

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER R5-2013-0115

RESCINDING  
CEASE AND DESIST ORDER R5-2008-0113  
FOR  
CALIFORNIA DAIRIES, INC.  
TIPTON MILK PROCESSING FACILITY  
TULARE COUNTY

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

1. California Dairies, Inc., (hereafter Discharger) operates a Milk Processing Facility (Facility) near Tipton in Tulare County. The Facility generates wastewater in the form of "COW" water (condensate of milk) and other process wastewaters. Process wastewaters are treated in lined aerated ponds and then discharged to a series of unlined storage/percolation ponds. Effluent from the unlined ponds was historically discharged to the Morrison Ditch. The Morrison Ditch is an earthen channel adjacent to the Facility that extends about 3,000 feet north of the Facility and merges with the Casa Blanca Canal, which is maintained by the Lower Tule River Irrigation District. Discharges to the Morrison Ditch ceased in May 2009.
2. The Discharger has a history of violating effluent limitations for flow, electrical conductivity (EC), total suspended solids (TSS), and biochemical oxygen demand (BOD). Self-monitoring reports submitted by the Discharger from 2004 through 2007 show several violations of the 30 day average and daily maximum limits for BOD and TSS of 40 mg/L and 80 mg/L, respectively, for discharges to the Morrison Ditch. In addition, self-monitoring data also shows that the EC of the wastewater discharged to the unlined ponds exceeded the effluent limit of source water plus 500 umhos/cm (approximately 717 umhos/cm) or 1,000 umhos/cm, whichever is less, with EC levels ranging from 1,158 umhos/cm to 2,769 umhos/cm for discharges to unlined storage Pond 2.
3. To address these violations, the Discharger proposed and effected several upgrades and modifications to its Facility to reduce the salinity of the discharge and increase treatment capacity. These included:
  - a. Installing additional salinity removal technology to reduce the salinity of its high strength waste streams,
  - b. Dividing and converting unlined storage Pond 2 into three aerated treatment ponds to increase wastewater treatment capacity,
  - c. Lining the resulting Pond 2 treatment ponds to preclude percolation of higher salinity waste waters to groundwater,
  - d. Installing pumps to return treated effluent to Ponds A and B for possible denitrification,
  - e. Adding aeration and mixing capacity in the treatment ponds to reduce BOD and TSS concentrations in the wastewater,

- f. Completing piping and plumbing improvements to Ponds A and B to improve flow distribution and treatment capacity,
  - g. Combining higher salinity waste streams, following treatment, with lower salinity waste streams such that the discharge from lined treatment ponds will have a projected electrical conductivity (EC) of approximately 650 umhos/cm, and
  - h. Installing additional unlined storage ponds to increase disposal and storage capacity.
4. On 31 July 2008, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2008-0114, NPDES Permit No. CA0082805, prescribing requirements for the discharge of process wastewater to unlined ponds and the Morrison Ditch. The Central Valley Water Board also adopted on the same day Cease and Desist Order (CDO) R5-2008-0113. The CDO set specific tasks and a time schedule for the Discharger to complete the proposed modifications and upgrades to its Facility to reduce the salinity of its discharge and increase treatment capacity.
  5. The Discharger has since completed the proposed modifications and upgrades. The discharge is currently in compliance with effluent limits, and since December 2010 the EC of the discharge with levels ranging from 96 to 560 umhos/cm, is less than the projected EC of 650 umhos/cm. Therefore, rescission of CDO R5-2008-0113 is appropriate.
  6. The Discharger and interested agencies and persons were notified of the intent to consider rescission of the CDO and provided an opportunity for public hearing and an opportunity to submit their written views and recommendations.
  7. The issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.), in accordance with Title 14, California Code of Regulations, section 15321.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, Title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/)

or will be provided on request.

**IT IS HEREBY ORDERED** that Cease and Desist Order R5-2008-0113 is rescinded.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 26 July 2013.

*Original signed by:*

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PAMELA C. CREEDON, Executive Officer