analysis approach.
2. The Discharger shall determine, within 45 days after completion of sampling, whether there is statistically significant evidence of a release from the Facility at each Monitoring Point. The analysis shall consider all monitoring parameters and constituents of concern. The Executive Officer may make an independent finding that there is statistically significant evidence of a release or physical evidence of a release.

3. If there is statistically significant evidence of a release, the Discharger shall immediately notify the Water Board by certified mail (see notification procedures in the MRP). Subsequently, the Discharger may immediately initiate verification procedures as specified below whenever there is a determination by the Discharger or Executive Officer that there is statistically significant evidence of a release.
4. If the Discharger does not use verification procedures to evaluate evidence of a release, then there is confirmation that there is statistically significant evidence of a release. The Discharger is required to submit, within 90 days of such a confirmation, an amended RWD in order to establish evaluation monitoring (see subsection II.C, entitled "Evaluation Monitoring Program") or make a demonstration to the Water Board that there is a source other than the Facility that caused evidence of a release (see notification procedures contained in the MRP).

C. Nonstatistical Analysis

The Discharger shall determine whether there is physical evidence of a threatened impact to water quality from the Impoundment. Significant physical evidence may include unexplained stress in biological communities, unexplained changes in soil characteristics, visible signs of leachate migration, concentration of constituents of concern in soil gas, which may pose a threat to groundwater quality, or any other change to the environment that could reasonably be expected to be the result of a threatened impact to groundwater quality from the Impoundment.

D. Verification Procedures

1. The Discharger shall immediately initiate verification procedures, as specified below, whenever there is a determination by the Discharger or Executive Officer that there is evidence of a release. If the Discharger declines the opportunity to conduct verification procedures, the Discharger shall submit a technical report, as described below, under the heading Technical Report Without Verification Procedures.
2. The verification procedure shall only be performed for the constituent(s) that has shown a statistically significant evidence of a release and shall be performed for those Monitoring Points at which a release is indicated.

3. If a determination is made that there is evidence of a release using the Prediction or Tolerance Interval Method, the Discharger may, within 30 days of such a determination, update the Upper Tolerance Limit and reevaluate Point of Compliance data in order to verify evidence of a release from the Facility. The Discharger must also collect three additional samples from the affected Monitoring Points and compare the results to the updated Upper Tolerance Limit.
4. The Discharger shall either conduct a composite retest using data from the initial sampling event with all data obtained from the resampling event or shall conduct a discrete retest in which only data obtained from the resampling event shall be analyzed to verify evidence of a release.
5. The Discharger shall report to the Water Board, by certified mail, the results of the verification procedure, as well as all concentration data collected for use in the retest, within seven days of the last laboratory analysis.
6. If the Discharger or Executive Officer verify evidence of a release, the Discharger is required to submit, within 90 days of such a determination that there is, or was, a release, a technical report pursuant to Section 13267(b) of the California Water Code. The report shall propose an evaluation monitoring program (see subsection II.C., entitled "Evaluation Monitoring Program"), or make a demonstration to the Water Board that there is a source other than the Facility that caused evidence of a release (see notification procedures contained in the MRP).

E. Technical Report Without Verification Procedures

If the Discharger chooses not to initiate verification procedures after there has been a determination made for evidence of a release, a technical report shall be submitted pursuant to Section 13267(b) of the California Water Code. The report shall propose an evaluation monitoring program or attempt to demonstrate that the release did not originate from the Facility.

IV. PROVISIONS

A. Standard Provisions

The Discharger must comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment C, which is made a part of this Order.

B. Monitoring and Reporting

1. Pursuant to Water Code section 13267(b), the Discharger must comply with Monitoring and Reporting Program No. R6V-2009-(TENTATIVE) as specified by the Executive Officer. The Monitoring and reporting Program may be modified by the Executive Officer.
2. The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made a part of the Monitoring and Reporting Program.

C. Claim of Copyright or Other Protection

Any and all reports and other documents submitted to the Lahontan Water Board pursuant to this request will need to be copied for some or all of the following reasons: 1) normal internal use of the document, including staff copies, record copies, copies for Board members and agenda packets, 2) any further proceedings of the Lahontan Water Board and the State Water Board, 3) any court proceeding that may involve the document, and 4) any copies requested by members of the public pursuant to the Public Records Act or other legal proceeding.

If the Discharger or its contractor claims any copyright or other protection, the submittal must include a notice, and the notice will accompany all documents copied for the reasons stated above. If copyright protection for a submitted document is claimed, failure to expressly grant permission for the copying stated above will render the document unusable for the Lahontan Water Board's purposes and will result in the document being returned to the Discharger as if the task had not been completed.

D. Closure and Post-Closure Monitoring

The preliminary CPCMP shall be updated if there is a substantial change in operations or costs for closure. By **April 30, 2009** and yearly thereafter, a report shall be submitted indicating conformance with existing operations. Pursuant to CCR, title 27, section 21780, a final CPCMP shall be submitted two years prior to the anticipated date of closure for any or all parts of the Facility. The final plan shall be prepared by or under the supervision of either a California registered civil engineer or a registered professional geologist.

E. Financial Assurance

The Discharger shall submit a report by **April 30, 2009**, and yearly thereafter providing evidence that adequate financial assurance, pursuant to the requirements of the WDRs, has been provided for closure and for potential releases. In addition, the Discharger shall either provide evidence that the amount of financial assurance is still adequate or increase the amount of financial assurance by an appropriate amount. An increase may be necessary due to inflation, a change in regulatory requirements, a change in the approved closure plan, or other unforeseen events.

F. Modifications to the Facility and the Impoundment

If the Discharger intends to expand the capacity of the Facility or the Impoundment, a report shall be filed no later than 90 days after the total quantity of liquid discharged at the pond equals 75 percent of the reported capacity of the pond. The report shall contain a detailed plan for site expansion. This plan shall include, but is not limited to, a time schedule for studies, design, and other steps needed to provide additional capacity. If site expansion is not undertaken prior to the site reaching the reported capacity, the total quantity discharged shall be limited to the reported capacity.

V. TIME SCHEDULE

A. Submittal of Technical Reports

Beginning **April 30, 2009**, the Discharger must include the following information in quarterly self monitoring reports, required in Board Order No. R6V-2009-(TENTATIVE): the type volume, flow rate, and concentrations of discharges to the authorized pond; describe instances of violation of waste discharge requirements, equipment failures, and unexpected environmental impacts; and whether or not adverse impacts

have occurred in soil or groundwater requiring implementation of an Evaluation Monitoring Plan and/or Corrective Action Plan. Lastly, the report must describe planned activities during the next three months. The report must be prepared by, or under the supervision of, either a California registered professional geologist or a California registered professional engineer. Pursuant to this Order, subsequent quarterly reports are **due on July 30, October 30, and January 30 of each year.**

B. Corrective Action Plan

By **July 30, 2009**, the Discharger must submit a plan for addressing a known or reasonably foreseeable release (KRFR Plan) from the Facility in accordance with the requirements in CCR, title 27. The KRFR Plan must include a cost estimate to implement the plan. The KRFR Plan and cost estimate to implement the plan must be prepared by, or under the supervision of, a California registered professional geologist or a California registered professional engineer.

C. Expiration

These Waste Discharge Requirements do not expire.

I, HAROLD J. SINGER, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Board, Lahontan Region, on February 10, 2009.

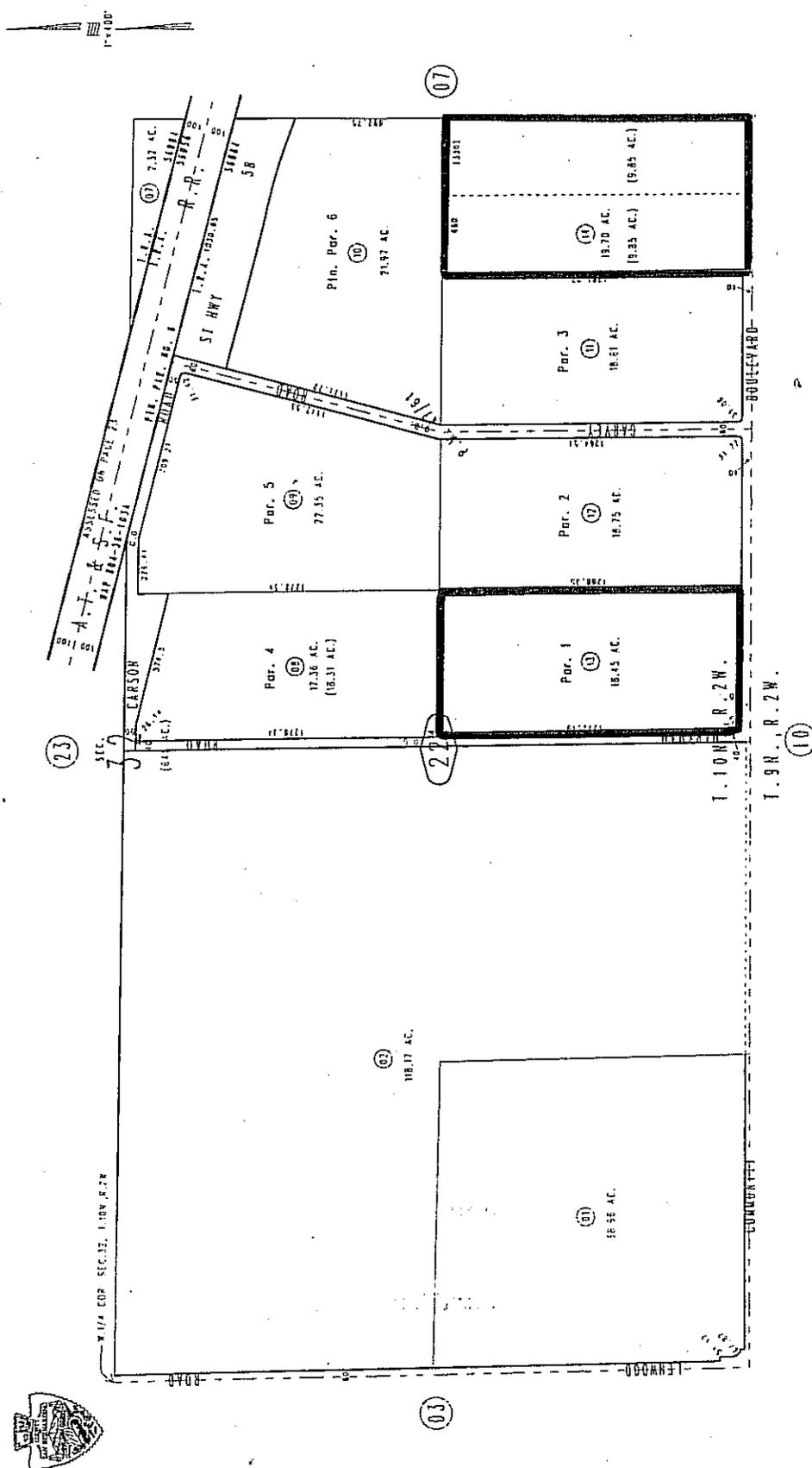
HAROLD J. SINGER
EXECUTIVE OFFICER

Attachments: A. General Location Map
B. Plot Plan
C. Standard Provisions for Waste Discharge Requirements

Barslow Unified
 Tax Rate Area
 56056,56084

S.1/2 Sec.32, T.10N.,R.2W., S.B.B.&M.

THIS MAP IS FOR THE PURPOSE
 OF AD VALOREM TAXATION ONLY.



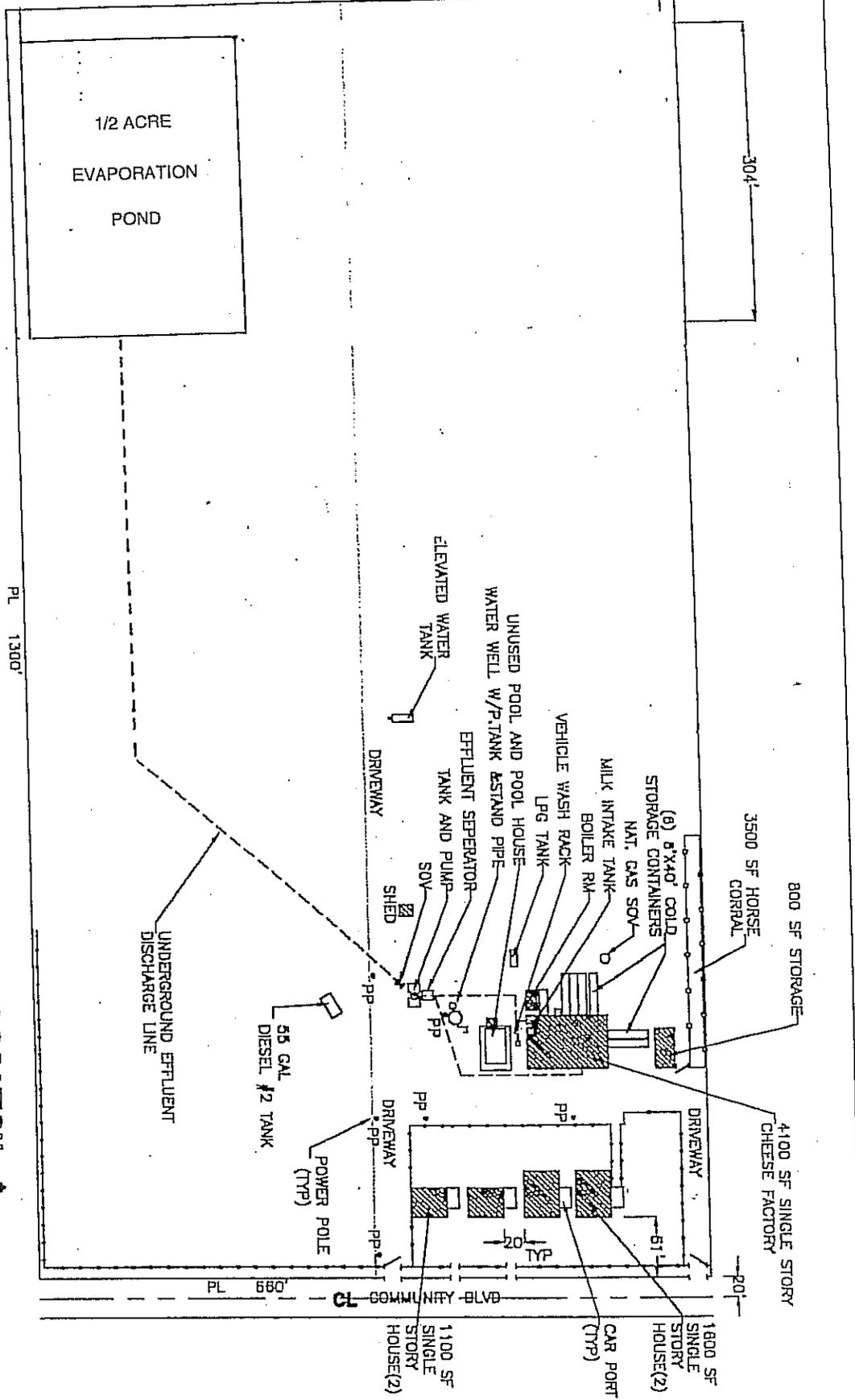
REVISER
 08/27/07 MW

Assessor's Map
 Book 0497 Page 22
 San Bernardino County

Parcel Map No. 4977, P.M. 17/51

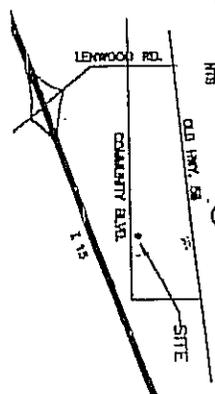
February 2004

PL 660'



PLOT PLAN
 NOT TO SCALE

LOCATION:



<p>OWNER: HECTOR HUERTA GREEN VALLEY FOODS ADDRESS: 25440 AND 25424 COMMUNITY BLVD. BARSTON, CAL. 92311</p>	<p>PREPARED BY: ADDRESS: P.O. BOX 518 BARSTON, CAL. 92312</p>	<p>PLOT PLAN</p>
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Attachment "B"

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

STANDARD PROVISIONS
FOR WASTE DISCHARGE REQUIREMENTS

1. Inspection and Entry

The Discharger shall permit Regional Board staff:

- a. to enter upon premises in which an effluent source is located or in which any required records are kept;
- b. to copy any records relating to the discharge or relating to compliance with the Waste Discharge Requirements (WDRs);
- c. to inspect monitoring equipment or records; and
- d. to sample any discharge.

2. Reporting Requirements

- a. Pursuant to California Water Code 13267(b), the Discharger shall immediately notify the Regional Board by telephone whenever an adverse condition occurred as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.
- b. Pursuant to California Water Code Section 13260 (c), any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to the Regional Board at least 120 days in advance of implementation of any such proposal. This shall include, but not be limited to, all significant soil disturbances.
- c. The Owners/Discharger of property subject to WDRs shall be considered to have a continuing responsibility for ensuring compliance with applicable WDRs in the operations or use of the owned property. Pursuant to California Water Code Section 13260(c), any change in the ownership and/or operation of property subject to the WDRs shall be reported to the Regional Board. Notification of applicable WDRs shall be furnished in writing to the new owners and/or operators and a copy of such notification shall be sent to the Regional Board.
- d. If a Discharger becomes aware that any information submitted to the Regional Board is incorrect, the Discharger shall immediately notify the Regional Board, in writing, and correct that information.

- e. Reports required by the WDRs, and other information requested by the Regional Board, must be signed by a duly authorized representative of the Discharger. Under Section 13268 of the California Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation.
- f. If the Discharger becomes aware that their WDRs (or permit) are no longer needed (because the project will not be built or the discharge will cease) the Discharger shall notify the Regional Board in writing and request that their WDRs (or permit) be rescinded.

3. Right to Revise WDRs

The Regional Board reserves the privilege of changing all or any portion of the WDRs upon legal notice to and after opportunity to be heard is given to all concerned parties.

4. Duty to Comply

Failure to comply with the WDRs may constitute a violation of the California Water Code and is grounds for enforcement action or for permit termination, revocation and re-issuance, or modification.

5. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of the WDRs which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance

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 WDRs. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by the Discharger, when necessary to achieve compliance with the conditions of the WDRs.

7. Waste Discharge Requirement Actions

The WDRs may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for waste discharge requirement modification, revocation and re-issuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the WDRs conditions.

8. Property Rights

The WDRs do not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

9. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of the WDRs including imposition of civil liability or referral to the Attorney General.

10. Availability

A copy of the WDRs shall be kept and maintained by the Discharger and be available at all times to operating personnel.

11. Severability

Provisions of the WDRs are severable. If any provision of the requirements is found invalid, the remainder of the requirements shall not be affected.

12. Public Access

General public access shall be effectively excluded from treatment and disposal facilities.

13. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operation. The owner/operator must request the transfer in writing and receive written approval from the Regional Board's Executive Officer.

14. Definitions

- a. "Surface waters" as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses and natural lakes and artificial impoundments of waters. "Surface waters" does not include artificial water courses or impoundments used exclusively for wastewater disposal.
- b. "Ground waters" as used in this Order, include, but are not limited to, all subsurface waters being above atmospheric pressure and the capillary fringe of these waters.

15. Storm Protection

All facilities used for collection, transport, treatment, storage, or disposal of waste shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**MONITORING AND REPORTING PROGRAM NO. R6V-2009-(TENTATIVE)
WDID NO. 6B360704003**

**FOR
GREEN VALLEY FOODS CHEESE PROCESSING FACILITY,
CLASS II SURFACE IMPOUNDMENT**

San Bernardino County

I. MONITORING

The Discharger's Detection Monitoring Program shall comply with the monitoring provisions contained in Section 20385 through 20430 of Title 27, California Code of Regulations. In addition to satisfying the monitoring requirements of Title 27, the Discharger shall also perform the following monitoring:

A. Flow Monitoring

The Discharger shall measure and record:

1. The volume of flow, in gallons, discharged each month to each evaporation pond;
2. The average flow rate, in gallons per minute, discharged each month to each evaporation pond. Any odors observed shall also be noted on an inspection log;
3. Weekly, the freeboard measured from the top of the lowest part of the dike to the wastewater surface in each evaporation pond. If the pond is dry, indicate this in the monitoring report.
4. Yearly, calibrate the wastewater flow meters.

B. Effluent Monitoring

All wastewater and groundwater samples collected under this Monitoring and Reporting Program shall be analyzed to determine the concentrations of parameters described in Table 1 (Attachment A).

1. Onsite Evaporation Ponds

Quarterly, the Discharger shall collect grab samples of wastewater located within the Ponds as follows: If there is only one pond containing wastewater only one grab sample is required. If there

are two Ponds containing wastewater two grab samples are required. In the event there are more than two ponds containing wastewater, the Discharger shall first collect a grab sample from each pond containing wastewater and analyze the sample for total dissolved solids. The Discharger may use a field method such as conductivity instead of the laboratory total dissolved solids method, provided the Discharger can demonstrate a sufficiently accurate and precise correlation between the field method and the laboratory method. The Discharger shall then select the Pond with the lowest total dissolved solids and the Pond with the highest total dissolved solids. The Discharger shall then collect grab samples of wastewater located within each of these two Ponds. The samples shall be analyzed to determine the concentrations of parameters described in Table 1 (Attachment A)

2. Concentration Limits

- a. The Discharger needs to collect background water quality data for the monitoring parameters contained in this Monitoring and Reporting Program. These data must be reported to the Executive Officer by **April 30, 2010**.
- b. The concentration limits for each man-made organic constituent that is not proven to have originated from a source other than the Facility is the laboratory detection limit for that constituent.

C. Impoundments

1. Weekly, the integrity of the Impoundment dikes and liners shall be inspected. Should the inspection indicate that any unauthorized discharge has occurred, or may occur, the Water Board shall be notified within 48 hours, followed by confirmation in writing.
2. Data shall be collected in accordance with the approved discharge plan for waste discharged to the Impoundments, which includes semi-annual grab samples analysis of wastewater for the same monitoring parameters as specified for groundwater monitoring. Grab samples from the ponds shall be collected at a depth of one foot, opposite the inlet, in a quiescent surface area.
3. Monthly, leachate collection sumps shall be inspected. If liquid is detected in a collection sump, the Water Board shall be notified immediately and a sample shall be collected and analyzed for the constituents of concern as specified for groundwater monitoring.

D. Detection Monitoring

The Discharger shall conduct a Detection Monitoring Program to provide the best assurance of the early detection of any new releases from the Discharge sites. A Monitoring and Reporting Plan and Sampling and Analysis Plan must be submitted 60 days prior to the installation of unsaturated zone monitoring probes and groundwater monitoring wells. No discharge may occur prior to the Executive Officer's approval of these plans.

1. Unsaturated Zone Monitoring

Quarterly, all soil-pore liquid samples collected under this Monitoring and Reporting Program shall be analyzed to determine the concentrations of parameters described in Table 1 (Attachment A).

a. Monitoring Points

The unsaturated zone monitoring program will consist of a system of probes to adequately monitor the vadose zone beneath the impoundments. A work plan to install the unsaturated zone monitoring probes must be submitted for acceptance by the Executive Officer by **March 12, 2009**.

b. Monitoring Parameters and Constituents of Concern

The monitoring parameters and constituents of concern (COCs) for lysimeter soil-pore liquid are those listed for groundwater in this MRP, Table 1 (Attachment A).

c. Concentration Limits

The concentration limits for all constituents of concern in lysimeter soil-pore liquids shall be the method detection limit.

2. Groundwater Monitoring

a. Monitoring Points

The groundwater monitoring program will consist of a system of wells to adequately monitor groundwater beneath the Facility. A workplan to install the background and point of

compliance groundwater monitoring wells must be submitted for acceptance by the Executive Officer by **March 12, 2009**.

b. Monitoring Parameters

Groundwater samples shall be collected and submitted for laboratory analyses quarterly for the monitoring parameters listed in this Monitoring and Reporting Program, Table 1 (Attachment A).

c. Constituents of Concern

Groundwater samples shall be collected and submitted for laboratory analyses at all monitoring points once every five years for all constituents of concern listed in Appendix II of 40 CFR, Part 258.

d. Quarterly, prior to sampling and purging, the Discharger shall measure and record the depth below the ground surface and elevation above mean sea level of the static groundwater surface in the groundwater monitoring wells.

e. Quarterly, the Discharger shall collect samples from each groundwater monitoring well. The wells shall be purged of at least three well volumes until temperature, electrical conductivity, and pH of extracted well water have stabilized to within +/- five (5) percent. Samples shall be collected and analyzed using U.S. EPA methods. The samples shall be analyzed to determine the concentrations of parameters described in Table 1 (Attachment A). Groundwater shall also be measured for:

- i. Electrical conductivity (Ec) (in umhos/cm units),
- ii. pH (in pH units),
- iii. Temperature (in either degrees Fahrenheit or degrees Centigrade), and
- iv. Turbidity (in nephelometric turbidity units [NTUs]).

f. Quarterly, the Discharger shall plot the above-described elevations and elevation isopleths on a 11" x 17" copy of a

site plan, which shows the locations of the site and monitoring wells.

- g. Quarterly, the Discharger shall calculate, record, and report the groundwater gradient, the direction of the gradient, and velocity of groundwater flow.
- h. Quarterly, the Discharger shall graph time series plots of the analytical results from the unsaturated zone monitoring and groundwater monitoring to show any trends in constituent concentrations through time.

E. Dikes and Liners

Monthly, the integrity of the dikes and liners in each evaporation pond shall be checked. Should the inspection indicate any unauthorized discharge has occurred or may occur, the Regional Board shall be notified immediately by telephone followed by confirmation in writing.

F. Leachate Collection and Removal Systems (LRCSS)

The Discharger shall conduct the following inspections/testing of the LRCS:

1. Visual inspection for liquid in the leakage detection sumps shall be conducted each week. The results of those inspections shall be recorded in a permanent logbook kept onsite.
2. Any volume of liquid pumped out of the leakage detection sumps shall be recorded along with date, time, and discharge location in a permanent logbook kept onsite.
3. If present, leachate samples shall be collected and tested for algaecide compounds if algaecide application has occurred at any time prior.
4. The LCRSs shall be tested at least once annually to demonstrate proper operation. The results of the testing shall be submitted in the annual monitoring reports. The annual report shall include a description of the method used to test the LCRSs.

G. Operation and Maintenance

A brief summary of any operational problems and maintenance activities shall be submitted to the Regional Board with each monitoring report for Green Valley Foods Operations. This summary shall discuss:

1. Any modifications, additions, or major maintenance to the wastewater conveyance system, treatment facilities, or disposal facilities.
2. Any major problems occurring in the wastewater conveyance system, treatment facilities, or disposal facilities.
3. The calibration of any wastewater flow measuring devices.

II. DATA ANALYSIS

A. General Statistical Analysis Method

The report title "Statistical Analysis of Ground Water Monitoring Data at RCRA Facilities" (U.S. EPA, 1989), shall be used to select the statistical test to use for comparing detection monitoring well data to background monitoring data. If more than 50 percent of the observations in the detection monitoring wells are below the detection limit, then the Test of Proportions will be used. If more than 50 percent are above the detection limit, then a One-Way Analysis of Variance (ANOVA) will be used (i.e., Bartlett's Test for Equality of Variances). For multiple well computations the computed F Statistic will be compared to the tabulated F Statistic at the five (5) percent significance level. If the calculated F value exceeds the tabulated value, then the hypothesis of equal means will be rejected. The Bonferroni Statistics will be computed to determine if the significant F is due to differences between background and compliance wells at the five (5) percent significance level.

B. Site Specific Statistical Analysis Method

The Executive Officer may approve statistical methods, which are different than the general methods listed in this Monitoring and Reporting Program provided that such methods are capable of determining a statistically significant release from the Surface Impoundment.

III. REPORTING REQUIREMENTS

The Discharger shall comply with the following reporting requirements:

A. General Provisions

The Discharger shall comply with Attachment B, "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made a part of this Monitoring and Reporting Program (Attachment C).

B. Violations

If monitoring data indicate violation of WDRs, the Discharger shall provide information indicating the cause of violation(s) and action taken or planned to bring the discharge into compliance.

C. Failure to Furnish Reports

Any person failing or refusing to furnish technical or monitoring reports or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation under Section 13268 of the California Water Code.

D. Quarterly Reports

Monitoring reports including the preceding information shall be submitted to the Regional Board on the **30th day of the month following each quarter**, per the following schedule:

<u>Sampling and Reporting Frequency</u>	<u>Quarterly Period</u>	<u>Reporting Period Ends</u>	<u>Report Date Due</u>
Quarterly	January - March	March 31	April 30
Quarterly	April - June	June 30	July 30
Quarterly	July - September	September 30	October 30
Quarterly	October - December	December 31	January 30

Each quarterly report must include the following:

1. Results of sampling analyses, including statistical limits for each groundwater monitoring point;

2. Data collected in accordance with the approved Monitoring and Reporting Plan and Sampling and Analysis Plan for unsaturated zone monitoring probes and groundwater monitoring wells;
3. A letter transmitting the essential points of each report shall accompany each report. The letter shall include a discussion of any requirement violations found since the last report was submitted and shall describe actions taken or planned for correcting those violations;
4. If the Discharger has previously submitted a detailed time schedule for correcting requirement violations, a reference to the correspondence transmitting this schedule will be satisfactory. If no violations have occurred since the last submittal, this shall be stated in the letter of transmittal; and,
5. A map and/or aerial photograph showing the locations of the monitoring points.

E. Annual Report

Annual Monitoring Reports shall be submitted to the Water Board no later than **April 30** of each year. The reports shall include the following:

1. Time series data plots of the past three years of groundwater, soil gas, and soil moisture analysis.
2. A map showing the groundwater elevation and monitoring points.
3. Graphical and tabular data for the monitoring data obtained for the previous calendar year (January – December).
4. Calibration methods and any flow discrepancies of the wastewater flow meters after calibration is performed.
5. The compliance record and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the discharge requirements.
6. Evidence that adequate financial assurance for closure is still in effect. Evidence may include a copy of the renewed financial instrument or a copy of the receipt for payment of the financial instrument. Evidence of adequate financial assurance shall be signed by the Corporate Officer.

7. Evidence that adequate financial assurance amount is adequate or increase the amount of financial assurance by the appropriate amount if necessary, due to inflation, a change in the approved closure plan, or other unforeseen events.
8. The Discharger shall review the preliminary Closure and Post-Closure Maintenance Plan (CPCMP) annually to determine if significant changes in the operation of the Landfill warrant an update of the Plan. Changes to this CPCMP shall be submitted.

F. Five-Year Constituent of Concern Monitoring Program

Pursuant to CCR, title 27, section 20420(g), every five years the Discharger shall sample for COCs with successive direct monitoring efforts being carried out alternatively during January 1 through June 30 of one five-year sampling event and July 1 through December 31 of the next five-year sampling event, and every fifth year, thereafter. The next five-year COC sampling event shall take place during July 1 through December 31 of 2014 and reported no later than 45 days following the monitoring period.

G. Unscheduled Reports to be Filed With the Water Board

1. Notice of Tentative Release

Should the appropriate statistical or non-statistical data analysis indicate, for a given constituent of concern, that a release is tentatively identified, the Discharger shall:

- a. Immediately notify the Water Board verbally as to the monitoring point(s) and constituent(s) or parameter(s) involved.
- b. Provide written notification by certified mail within seven days of such determination (section 20420(j), title 27, CCR). The notification should indicate the Discharger's intent to conduct verification sampling, initiate evaluation monitoring procedures, or demonstrate that a source other than the Facility is responsible for the release.
- c. If the Discharger chooses to attempt to demonstrate that a source other than the Facility is responsible for the release, the Discharger shall submit a supporting technical report within 90 days of detection of the release.

2. Evaluation Monitoring

The Discharger shall, within 90 days of verifying a release, submit a technical report pursuant to section 13267(b) of the California Water Code proposing an Evaluation Monitoring Program (EMP). If the Discharger decides not to conduct verification procedures, or decides not to make a demonstration that a source other than the Facility is responsible for the release, the release will be considered verified.

3. Engineering Feasibility Study Report

The Discharger shall, within 180 days of verifying a release, submit a Technical Report discussing conclusions and recommendations from the DMP and the EMP. The report shall include an Engineering Feasibility Study along with a proposed corrective action program (CAP) or recommend a return to DMP in accordance with title 27, section 20425, CCR.

Ordered by: _____

HAROLD J. SINGER
EXECUTIVE OFFICER

Dated: **February 10, 2009**

Attachments: A. Table 1, Monitoring Parameters
B. General Provisions for Monitoring and Reporting, September 1, 1994

Table 1 - Monitoring Parameters

Parameter	Units	Monitoring and Reporting Frequency
Ammonia as Nitrogen	mg/L	Quarterly
Arsenic	mg/L	Quarterly
Barium	mg/L	Quarterly
Bicarbonate	mg/L	Quarterly
Biochemical Oxygen Demand (BOD)	mg/L	Quarterly
Boron	mg/L	Quarterly
Cadmium	mg/L	Quarterly
Calcium	mg/L	Quarterly
Carbonate	mg/L	Quarterly
Chemical Oxygen Demand (COD)	mg/L	Quarterly
Chloride	mg/L	Quarterly
Chromium, Total	mg/L	Quarterly
Coliform, Fecal	MPN/100 ml	Quarterly
Coliform, Total	MPN/100 ml	Quarterly
Copper	mg/L	Quarterly
Electrical Conductivity	umhos/cm	Quarterly
Fluoride	mg/L	Quarterly
Hardness as CaCO3	mg/L	Quarterly
Iron	mg/L	Quarterly
Kjeldahl Nitrogen, Total	mg/L	Quarterly
Lead	mg/L	Quarterly
Magnesium	mg/L	Quarterly
Manganese	mg/L	Quarterly
Nickel	mg/L	Quarterly
Nitrate/Nitrite as Nitrogen	mg/L	Quarterly
Odors	mg/L	Quarterly
Orthophosphate Phosphorous	mg/L	Quarterly
pH	pH Units	Quarterly
Phosphorous, Total	mg/L	Quarterly
Potassium	mg/L	Quarterly
Sodium	mg/L	Quarterly
Sulfate	mg/L	Quarterly
Total Dissolved Solids (TDS)	mg/L	Quarterly
Total Suspended Solids (TSS)	mg/L	Quarterly
Zinc	mg/L	Quarterly
Volatile Organic Compounds (VOCs)	ug/L	Quarterly
Semi-volatile Organic Compounds (SVOCs)	ug/L	Quarterly

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

GENERAL PROVISIONS
FOR MONITORING AND REPORTING

1. **SAMPLING AND ANALYSIS**

- a. All analyses shall be performed in accordance with the current edition(s) of the following documents:
 - i. Standard Methods for the Examination of Water and Wastewater
 - ii. Methods for Chemical Analysis of Water and Wastes, EPA
- b. All analyses shall be performed in a laboratory certified to perform such analyses by the California State Department of Health Services or a laboratory approved by the Regional Board Executive Officer. Specific methods of analysis must be identified on each laboratory report.
- c. Any modifications to the above methods to eliminate known interferences shall be reported with the sample results. The methods used shall also be reported. If methods other than EPA-approved methods or Standard Methods are used, the exact methodology must be submitted for review and must be approved by the Regional Board prior to use.
- d. The Discharger shall establish chain-of-custody procedures to insure that specific individuals are responsible for sample integrity from commencement of sample collection through delivery to an approved laboratory. Sample collection, storage, and analysis shall be conducted in accordance with an approved Sampling and Analysis Plan (SAP). The most recent version of the approved SAP shall be kept at the facility.
- e. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to ensure accuracy of measurements, or shall insure that both activities will be conducted. The calibration of any wastewater flow measuring device shall be recorded and maintained in the permanent log book described in 2.b, below.
- f. A grab sample is defined as an individual sample collected in fewer than 15 minutes.
- g. A composite sample is defined as a combination of no fewer than eight individual samples obtained over the specified sampling period at equal intervals. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall equal the discharge period, or 24 hours, whichever period is shorter.

2. OPERATIONAL REQUIREMENTS

a. Sample Results

Pursuant to California Water Code Section 13267(b), the Discharger shall maintain all sampling and analytical results including: strip charts; date, exact place, and time of sampling; date analyses were performed; sample collector's name; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

b. Operational Log

Pursuant to California Water Code Section 13267(b), an operation and maintenance log shall be maintained at the facility. All monitoring and reporting data shall be recorded in a permanent log book.

3. REPORTING

a. For every item where the requirements are not met, the Discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time, and shall submit a timetable for correction.

b. Pursuant to California Water Code Section 13267(b), all sampling and analytical results shall be made available to the Regional Board upon request. Results shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

c. The Discharger shall provide a brief summary of any operational problems and maintenance activities to the Board with each monitoring report. Any modifications or additions to, or any major maintenance conducted on, or any major problems occurring to the wastewater conveyance system, treatment facilities, or disposal facilities shall be included in this summary.

d. Monitoring reports shall be signed by:

i. In the case of a corporation, by a principal executive officer at least of the level of vice-president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates;

ii. In the case of a partnership, by a general partner;

iii. In the case of a sole proprietorship, by the proprietor; or

- iv. In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
- e. Monitoring reports are to include the following:
 - i. Name and telephone number of individual who can answer questions about the report.
 - ii. The Monitoring and Reporting Program Number.
 - iii. WDID Number.
- f. Modifications

This Monitoring and Reporting Program may be modified at the discretion of the Regional Board Executive Officer.

4. NONCOMPLIANCE

Under Section 13268 of the Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation under Section 13268 of the Water Code.

x:PROVISIONS WDRS

file: general pro mrp