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WASTE DISCHARGE REQUIREMENTS ORDER R5-2020-XXXX



ORDER INFORMATION

Order Type:	Waste Discharge Requirements (WDRs)
Status:	TENTATIVE
Program:	Non-15 Discharges to Land
Region 5 Office:	Fresno
Discharger(s):	Gerawan Farming, Inc.
Facility:	Plant 4 Sanger Fruit Packing Facility
Address:	3023 South Reed Avenue, Sanger
County:	Fresno County

CERTIFICATION

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on XX August 2020.

PATRICK PULUPA,
Executive Officer

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GLOSSARY

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

msl	Mean Sea Level
MRP	Monitoring and Reporting Program
MW	Monitoring Well
MCL	Maximum Contaminant Level per Title 22
mJ/cm²	Millijoules per Square Centimeter
ORP	Oxygen Reduction Potential
N	Nitrogen
ND	Non-Detect
NE	Not Established
NM	Not Monitored
Recycled Water Policy	<i>Policy for Water Quality Control for Recycled Water, State Water Board Resolution 2009-0011, as amended per Resolutions 2013-0003 and 2018-0057</i>
R[O]WD	Report of Waste Discharge
RCRA	Resource Conservation and Recovery Act
SPRRs	Standard Provisions and Reporting Requirements
SERC	State Emergency Response Commission
TDS	Total Dissolved Solids
Title 22	California Code of Regulations, Title 22
Title 23	California Code of Regulations, Title 23
Title 27	California Code of Regulations, Title 27
TKN	Total Kjeldahl Nitrogen
TTHMs	Total Trihalomethanes
Unified Guidance	Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance (USEPA, 2009)
USEPA	United States Environmental Protection Agency
VOC[s]	Volatile Organic Compound[s]
WDRs	Waste Discharge Requirements
WQO[s]	Water Quality Objective[s]

FINDINGS

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

Introduction

1. On 21 June 2019, EMKO Environmental, Inc. submitted a RWD, on behalf of Gerawan Farming, Inc. (Gerawan or Discharger), to apply for WDRs for the Plant 4 Sanger Fruit Packing Facility (Plant 4 or Facility) in Fresno County as shown in **Attachment A** (Site Map). A revised RWD with an updated water balance was submitted on 28 August 2019.
2. Plant 4 is at 3023 South Reed Avenue in Sanger on a portion of APN 333-130-44 as shown in **Attachment B** (Facility Map). Plant 4 packs whole peaches, plums, and nectarines. The packing process includes washing, sorting, and grading the fruit, and packing occurs from about early May through late September, or approximately 120 days.
3. As the Facility's owner and operator, the Discharger is responsible for compliance with the WDRs prescribed in this Order.
4. The following materials are attached and incorporated as part of this Order:
 - a. Attachment A – Site Map
 - b. Attachment B – Facility Map
 - c. Attachment C – Requirements for Monitoring Well Installation Workplans and Monitoring Well Installation Reports
 - d. Standard Provisions and Reporting dated 1 March 1991 (SPRR's)
 - e. Information Sheet
5. Also attached is **MRP R5-2020-**, which requires monitoring and reporting for discharges regulated under these WDRs.

Existing Facility and Discharge

6. Wastewater generated by the fruit processing at Plant 4 is discharged to an unlined, 4-million-gallon evaporation/percolation pond, constructed below grade with a 24-inch above grade earthen berm around the edges of the pond.
7. The amount of water used at the Facility varies from about 14,000 to 130,000 gpd. The RWD indicates the average discharge will be about 95,000 gpd of wastewater

or about 11.4 million gallons per season (about 120 days). The RWD conservatively assumes that 100 percent of the water used becomes wastewater.

8. According to the RWD, fruit processing wastewater is not comingled with any other water from the Facility other than rainfall from the roof of the Facility.
9. Chemicals used in the wash process include:
 - Sodium hypochlorite (100 parts per million [ppm] total chlorine in water);
 - Citric acid (pH adjustment); and
 - Fruit wash soap (peaches only).
10. The following products are applied to the fruit following washing:
 - A mineral oil-based fruit coating; and
 - Postharvest fungicide (fludioxonil and propiconazole).
11. Several cleaners and sanitizers are used daily for the equipment as listed below:
 - Quaternary ammonium;
 - Isopropyl alcohol;
 - Chlorine based sanitizers;
 - Detergents; and
 - Neutral soaps.
12. Source water for Plant 4 is obtained from a primary supply well (SW-01) located approximately 1,000 feet west of the evaporation pond (Attachment B). A backup or secondary supply well is just south of the evaporation pond (Attachment B). Both supply wells are completed to a depth of 213 feet and screened from 100 feet to 213 feet below ground surface. Source water samples were collected and analyzed from the primary source water well on 15 May 2019 and 3 June 2019. Effluent samples were collected on 3 and 4 June 2019. The analytical results are summarized in Tables 1 and 2.
13. The May 2019 source water sample and both of the June 2019 effluent samples were analyzed for volatile organic compounds, specifically total trihalomethanes or TTHMs. The results are summarized in Table 1. Constituent concentrations shown in bold exceed their respective MCLs.

Table 1 – Source Water and Effluent TTHM Results

Constituent	Units	Source Water	Effluent	Effluent	MCL
Date Sampled	---	5/15/19	6/3/19	6/4/19	---
TTHMs	µg/L	<0.5	118	3,442	80
- Bromoform	µg/L	<0.5	0.58	1.0	---
- Chloroethane	µg/L	<0.5	0.65	<0.5	---
- Dibromochloromethane	µg/L	<0.5	13	11	---
- Bromodichloromethane	µg/L	<0.5	20	130	---
- Chloroform	µg/L	12	84	3,300	---

14. Table 1 shows that TTHMs were detected in both the source water and effluent, but the June 2019 effluent results exceed the MCL for TTHMs of 80 µg/L. There is a significant difference in the concentrations detected between the two effluent samples (118 and 3,442 µg/L), but both are in excess to the 80 µg/L MCL.
15. The source water and effluent samples collected in June 2019 were analyzed for general minerals. The results are summarized in Table 2.

Table 2 – Source Water and Effluent General Mineral Results

Constituent	Units	Source Water	Effluent	Effluent	MCL
Date	--	6/3/19	6/3/19	6/4/19	--
EC	µmhos/cm	450	590	790	900/1600/2200
TDS	mg/L	320	460	530	500/1000/1500
FDS	mg/L	220	280	410	---
Chloride	mg/L	6.7	42	82	250/500/600
Sodium	mg/L	17	89	92	---
Sulfate	mg/L	50	54	50	250/500/600
Alkalinity	mg/L	130	130	150	---
Bicarbonate	mg/L	130	130	150	---
pH	s.u.	7.6	7.7	7.5	---
Fluoride	mg/L	<0.1	0.22	0.16	---
BOD	mg/L	<0.1	62	<0.1	---
Nitrate (as N)	mg/L	9.6	9.9	9.1	10
TKN	mg/L	<1.0	1.2	1.6	---
Total Nitrogen	mg/L	9.6	11.1	10.7	---

16. Source water and effluent monitoring data shows EC results were less than the recommended secondary MCL of 900 µmhos/cm. The effluent TDS result from

4 June 2019 (530 mg/L) exceeds the secondary recommended MCL of 500 mg/L; however, the 3 June 2019 effluent result (460 mg/L) was less than secondary recommended MCL. Nitrate as nitrogen results were less than 10 mg/L and similar to the June 2019 source water sample result of 9.6 mg/.

Water Reuse Considerations

17. In a 20 August 2019 letter to Gerawan, Central Valley Water Board staff requested Gerawan evaluate the potential to land apply wastewater in the area surrounding Plant 4. Gerawan submitted a 19 February 2020 letter indicating wastewater could not be used for land application of the surrounding orchards due the Facility's fluctuating wastewater volumes. The variability in flow reportedly would make it difficult for wastewater to be used for irrigation purposes. Also, Gerawan notes that the irrigation system for the surrounding orchards is also used for foliar and fruit spray applications and the wastewater cannot be used for that purpose due to potential "biological hazards." While this Order does not specifically require Gerawan to reuse the Facility's wastewater, Provision H.6 allows the Gerawan to pursue reuse (or pond lining) in lieu of installing a groundwater monitoring well network.

Site Specific Conditions

18. The site elevation is about 360 feet above mean seal level and the natural land surface slopes gently to the southwest. The nearest surface water is the Fink Ditch, which is about 1,250 feet west of Plant 4. The Byrd Slough and the Kings River are about 1.1 and 1.5 miles, respectively, west of Plant 4.
19. Plant 4 is in an arid climate characterized by hot dry summers and mild winters. The rainy season generally extends from November through March. Occasional rains occur during the spring and fall months, but summer months are dry. Average annual precipitation and evaporation in the discharge area are about 11 inches and 63 inches, respectively, according to information published by California Department of Water Resources (DWR).
20. Land uses in the vicinity of Plant 4 are primarily agricultural and industrial. The land for the Carmelita Mine is adjacent Plant 4 to the west. It has yet to be mined and contains fruit trees at this time. The Wine Company's Franzia Sanger winery is directly adjacent and across South Reed Avenue to the east. The City of Sanger is about five miles west of Plant 4. The primary crops grown within five miles of the Facility include plums, vineyards, peaches, nectarines, and almonds according to DWR land use data published in 2009. Irrigation water is supplied primarily by

groundwater, and Plant 4 is just within the northern boundaries of the Alta Irrigation District.

21. Soils in the vicinity of Plant 4 are predominately Hanford Fine Sandy Loam and Grangeville Fine Sandy Loam with gravelly substratum, according to the Web Soil Survey published by the United States Department of Agriculture, Natural Resources Conservation Service. Hanford Sandy Loam and Grangeville Fine Sandy Loam have land capacity classification of 2s. Soils with “Class 2” have moderate limitations that restrict the choice of plant or that require moderate conservation practices. The subclass “s” indicates that soils have limitations within the root zone, such as shallowness of the root zone, a high content of stones, a low available water capacity, low fertility, and excessive salinity or sodicity.
22. According to the Federal Emergency Management Agency (FEMA) [Flood Insurance Rate Map](https://msc.fema.gov/portal) (<https://msc.fema.gov/portal>), Plant 4 is in Zone X. This area is outside the 500-year floodplain.

Groundwater Conditions

23. The RWD for Plant 4 indicates the depth to groundwater was 32 feet bgs in 2009 and that groundwater levels have varied in the past. The direction of groundwater flow is to the southeast. There are shallow groundwater monitoring wells in the immediate vicinity of Plant 4. The Carmelita Mine property has monitoring well MW-B set directly upgradient and north of Plant 4 . The depth to groundwater in June 2009 for Carmelita Mine MW-B was 19 feet bgs. Additionally, Franzia Sanger Winery monitoring well’s MW-5, MW-6, and MW-7 had a groundwater depth ranging from 33 to 40 feet bgs during the first three 2019 quarterly monitoring events in 2019. According to the [California DWR Groundwater Information Center Interactive Map Application](https://gis.water.ca.gov/app/bbat/) (<https://gis.water.ca.gov/app/bbat/>), depth to groundwater in the vicinity of the Facility is approximately 60 feet bgs, and shows regional groundwater flow direction is to the south/southeast.
24. The proposed Carmelita Mine has a groundwater monitoring well network consisting of three monitoring wells (MW-A, MW-B, and MW-C). Monitoring well MW-A is the upgradient well and MW-B and MW-C are the downgradient wells for the proposed mining operation. All three wells are upgradient of Plant 4 and MW-B was installed just north of Plant 4 along its northern boundary. Mining activities at the Carmelita Mine have not begun, and these wells, especially MW-B, could provide undisturbed upgradient groundwater monitoring for Plant 4. Groundwater quality below the Carmelita Mine based on a sample collected on 10 June 2009, is tabulated in Table 3 below.

Table 3 – Carmelita Mine Groundwater Results (June 2009)

Constituent	Units	MW-A	MW-B	MW-C	MCL
EC	µmhos/cm	98	454	571	900/1600
TDS	mg/L	80	310	370	500/100
Bicarbonate	mg/L	50	140	160	na
Calcium	mg/L	9	40	48	na
Iron	mg/L	0.11	0.07	<0.05	0.30

25. Upgradient groundwater quality, based on the data summarized in Table 3, is of good quality with regards to salinity. EC and TDS levels were below water quality objectives.

Legal Authorities

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

The regional board, after any necessary hearing, shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge..., with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. The requirements shall implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonable required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241.

27. Compliance with section 13263, subdivision (a), including implementation of applicable water quality control plans, is discussed in the findings below.
28. The ability to discharge waste is a privilege, not a right, and adoption of this Order shall not be construed as creating a vested right to continue discharging waste. (Wat. Code, § 13263, subd. (g).)
29. This Order and its associated Monitoring and Reporting Program (MRP) are also adopted pursuant to Water Code section 13267, subdivision (b)(1), which provides as follows:

[T]he regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste ... shall furnish,

under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

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

Basin Plan Implementation

31. Pursuant to Water Code section 13263, subdivision (a), WDRs must “implement any relevant water quality control plans..., and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241.”
32. This Order implements the Central Valley Water Board’s Water Quality Control Plan for the Tulare Lake Basin (Basin Plan), which designates beneficial uses for surface water and groundwater and establishes water quality objectives (WQOs) necessary to preserve such beneficial uses. (See Wat. Code, § 13241 et seq.)
33. Surface drainage from the Facility would be to Valley Floor Waters. The beneficial uses of Valley Floor Waters within the subject hydrologic area (Alta Hydrologic Area No. 551.60) include the following: agricultural supply (AGR); industrial service supply (IND); industrial process supply (PRO); water contact recreation (REC-1); non-water contact recreation (REC-2); warm freshwater habitat (WARM); wildlife habitat (WILD); groundwater recharge (GWR); and preservation and enhancement of rare, threatened, and endangered species (RARE).
34. Per the Basin Plan, beneficial uses of underlying groundwater at the Facility and LAA are as follows: municipal and domestic supply (MUN); agricultural supply (AGR); industrial service supply (IND); industrial process supply (PRO); water contact recreation (REC-1), and wildlife habitat (WILD).
35. The Basin Plan establishes narrative water quality objectives for chemical constituents, taste and odors, and toxicity. The toxicity objective, in summary, requires that groundwater be maintained free of toxic substances in concentrations

that produce detrimental physiological responses in human, plant, animal, or aquatic life associated with designated beneficial uses.

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

Salt and Nitrate Control Programs Reopener

40. The Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. The Basin Plan Amendments were conditionally approved by the State Water Board on 16 October 2019 and the Office of Administrative Law on 15 January 2020.

41. For nitrate, dischargers that are unable to comply with stringent nitrate requirements will be required to take on alternate compliance approaches that involve providing replacement drinking water to persons whose drinking water is affected by nitrates. Dischargers could comply with the new nitrate program either individually or collectively with other dischargers. For salinity, dischargers that are unable to comply with stringent salinity requirements would instead need to meet performance-based requirements and participate in a basin-wide effort to develop a long-term salinity strategy for the Central Valley. As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of these WDRs to ensure the goals of the Salt and Nitrate Control Programs are met.
42. Pursuant to the Basin Plan amendments, dischargers will receive a Notice to Comply with instructions and obligations for the Salt Control Program within one year of the effective date of the amendments (17 January 2020). Upon receipt of the Notice to Comply, the District will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting). For the Nitrate Control Program, Plant 4 falls within Groundwater Basin 5-22.08 (San Joaquin Valley – Kings), a Priority 1 Basin. Dischargers within a Priority 1 Basin, including Gerawan, were issued a Notice to Comply for the Nitrate Control Program on 29 May 2020.

Compliance with the Antidegradation Policy

43. The *Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Water Board Resolution 68-16 (Antidegradation Policy), which is incorporated as part of the Basin Plan, prohibits the Central Valley Water Board from authorizing degradation of “high quality waters” unless it is shown that such degradation: (1) will be consistent with the maximum benefit to the people of California; (2) will not unreasonably affect beneficial uses, or otherwise result in water quality less than as prescribed in applicable policies; and (3) is minimized through the discharger’s best practicable treatment or control (BPTC).
44. Based on the data presented in Tables 1, 2, and 3 above, the constituents of concern that have the potential to degrade groundwater underlying Plant 4 include salinity, nitrogen, and TTHMs as discussed below.
 - a. **Salinity.** For salinity, this Order includes a performance based 12-month rolling average EC limit requiring the discharge not exceed the 12-month flow weighted average EC of the source water plus 500 $\mu\text{mhos/cm}$. Based on the limited dataset available for the Facility, EC effluent concentrations appear to

be below the secondary MCL of 900 $\mu\text{mhos/cm}$ and TDS appears to average around the secondary MCL of 500 mg/L. Based on available data, the Facility's operation contributes approximately 240 $\mu\text{mhos/cm}$ increase in EC and about 165 mg/L increase in TDS.

As discussed above, the Salt Control Program is now effective and in the coming months the Discharger will receive a Notice to Comply and need to choose which permitting approach to pursue (Conservative or Alternative). This Order also includes Provision H.5 requiring the Discharger to develop and implement a Salinity Reduction Study Work Plan to identify and address sources of salinity to and from the Plant 4. Furthermore, Provision H.6 requires the Discharger to develop a groundwater monitoring well network to determine the Facility's impact on underlying groundwater or, alternatively, either line the evaporation/percolation pond or find land application areas [LAA] to reuse the Facility's effluent.

- b. **Nitrogen.** Nitrate (as N) effluent results in the limited two sample data set averaged 9.5 mg/L and source water was 9.6 mg/L. Both values are slightly less than the primary MCL of 10 mg/L. As previously mentioned, the Facility is in a Priority 1 Groundwater Basin for the Nitrate Control Program and, therefore, received a Notice to Comply with the Nitrate Control Program on 29 May 2020 and will need to choose which permitting approach to pursue (Pathway A or Pathway B). Furthermore, Provision H.6 requires the Discharger to develop a groundwater monitoring well network to determine the Facility's impact on underlying groundwater or, alternatively, either line the evaporation/percolation pond or find LAAs to reuse the Facility's effluent at.
- c. **Total Trihalomethanes (TTHMs).** The Discharger uses chlorine in the fruit washing process, which may produce disinfection byproducts like TTHMs. Generally, disinfection byproducts are not a significant concern for land discharges because attenuation in the soil column (primarily by anaerobic biodegradation). However, the two reported effluent samples for TTHMs in (118 mg/L and 3,442 mg/L) exceeded the MCL of 80 mg/L, with chloroform comprising the majority of the TTHMs (84 mg/L and 3,300 mg/L, respectively). Source water also contained low concentrations of chloroform (12 mg/L). While low and below the MCL, the detection in the source water sample (underlying groundwater) potentially indicates that the Facility's discharge might be contributing the TTHMs in groundwater. As part of the effort to evaluate groundwater conditions/quality both upgradient and downgradient of Plant 4, this Order contains Provision H.6 requiring the Discharger to develop a groundwater monitoring well network to determine the Facility's impact on

underlying groundwater or alternatively either line the evaporation/percolation pond or find LAAs to reuse the Facility's effluent at.

45. The Discharger implements, or will implement, as required by this Order, the following BPTC measures:
 - a. Manual solids removal (culls) during processing;
 - b. Limited duration of discharge (early May through late September);
 - c. Compliance with the Salt and Nitrate Control Programs;
 - d. Compliance with a 12-month rolling average EC effluent limitation of 500 μ mhos/cm plus source water;
 - e. Preparation and implementation of a Salinity Reduction Study Work Plan; and
 - f. Preparation and implementation of a Groundwater Quality Evaluation Work Plan or Alternative Work Plan as described in Provision H.6.
46. The Discharger's implementation of the above-listed BPTC measures will minimize the extent of water quality degradation resulting from the Facility's continued operation.
47. Economic prosperity of valley communities and associated industry is of maximum benefit to the people of the state and, therefore, sufficient reason exists to accommodate growth and limited groundwater degradation around the Facility, provided that the terms of the Basin Plan are met. Degradation of groundwater by some typical waste constituents released with discharge from the Facility after effective source reduction, treatment and control, and considering the best efforts of the Discharger and magnitude of degradation, is of maximum benefit to the people of the state. The Facility contributes to the economic prosperity of the region by providing employment (25 year-round positions and seasonal employment of 55 to 536 people); by providing incomes for numerous aligned businesses; and by providing a tax base for local and county governments. Economic prosperity of Valley communities and associated industries is of maximum benefit to the people of the state and, therefore, sufficient reason to accommodate growth and limited groundwater degradation provided terms of the Basin Plan are met. Accordingly, to the extent that any degradation occurs as the result of the Facility's continued operation, such degradation is consistent with the maximum interest of the people of the State of California.
48. Based on the foregoing, the adoption of this Order is consistent with the State Water Board's Antidegradation Policy.

California Environmental Quality Act (CEQA)

49. The issuance of this Order, which prescribes requirements and monitoring of waste discharges at an existing facility, with negligible or no expansion of its existing use, is exempt from the procedural requirements of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., pursuant to California Code of Regulations, title 14, section 15301 (CEQA Guidelines).
50. To the extent that the construction of any new basins, ponds and/or surface impoundments are authorized under this Order, such features involve minor alterations to land, which are exempt from CEQA procedural requirements pursuant to California Code of Regulations, title 14, section 15304 (CEQA Guidelines).
51. This Order is further exempt from CEQA procedural requirements insofar as it is adopted for protection of the environment and does not authorize construction activities or the relaxation of standards allowing for environmental degradation, in accordance with California Code of Regulations, title 14, section 15308 (CEQA Guidelines).

Other Regulatory Considerations

52. Pursuant to Water Code section 106.3, subdivision (a), it is “the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.” Although this Order is not subject to Water Code section 106.3, as it does not revise, adopt or establish a policy, regulation or grant criterion, (see § 106.3, subd. (b)), it nevertheless promotes the policy by requiring discharges to meet maximum contaminant levels (MCLs) for drinking water, which are designed to protect human health and ensure that water is safe for domestic use.
53. Based on the threat and complexity of the discharge, Plant 4 is determined to be classified as 2C as defined below:
 - a. Category 2 threat to water quality: “Those discharges of waste that could impair the designated beneficial uses of the receiving water, cause short-term violations of water quality objectives, cause secondary drinking water standards to be violated, or cause a nuisance.”
 - b. Category C complexity: “Any discharger for which waste discharge requirements have been prescribed pursuant to Section 13263 of the Water

Code not included in Category A or Category B as described above. Included are dischargers having no waste treatment systems or that must comply with best management practices, dischargers having passive treatment and disposal systems, or dischargers having waste storage systems with land disposal.”

54. This Order, which prescribes WDRs for discharges of wastewater, is exempt from the prescriptive requirements of California Code of Regulations, title 27 (Title 27), section 20005 et seq. (See Cal. Code Regs., tit. 27, § 20090, subd. (b).)
55. Because all storm water at the Facility is collected and disposed in the onsite evaporation/percolation pond, the Discharger is not be required to obtain coverage under the *Statewide General Permit for Storm Water Discharges Associated with Industrial Activities*, State Water Board Order 2014-0057-DWQ, NPDES Permit No. CAS000001 (Industrial General Permit) at this time.

Scope of Order

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

Procedural Matters

60. All of the above information, as well as the information contained in the attached Information Sheet (incorporated herein), was considered by the Central Valley Water Board in prescribing the WDRs set forth below.
61. The Discharger, interested agencies and other interested persons were notified of the Central Valley Water Board’s intent to prescribe the WDRs in this Order, and

provided an opportunity to submit their written views and recommendations at a public hearing. (See Wat. Code, § 13167.5.)

62. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.
63. The Central Valley Water Board will review and revise the WDRs in this Order as necessary.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, that the Discharger and their agents, employees and successors shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. Discharge of waste classified as “hazardous,” as defined in the California Code of Regulations, title 22, section 66261.1 et seq., is prohibited.
3. Treatment system bypass of untreated or partially treated waste is prohibited, except as allowed by Standard Provision E.2 of the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements*, dated 1 March 1991 (SPRRs), the entirety of which is incorporated herein.
4. Discharge of waste at a location or in a manner different from that described in the Findings is prohibited.
5. Discharge of toxic substances into any wastewater treatment system or the disposal field such that biological treatment mechanisms are disrupted is prohibited.
6. Discharge of domestic wastewater to the evaporation/percolation pond is prohibited.
7. Discharge of process wastewater (e.g., wash water) to septic systems is prohibited.

B. Effluent Limitations

1. The 12-month rolling average EC of the discharge (monitored at EFF-001) shall not exceed the 12-month flow-weighted average EC of the source

water plus 500 μ mhos/cm. Compliance with this effluent limitation shall be determined monthly.

C. Flow Limitations

1. The process wastewater discharge to the evaporation/percolation pond shall not exceed the following (monitored at EFF-001):
 - a. An annual discharge of 11.4 million gallons, or
 - b. A maximum daily flow of 130,000 gpd.

D. Discharge Specifications

1. No waste constituent shall be released, discharged, or placed where it will be released or discharged, in a concentration or in a mass that causes violation of the Groundwater Limitations of this Order.
2. Wastewater treatment, storage, and disposal shall not cause pollution or a nuisance as defined by Water Code section 13050.
3. The Discharger shall operate all systems and equipment to optimize the quality of the discharger.
4. The discharge shall remain within the permitted wastewater pond, conveyance structures, and the LAA (if the Discharger begins reuse of the process wastewater for irrigation crops as discussed in Provisions F) at all times.
5. All conveyance, treatment, storage, and disposal systems shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
6. Objectionable odors shall not be perceivable beyond the limits of the Facility at an intensity that creates or threaten to create nuisance conditions.
7. As a means of ensuring compliance with Discharge Specification D.6, the dissolved oxygen (DO) content in the upper one foot of any wastewater treatment or storage pond shall not be less than 1.0 mg/L for three consecutive sampling events. Notwithstanding the DO monitoring frequency specified in the monitoring and reporting program, if the DO in the pond is below 1.0 mg/L for any single sampling event, the Discharger shall implement daily DO monitoring of that pond until the minimum DO concentration is achieved for at least three consecutive days. If the DO in the pond is below 1.0 mg/L for three consecutive days, the Discharger shall

report the findings to the Central Valley Water Board in accordance with Section B.1 of the SPRRs. The written notification shall include a specific plan to resolve the low DO results within 30 days of the first date of violation.

8. The pond and open containment structures shall be managed to prevent breeding of mosquitos or other vectors. Specifically:
 - a. An erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
 - d. The Discharger shall consult and coordinate with the local Mosquito Abatement District to minimize the potential for mosquito breeding as needed to supplement the above measures.
9. The Discharger shall design, construct, operate, and maintain all ponds sufficiently to protect the integrity of containment dams and berms and prevent overtopping and/or structural failure. The operating freeboard in any pond shall never be less than two feet (measured vertically from the lowest possible point of overflow). As a means of management and to discern compliance with this requirement, the Discharger shall install and maintain in each pond a permanent staff gauge or other suitable measurement device with calibration marks that clearly show the water level at design capacity and enable determination of available operational freeboard.
10. Wastewater treatment, storage, and disposal ponds or structures shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary inflow and infiltration during the winter while ensuring continuous compliance with all requirements of this Order. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.
11. On or about 1 October of each year, available capacity shall at least equal the volume necessary to comply with Discharge Specifications D.9 and D.10.

12. The Discharger shall monitor sludge accumulation in the evaporation/percolation pond annually and shall periodically remove sludge as necessary to maintain adequate storage capacity. Specifically, if the estimated volume of sludge in the pond exceeds five percent of the permitted reservoir capacity, the Discharger shall complete sludge cleanout within 12 months after the date of the estimate.
13. Wastewater contained in any unlined pond shall not have a pH less than 6.0 or greater than 9.0.

E. Groundwater Limitations

1. Release of waste constituents from any treatment unit, storage unit, delivery system or disposal location associated with the Facility shall not cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below or in excess of natural background quality, whichever is greater.
 - a. Nitrate as nitrogen of 10 mg/L.
 - b. Total trihalomethanes (sum of bromoform, bromodichloromethane, chloroform and dibromochloromethane) of 80 µg/L.
 - c. For constituents identified in Title 22 of the California Code of Regulations, the MCLs quantified therein.

F. Land Application Area Specifications

The following LAA specifications are applicable to the Discharger and the Facility's discharge of process wastewater if the Discharger begins to reuse the wastewater for irrigation of crops as detailed in Provision H.6.

1. Crops shall be grown in the LAA. Crops shall be selected based on nutrient uptake, consumptive use of water, and irrigation requirements to maximize uptake of nutrients.
2. Application of waste constituents to the LAA shall be at reasonable agronomic rates to preclude creation of a nuisance or unreasonable degradation of groundwater, considering crop, soil, climate and irrigation management system. The annual nutritive loading of the LAA, including nutritive value of organic and chemical fertilizers, and the wastewater, shall not exceed the annual crop demand.

3. Hydraulic loading of wastewater an irrigation water shall be at reasonable agronomic rates designed to minimize the percolation of wastewater and irrigation water below the root zone (i.e., deep percolation).
4. The BOD loading to the LAA calculated as a cycle average and as instantaneous load shall not exceed 50 pounds per acre per day and 150 pounds per acre per day, respectively.
5. The resulting effect of the discharge on soil pH shall not exceed the buffering capacity of the soil profile.
6. Land application of wastewater shall be managed to minimize erosion.
7. The Discharger shall not discharge process wastewater to the LAA when soils are saturated (e.g., during or after significant precipitation).
8. Any irrigation runoff shall be confined to the LAA and shall not enter any surface water drainage course or storm water drainage system.
9. The LAA shall be managed to prevent breeding of mosquitos. More specifically:
 - a. All applied irrigation water must infiltrate completely within 48-hours;
 - b. Ditches not serving as wildlife habitat shall be maintained free of emergent marginal, and floating vegetation; and
 - c. Low-pressure and unpressurized pipeline and ditches accessible to mosquitos shall not be used to store process wastewater.

G. Solids Disposal Specifications

For the purpose of this Order, solid waste refers to solid inorganic matter removed by screens and soil sediments from washing of unprocessed fruit or vegetables. Except for waste solids originating from meat processing, residual solids means organic food processing byproducts such as culls, pulp, stems, leaves, and seeds that will not be subject to treatment prior to disposal or land application.

1. Residual solids shall be removed from screens, sumps, and ponds as needed to ensure optimal operation, prevent nuisance conditions, and maintain adequate storage capacity.

2. Any handling and storage of residual solids shall be controlled and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate the groundwater limitations of this Order.
3. If removed from the site, residual solids shall be disposed of in a manner approved by the Executive Officer and consistent with Title 27, division 2. Removal for reuse as animal feed, or land disposal at facilities (i.e., landfills, composting facilities, soil amendment sites operated in accordance with valid waste discharge requirements issued by a Regional Water Board) will satisfy this specification.
4. Any proposed change in residual solids use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change.

H. Provisions

1. The Discharger shall comply with the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements*, dated 1 March 1991 (SPRRs), which are a part of this Order. This attachment and its individual paragraphs are referred to as Standard Provisions.
2. The Discharger shall comply with the enclosed **Monitoring and Reporting Program (MRP) R5-2020-XXXX**, and any revisions thereto, as ordered by the Executive Officer. The submittal dates of Discharger self-monitoring reports shall be no later than the submittal date specified in the MRP.
3. A copy of this Order (including Information Sheet, Attachments and SPRRs) and the MRP, shall be kept at the Facility for reference by operating personnel. Key operating personnel shall be familiar with their contents.
4. The Discharger shall comply with the Basin Plan amendments adopted in Resolution R5-2018-0034 incorporating new programs (Salt and Nitrate Control Program) for addressing ongoing salt and nitrate accumulation in the Central Valley developed as part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative.
5. By **<6 months from adoption of the Order>**, the Discharger shall submit a **Salinity Reduction Study Work Plan** for Executive Officer approval. At a minimum, the Salinity Reduction Study Work Plan must include:
 - i. Data on current and effluent salinity concentrations;

- ii. Identification of known salinity sources;
- iii. Description of current plans to reduce/eliminate known salinity sources;
- iv. Preliminary identification of other potential sources;
- v. A proposed schedule for evaluating sources; and
- vi. A proposed schedule for identifying and evaluating potential reduction, elimination, and prevention methods.

Implementation progress of the Salinity Reduction Work Plan shall be reported each year in the Annual Monitoring Report required pursuant to the MRP.

6. By **<6 months from adoption of the Order>**, the Discharger shall submit a **Groundwater Monitoring Well Network Evaluation and Well Installation Workplan** to ensure adequate groundwater monitoring upgradient and downgradient of the evaporation/percolation pond. The workplan shall evaluate the potential groundwater impacts attributable to the Facility's operations and discharge. The workplan shall be prepared in accordance with, and include the items listed in, the first section of Attachment C (*Requirements for Monitoring Well Installation Workplans and Monitoring Well Installation Reports*), which is incorporated herein.

As an alternative to the Groundwater Monitoring Well Network Evaluation and Well Installation Evaluation Work Plan discussed above, the Discharger may elect to either line the evaporation/percolation pond or pursue land application of the wastewater (i.e., reuse the wastewater for irrigation of surrounding crops at agronomic rates). If the Discharger selects one of these alternatives, the Discharger must submit an **Alternative Work Plan** by **<6 months from adoption of the Order>** with a timeline for either installing a pond liner or reusing the Facility's effluent. The timeline shall not exceed two years from the date of the submittal of the Alternative Work Plan. If the Discharger chooses to pursue lining the pond, the Alternative Work Plan must include a water balance showing the pond is sized appropriately to provide sufficient storage for the Facility at the permitted flows with a total annual precipitation using a return period of 100 years.

7. Within **12 months of receiving Executive Officer approval** of the Groundwater Monitoring Network Evaluation and Well Installation Workplan, the Operator shall submit a **Groundwater Monitoring Well Installation Report** for the new groundwater monitoring wells constructed to comply with Provision H.6. The report shall be prepared in accordance with, and include the items listed in, the second section of Attachment C. The report shall

describe the installation and development of all new monitoring wells and explain any deviation from the approved workplan.

8. A discharger whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment, collection, and disposal facilities. The projections shall be made in January, based on the last three years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in four years, the discharger shall notify the Central Valley Water Board by 31 January.
9. In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall bear the professional's signature and stamp.
10. The Discharger shall submit the technical reports and work plans required by this Order for consideration by the Executive Officer, and incorporate comments the Executive Officer may have in a timely manner, as appropriate. Unless expressly stated otherwise in this Order, the Discharger shall proceed with all work required by the foregoing provisions by the due dates specified.
11. The Discharger shall comply with all conditions of this Order, including timely submittal of technical and monitoring reports. On or before each report due date, the Discharger shall submit the specified document to the Central Valley Water Board or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, then the Discharger shall state the reasons for such noncompliance and provide an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board in writing when it returns to compliance with the time schedule. Violations may result in enforcement action, including Central Valley Water Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.

12. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary.
13. The Discharger shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to comply with this Order.
14. Per the SPRRs, the Discharger shall report promptly to the Central Valley Water Board any material change or proposed change in the character, location, or volume of the discharge.
15. In the event that the Discharger reports toxic chemical release data to the State Emergency Response Commission (SERC) pursuant to section 313 of the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11023), the Discharger shall also report the same information to the Central Valley Water Board within 15 days of the report to the SERC.
16. In the event of any change in control or ownership of the WWTF, the Discharger must notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.
17. To assume operation as Discharger under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. If approved by the Executive Officer, the transfer request will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.
18. The Central Valley Water Board will review this Order periodically and will revise requirements when necessary.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney

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

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

(http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

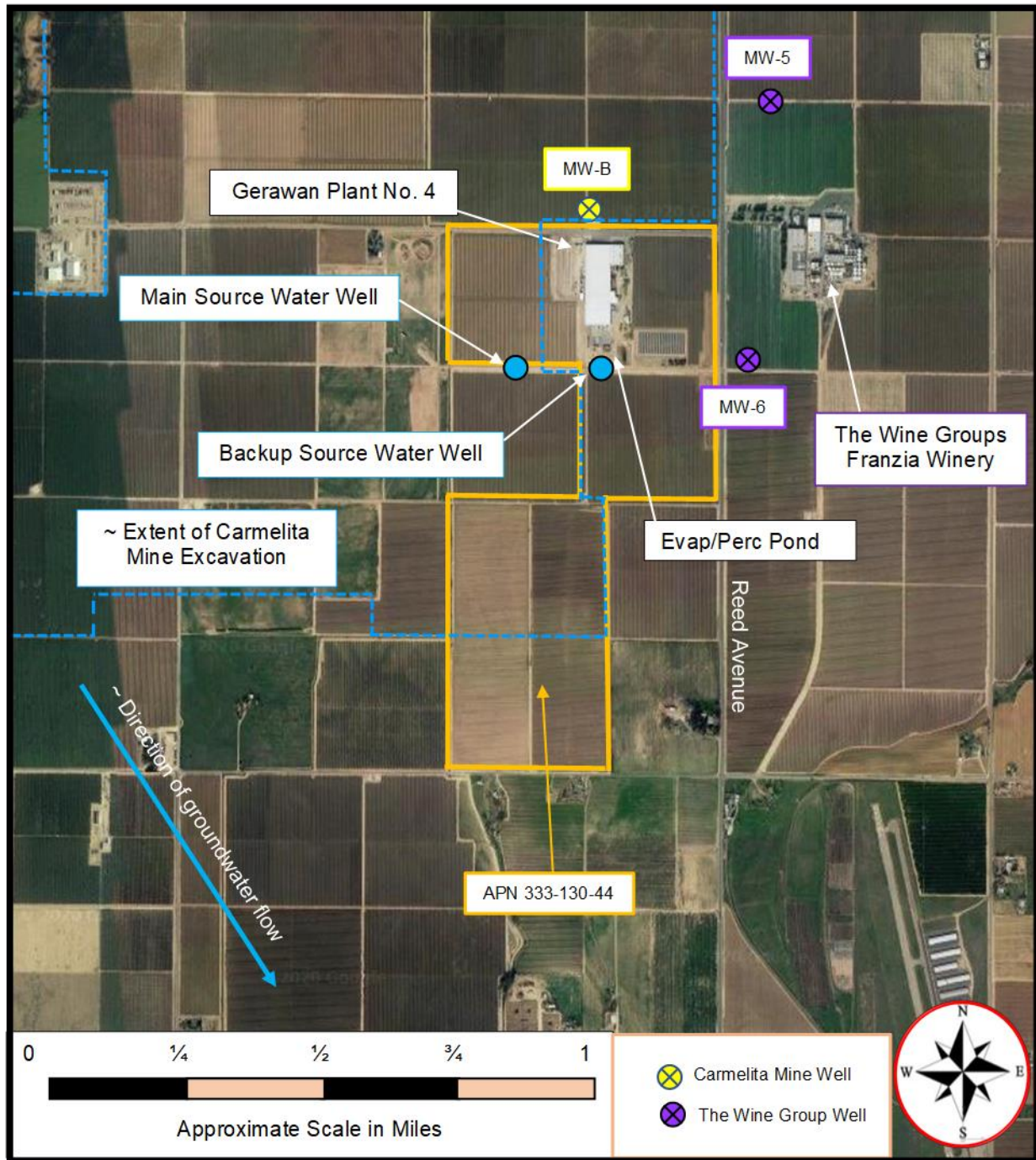
ATTACHMENTS

- Attachment A – Site Map
- Attachment B – Facility Map
- Attachment C – Requirements for Monitoring Well Installation Workplans and Monitoring Well Installation Reports
- Information Sheet
- Standard Provisions and Reporting Requirements (SPRRs), dated 1 March 1991
- Monitoring and Reporting Program R5-2020-

ATTACHMENT A—SITE MAP



ATTACHMENT B—FACILITY MAP



ATTACHMENT C

Requirements for Monitoring Well Installation Work Plans and Installation Reports

Prior to installation of groundwater monitoring wells, the Discharger shall submit a workplan containing, at a minimum, the information listed in Section 1, below. Wells may be installed after staff approves the workplan. Upon installation of the monitoring wells, the Discharger shall submit a well installation report which includes the information contained in Section 2 below. All workplans and reports must be prepared under the direction of, and signed by, a registered geologist or civil engineer licensed by the State of California.

SECTION 1 -Monitoring Well Installation Workplan and Groundwater Sampling and Analysis Plan

The monitoring well installation workplan shall contain the following minimum information:

A. General Information:

- Purpose of the well installation project
- Brief description of local geologic and hydrogeologic conditions
- Proposed monitoring well locations and rationale for well locations
- Topographic map showing facility location, roads, and surface water bodies
- Large scaled site map showing all existing on-site wells, proposed wells, surface drainage courses, surface water bodies, buildings, waste handling facilities, utilities, and major physical and man-made features

B. Drilling Details:

- Description of the on-site supervision of drilling and well installation activities
- Description of drilling equipment and techniques
- Equipment decontamination procedures
- Soil sampling intervals (if appropriate) and logging methods

C. Monitoring Well Design (in narrative and/or graphic form):

- Diagram of proposed well construction details:
 - o Borehole diameter
 - o Casing and screen material, diameter, and centralizer spacing (if needed)
 - o Type of well caps (bottom cap either screw on or secured with stainless steel screws)

- Anticipated depth of well, length of well casing, and length and position of perforated interval
- Thickness, position and composition of surface seal, sanitary seal, and sand pack
- Anticipated screen slot size and filter pack

D. Well Development (not to be performed until at least 48 hours after sanitary seal placement):

- Method of development to be used (i.e., surge, bail, pump, etc.)
- Parameters to be monitored during development and record keeping technique
- Method of determining when development is complete
- Disposal of development water

E. Well Survey (precision of vertical survey data shall be at least 0.01 foot):

- Identify the Licensed Land Surveyor or Civil Engineer that will perform the survey
- Datum for survey measurements
- List well features to be surveyed (i.e. top of casing, horizontal and vertical coordinates, etc.)

F. Schedule for Completion of Work

G. Appendix: Groundwater Sampling and Analysis Plan (SAP)

The Groundwater SAP shall be included as an appendix to the workplan, and shall be utilized as a guidance document that is referred to by individuals responsible for conducting groundwater monitoring and sampling activities.

Provide a detailed written description of standard operating procedures for the following:

- Equipment to be used during sampling
- Equipment decontamination procedures
- Water level measurement procedures
- Well purging (include a discussion of procedures to follow if three casing volumes cannot be purged)
- Monitoring and record keeping during water level measurement and well purging (include copies of record keeping logs to be used)
- Purge water disposal
- Analytical methods and required reporting limits
- Sample containers and preservatives
- Sampling
 - General sampling techniques
 - Record keeping during sampling (include copies of record keeping logs to be used)
 - QA/QC samples

- Chain of Custody
- Sample handling and transport

SECTION 2 - Monitoring Well Installation Report

The monitoring well installation report must provide the information listed below. In addition, the report must also clearly identify, describe, and justify any deviations from the approved workplan.

A. General Information:

- Purpose of the well installation project
- Brief description of local geologic and hydrogeologic conditions encountered during installation of the wells
- Number of monitoring wells installed and copies of County Well Construction Permits
- Topographic map showing facility location, roads, surface water bodies
- Scaled site map showing all previously existing wells, newly installed wells, surface water bodies, buildings, waste handling facilities, utilities, and other major physical and man-made features.

B. Drilling Details (in narrative and/or graphic form):

- On-site supervision of drilling and well installation activities
- Drilling contractor and driller's name
- Description of drilling equipment and techniques
- Equipment decontamination procedures
- Soil sampling intervals and logging methods
- Well boring log (including the following):
 - o Well boring number and date drilled
 - o Borehole diameter and total depth
 - o Total depth of open hole (same as total depth drilled if no caving or back-grouting occurs)
 - o Depth to first encountered groundwater and stabilized groundwater depth
 - o Detailed description of soils encountered, using the Unified Soil Classification System

C. Well Construction Details (in narrative and/or graphic form).

- Well construction diagram, including:
 - o Monitoring well number and date constructed
 - o Casing and screen material, diameter, and centralizer spacing (if needed)
 - o Length of well casing, and length and position of perforated interval
 - o Thickness, position and composition of surface seal, sanitary seal, and sand pack
 - o Type of well caps (bottom cap either screw on or secured with stainless steel screws)

D. Well Development:

- Date(s) and method of development
- How well development completion was determined
- Volume of water purged from well and method of development water disposal
- Field notes from well development should be included in report

E. Well Survey (survey the top rim of the well casing with the cap removed):

- Identify the coordinate system and datum for survey measurements
- Describe the measuring points (i.e. ground surface, top of casing, etc.)
- Present the well survey report data in a table

Include the Registered Engineer or Licensed Surveyor's report and field notes in appendix.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

WASTE DISCHARGE REQUIREMENTS ORDER R5-2020-
FOR
GERAWAN FARMING, INC.
PLANT 4 SANGER FRUIT PACKING FACILITY
FRESNO COUNTY

INFORMATION SHEET

BACKGROUND

Gerawan Farming, Inc. (Gerawan or Discharger) owns and operates a fruit packing facility at 14044 West Central Avenue in Sanger (referred to as Plant 4 Sanger Fruit Packing Facility or Facility). The Facility is on a portion of APN 333-130-44. Attachment A of the waste discharge requirements (WDRs) includes a Site Map. Fruit processing activities have been occurring at the Facility for years (the Plant 4 building was built around 1993). The Facility has not previously been regulated by WDRs.

The following technical reports and documents were submitted to the Central Valley Water Board to draft WDRs for the Facility.

- Technical Report for Report of Waste Discharge (RWD) for Gerawan Farming, Inc., Plant 4 Tree Fruit Packing Facility, Fresno County, 21 June 2019 prepared by EMKO Environmental, Inc.
- A Form 200 completed and signed by George Nikolich, Vice President, Technical Operations, Gerawan Farming, Inc.
- Revised Technical Report for RWD for Gerawan Farming, Inc., Plant 4 Tree Fruit Packing Facility, Fresno County, 28 August 2019 prepared by EMKO Environmental Inc.
- A 19 February 2020 letter from Gerawan Farming, Inc evaluating the reuse of fruit processing wastewater on adjacent lands.

WASTEWATER GENERATION AND DISPOSAL

The Facility packs whole peaches, plums, and nectarines and wastewater is diverted to a four million-gallon capacity, unlined evaporation/percolation pond constructed below grade with a 24-inch above grade earthen berm around the edges of the pond. The packing process includes washing, sorting, and grading the fruit and packing occurs from about early May through late September, or approximately 120 days. The amount of water used varies from about 14,000 to 130,000 gallons per day (gpd) with an estimated average of 95,000 gpd. A water balance in the RWD indicated the evaporation/percolation pond could accept up to 11.4 million gallons of wastewater annually. The RWD conservatively assumes that 100 percent of the water used becomes wastewater.

Central Valley Regional Water Quality Control Board staff prepared Monitoring and Reporting Program R5-2019-0909 for the Facility in October 2019. The first quarter 2020 Self-Monitoring Report was submitted on 24 April 2020 but states that no discharge occurred during the first quarter 2020, so no data was available for review.

Effluent samples were collected from the discharge and from the source water for the Facility in May and June 2019 and are discussed in Findings 13 through 16 of the WDRs.

SOLIDS GENERATION AND DISPOSAL

Culled fruit is hauled offsite for further processing in secondary markets or used as animal feed.

GROUNDWATER CONSIDERATIONS

Groundwater conditions are discussed in Findings 23 through 25.

ANTIDegradation

Antidegradation analysis and conclusions are discussed in Findings 43 through 48 of the Order.

DISCHARGE PROHIBITIONS, DISCHARGE SPECIFICATIONS, AND PROVISIONS

The Order limits the maximum daily average discharge to 130,000 gallons per day and the maximum annual discharge to 11.4 million gallons. This Order contains Effluent Limit B.1 that requires the 12-month rolling average EC of the discharge (monitored at EFF-001) to not exceed the 12-month flow-weighted average EC of the source water plus 500 $\mu\text{mhos/cm}$. The Order also includes Provision H.5 requiring submittal of a Salinity Reduction Study Work Plan.

MONITORING REQUIREMENTS

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

SALT AND NITRATE CONTROL PROGRAMS REGULATORY CONSIDERATIONS

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative, the Central Valley Water Board adopted Basin Plan amendments (Resolution R5-2018-0034) incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. On 16 October 2019, the State Water Resources Control Board adopted Resolution

No. 2019-0057 approving the Central Valley Water Board Basin Plan amendments and also directed the Central Valley Water Board to make targeted revisions to the Basin Plan amendments within one year from the approval of the Basin Plan amendments by the Office of Administrative Law. The Office of Administrative Law approved the Basin Plan amendments on 15 January 2020 (OAL Matter No. 2019-1203-03).

Pursuant to the Basin Plan amendments, dischargers will receive a Notice to Comply with instructions and obligations for the Salt Control Program within one year of the effective date of the amendments (17 January 2020). Upon receipt of the Notice to Comply, the Discharger will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting). The level of participation required of dischargers whose discharges do not meet stringent salinity requirements will vary based on factors such as the amount of salinity in the discharge, local conditions, and type of discharge. For the Nitrate Control Program, the Facility falls within Groundwater Basin 5-22.08 (San Joaquin Valley – Kings), a Priority 1 Basin. Dischargers within a Priority 1 Basin, including Gerawan, were issued a Notice to Comply for the Nitrate Control Program on 29 May 2020. The CV-SALTS initiative will result in regulatory changes that will be implemented through conditional prohibitions and modifications to many WDRs regionwide, including the WDRs that regulate discharges from the Facility. More [information regarding the CV-SALTS regulatory planning process](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/) can be found at the following link: (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/).

REOPENER

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

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

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