

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

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[Regional Board Website](https://www.waterboards.ca.gov/centralvalley) (https://www.waterboards.ca.gov/centralvalley)

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[TENTATIVE] WASTE DISCHARGE REQUIREMENTS ORDER  
R5-2023-XXXX

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**ORDER INFORMATION**

<b>Order Type(s):</b>	Waste Discharge Requirements (WDRs)
<b>Status:</b>	TENTATIVE
<b>Program:</b>	Title 27 Discharges to Land
<b>Region 5 Office:</b>	Fresno
<b>Discharger(s):</b>	Bell-Carter Olive Company, Inc.
<b>Facility:</b>	Former Brine Pond
<b>Address:</b>	S. Monson Ave. between E. Parlier Ave. and Manning Ave.
<b>County:</b>	Fresno County
<b>Parcel Nos.:</b>	378-021-19
<b>GeoTracker ID:</b>	L10005791661
<b>Prior Order(s):</b>	R5-2005-0114 & 77-006

## **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 \_\_\_\_\_ October 2023.

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PATRICK PULUPA,  
Executive Officer

## **REGIONAL BOARD INFORMATION**

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## GLOSSARY

<b>Antidegradation Policy</b> .....	Statement of Policy with Respect to Maintaining High Quality Waters in California, State Water Board Resolution 68-16
<b>Basin Plan</b> .....	<i>Water Quality Control Plan for the Tulare Lake Basin</i>
<b>bgs</b> .....	Below Ground Surface
<b>CalRecycle</b> .....	California Department of Resources Recovery and Recycling
<b>CAP</b> .....	Corrective Action Program
<b>CAMP</b> .....	Corrective Action Monitoring Program
<b>CEQA</b> .....	California Environmental Quality Act
<b>CEQA Guidelines</b> .....	California Code of Regulations, Title 14, section 15000 et seq.
<b>C.F.R.</b> .....	Code of Federal Regulations
<b>COCs</b> .....	Constituents of Concern
<b>CPMP</b> .....	Closure and Post-Closure Maintenance Plan
<b>DMP</b> .....	Detection Monitoring Program
<b>DWR</b> .....	California Department of Water Resources
<b>EC</b> .....	Electrical Conductivity
<b>EIR</b> .....	Environmental Impact Report
<b>EMP</b> .....	Evaluation Monitoring Plan
<b>FEMA</b> .....	Federal Emergency Management Agency
<b>GCL</b> .....	Geocomposite Liner
<b>HDPE</b> .....	High-Density Polyethylene
<b>JTD</b> .....	Joint Technical Document
<b>LCRS</b> .....	Leachate Collection and Removal System
<b>LEA</b> .....	Local Enforcement Agency

## Glossary

<b>Leachate</b> .....	Liquid formed by the drainage of liquids from waste or by the percolation or flow of liquid through waste. Leachate includes any constituents extracted from the waste and dissolved or suspended in the fluid. (Title 27, § 20164.)
<b>LFG</b> .....	Landfill Gas Condensate
<b>MCE</b> .....	Maximum Credible Earthquake
<b>MDB&amp;M</b> .....	Mount Diablo Base and Meridian
<b>MDL</b> .....	Method Detection Limit
<b>µg/L</b> .....	Micrograms per Liter
<b>mg/L</b> .....	Milligrams per Liter
<b>MPE</b> .....	Maximum Probable Earthquake
<b>msl</b> .....	Mean Sea Level
<b>MRP</b> .....	Monitoring and Reporting Program
<b>MSW</b> .....	Municipal Solid Waste regulated under 40 C.F.R. part 258
<b>MSWLF</b> .....	Municipal Solid Waste Landfill
<b>MW</b> .....	Monitoring Well
<b>SPRRs</b> .....	Standard Provisions and Reporting Requirements
<b>ROWD</b> .....	Report of Waste Discharge
<b>Title 23</b> .....	California Code of Regulations, Title 23
<b>Title 27</b> .....	California Code of Regulations, Title 27
<b>USEPA</b> .....	United States Environmental Protection Agency
<b>VOCs</b> .....	Volatile Organic Compounds
<b>WDRs</b> .....	Waste Discharge Requirements
<b>WMU</b> .....	Waste Management Unit
<b>WQOs</b> .....	Water Quality Objectives
<b>WQPS</b> .....	Water Quality Protection Standard



## FINDINGS

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

### Introduction

1. The Bell-Carter Olive Company (Discharger) owns and maintains a closed surface impoundment (Facility), which has historically been referred to as the “Former Brine Pond” and is located approximately one mile southwest of the City of Orange Cove in Fresno County (Section 23, Township 15 South, Range 24 East, Mount Diablo Base and Meridian). The surface impoundment location is depicted on the Site Location Map in **Attachment A**.
2. As the owner, the Discharger is responsible for compliance with this Order, which prescribes Waste Discharge Requirements (WDRs) regulating monitoring and post-closure maintenance.

### Materials Accompanying Order

3. The following materials are attached to this Order, and incorporated herein:

**ATTACHMENT A—SITE LOCATION MAP**

**ATTACHMENT B—FACILITY MAP**

Information Sheet for Waste Discharge Requirements Order R5-2023-XXXX (Information Sheet)

Standard Provisions & Reporting Requirements for Waste Discharge Requirements for Industrial Facilities Regulated by Title 27, April 2016 Edition (SPRRs or Standard Provisions) (separate document)

4. This Order is also accompanied by the concurrently adopted **Monitoring & Reporting Program R5-2023-XXXX (MRP)**, the provisions of which are incorporated as part of this Order. Each time the operative MRP is modified by the Central Valley Water Board or its Executive Officer, the revised version shall become the operative MRP (superseding the prior version) and be incorporated as part of this Order (i.e., in lieu of the prior version).
5. To the extent there are any material inconsistencies between the provisions of this Order, the operative MRP and the SPRRs, the provisions of this Order shall be controlling. However, to the extent a revised MRP contains new or different factual findings reflecting changed conditions or circumstances at the site, the revised MRP findings shall be controlling.

### **Facility**

6. The Facility consists of one surface impoundment that was lined with a 20-mil PVC liner and was historically used for the disposal of up to 100,000 gallons per year of brine wastewater produced from olive processing between 1977 to 1985. The discharge was regulated under Waste Discharge Requirements Order No. 77-006.
7. On 5 August 2005, the Central Valley Water Board rescinded Order No. 77-006, and WDRs Order R5-2005-0114 was adopted to require the completion of an Evaluation Monitoring Program, the implementation of a Corrective Action Program (CAP), and to regulate closure and post-closure maintenance of the Facility. The surface impoundment was closed in accordance with the requirements of Title 27 in 2007 as part of its CAP.
8. The closed surface impoundment encompasses approximately two acres and was approximately nine feet in depth, located at Assessor's Parcel Number (APN) 378-021-19. The surface impoundment location is illustrated in ATTACHMENT A.
9. The surface impoundment is located on the east side of South Monson Avenue between East Parlier Avenue and Manning Avenue. The site is generally flat, sloping gently to the east-northeast. Orchards and vineyards surround the site on three sides and the City of Orange Cove's wastewater treatment facility is located to the west across South Monson Avenue.

### **Waste Classification & Permitting**

10. The wastewater discharged to the surface impoundment reportedly consisted of brine wastewater with an Electrical Conductivity (EC) level of 79,000  $\mu\text{mhos/cm}$ . Sludge samples collected from the bottom of the surface impoundment contained a maximum EC value of 27,000  $\mu\text{mhos/cm}$  and a chloride concentration of 100,000 mg/kg.
11. The Discharger was notified in 1985 in a Central Valley Water Board letter, that the surface impoundment was considered an existing waste management unit (WMU) as defined by Title 23, Chapter 3, Subchapter 15. Parts of Chapter 15 regulating the disposal of non-hazardous waste are now part of Title 27, which includes regulations addressing the closure and post-closure maintenance requirements for surface impoundments.
12. Title 27 requires the clean-closure of Class II surface impoundments. However, if clean-closure is infeasible, closure as a non-municipal solid waste landfill is allowed. WDR Order R5-2005-0114 classifies the closed surface impoundment

as a Class II non-municipal solid waste landfill in accordance with Title 27. This Order continues this classification.

13. This Order updates the WDRs for the Facility, as part of an administrative policy of periodic review, to incorporate revisions to regulations and policies adopted thereunder, for continued monitoring and post-closure maintenance.

### **Site Conditions**

14. According to Department of Water Resources information, the regional groundwater gradient is to the southwest. However, groundwater flow beneath the Facility is typically to the southeast and may be influenced by agricultural pumping.
15. The soil beneath the Facility is reported to consist of interbedded sandy silt, silty and clayey sand, and clayey gravel.
16. Background water quality of the shallow groundwater has chloride concentrations of 30 mg/L and EC of 550  $\mu$ mhos/cm.
17. The Facility is not within a fault hazard zone. The closest known Holocene fault is the Owens Valley Fault approximately 67 miles to the east. In 1872, an earthquake with an estimated 7.6 magnitude occurred on this fault.
18. Results of hydrogeologic investigations indicated EC and chloride concentrations in soil and groundwater beneath the surface impoundment significantly exceeded background levels as a result of Facility operations. Part of the CAP required that the surface impoundment be closed in accordance with the requirements of Title 27.
19. The surface impoundment was closed by draining the fluids, backfilling it with solid inert material, and installing a low-permeability cover system to help prevent percolation through the remaining contaminated soil. Groundwater flow continues to dilute and disperse residual contaminants at the Facility.
20. The Facility is located in the Orange Cove Hydrologic Area (No. 551.50), as depicted on interagency surface water hydrologic units Figure 2-1 of the Central Valley Water Board's *Water Quality Control Plan for the Tulare Lake Basin* (Basin Plan).
21. According to Table 2-1 of the Central Valley Water Board's *Water Quality Control Plan for the Tulare Lake Basin* (Basin Plan), the Facility is within the Kings River reach of Pine Flat Dam to Friant Kern. The designated beneficial uses of this surface water includes the following: Municipal and Domestic Supply (MUN); Agricultural Supply (AGR); Hydropower Generation (POW); Water Contact

- Recreation (REC-1); Non-contact Water Recreation (REC-2); Warm Freshwater Habitat (WARM); Cold Freshwater Habitat(COLD); Wildlife Habitat (WILD); Spawning, Reproduction, and/or Early Development (SPWN); Ground Water Recharge (GWR); and Freshwater Replenishment (FRSH).
22. There are no surface water bodies within the immediate area of the surface impoundment except for the stormwater basin that seasonally receives stormwater run-off and a small irrigation canal that is present along the northern and western boundaries, as depicted in ATTACHMENT B. The nearest surface water bodies are the Alta East Branch Canal and the Friant-Kern Canal, which are located approximately  $\frac{3}{4}$  of a mile west of the Facility and approximately two miles east of the Facility, respectively.
  23. Stormwater runoff is diverted from the cover system of the surface impoundment by drop inlet structures and collection pipes at the perimeter of the asphalt pavement. The runoff is conveyed by discharge pipes to a stormwater basin on the western perimeter of the site where runoff can percolate to the groundwater and/or evaporate.
  24. The Facility is located in Detailed Analysis Unit (DAU) 240 of the Kings Basin, and groundwater beneath the Facility has designated beneficial uses of municipal and domestic supply (MUN) and agricultural supply (AGR).
  25. Groundwater depth is first encountered approximately 85.90 feet bgs in monitoring well MW-2D, and the groundwater elevation in the same well is approximately 317.63 feet as measured on 18 March 2022.
  26. Twenty privately owned agricultural and domestic groundwater supply wells are reported to exist within one-half mile of the site. Seven of these wells have been tested and existing data suggests that these water supply wells have not been impacted by past operations of the surface impoundment.
  27. Based on data from the nearest active weather station of the California Department of Water Resources' California Irrigation Management Information System (CIMIS), Parlier - San Joaquin Valley - Station 39, the total average precipitation for the 2022 year is approximately 5.2 inches and the total average evapotranspiration (ETo) is 59.78 inches.
  28. According to the National Oceanic and Atmospheric Administration's (NOAA) Precipitation Frequency Atlas 14, Volume 6, Version 2, the site's 100-year and 1,000-year, 24-hour rainfall events are estimated to result in 4.24 and 6.08 inches of precipitation, respectively. Source: [NOAA Precipitation Frequency Data Server](https://hdsc.nws.noaa.gov/hdsc/pfds) (<https://hdsc.nws.noaa.gov/hdsc/pfds>).

29. Currently, the Discharger is not required to obtain coverage under a National Pollutant Discharge Elimination System (NPDES) general industrial stormwater permit. It is the responsibility of the Discharger to comply with United States Environmental Protection Agency federal stormwater regulations (40 CFR Parts 122, 123, and 124) should the site not qualify for exemption.
30. According to the Federal Emergency Management Agency's (FEMA), [Flood Insurance Rate Map](https://msc.fema.gov/portal) (<https://msc.fema.gov/portal>), the Facility lies within the 100-year flood plain. However, the surface impoundment's cover system was constructed to limit the effects of inundation and washout by the 100-year flood event.
31. The maximum elevation of the upper portion of the cover system (approximately 400 ft. MSL) would have portions just at or below the anticipated maximum elevation (approximately 400 ft. MSL) of the 100-year peak flood event. The three-inch thick, sloped, asphalt concrete cover, coupled with the 60-mil HDPE liner and other components, are designed to extend beyond the maximum dimension of the previous surface impoundment and would thus limit potential infiltration. The durability of the asphalt concrete construction would prevent washout or erosion.

### Monitoring Networks

32. As of the date of this Order, the **groundwater** monitoring network consists of the existing monitoring wells listed in **Table 1**.

**Table 1—Groundwater Monitoring Well Network**

Well	Program	Status
MW-1	Background	DRY
MW-1D	Background	DRY
MW-2	Detection	DRY
MW-2D	Detection	Insufficient water to sample
MW-3	Detection	DRY
MW-3D	Detection	DRY
MW-4	Detection	DRY
MW-4D	Detection	DRY
MW-5	Detection	Inactive*

\*MW-5 was vandalized. Based on total depth measurements before and after damage, an obstruction occurs approximately seven feet from the former bottom.

33. As of the date of this Order, there are no **unsaturated zone** monitoring requirements.
34. As of the date of this Order, there are no **surface water** monitoring requirements.
35. As of the adoption of this Order, the above-described networks comply with the monitoring requirements of Title 27, with the exception of the groundwater monitoring network. (See Title 27, §§ 20415–20435.) Subsequent changes to these networks will be reflected in a Revised Monitoring & Reporting Program issued by the Executive Officer.
36. This Order requires the Discharger to submit a workplan to bring its groundwater monitoring network into compliance with the monitoring requirements of Title 27.

#### **Water Quality Protection Standard**

37. A Water Quality Protection Standard (WQPS) is the analytical framework through which WMUs are individually monitored for releases and impacts to water quality. (Title 27, § 20390, subd. (a).) Under Title 27, a WQPS is separately established for each WMU in WDRs. (*Id.*)
38. In accordance with Title 27, this Order, by virtue of its incorporation of **Monitoring & Reporting Program R5-2023-XXXX (MRP)** and subsequent revisions thereto, establishes a WQPS for the surface impoundment.

#### **Unit Closure**

39. The Central Valley Water Board is authorized to approve an **engineered alternative** to Title 27 prescriptive standards (see, e.g., Title 27, § 20330, subd. (c)), provided that the discharger demonstrates that compliance with the prescriptive standard would be unreasonably and unnecessarily burdensome in comparison to the proposed alternative. (Title 27, § 20080, subds. (b), (c); State Water Board Resolution 93-62).
40. It was previously determined that clean closure was not feasible. The surface impoundment was closed in place as a landfill after it was backfilled and with the construction of a cover system, consisting of the following (in ascending order):
  - a. Two-foot thick compacted foundation layer,
  - b. 60-mil HDPE geomembrane
  - c. 24-inch thick protective soil layer,
  - d. 10-inch thick layer of base rock, and
  - e. Three-inch thick layer of asphalt concrete.

### **Post-Closure Maintenance & Financial Assurances**

41. The Discharger's revised Final Closure/Post-Closure Maintenance Plan dated 15 February 2006 (CPMP) is the operative document providing for post-closure maintenance of the surface impoundment for the entire post-closure maintenance period of at least 30 years, and until it is demonstrated that the surface impoundment no longer poses a threat to public health and safety and the environment. (See Title 27, §§ 20950(a)(1), 21180(a).)
42. This Order requires the Discharger to submit updated cost estimates for post-closure maintenance (§§ 22210–22212) and foreseeable corrective action for releases (§§ 22220–22222) and to maintain financial assurances in accordance with Title 27.

### **California Environmental Quality Act**

43. 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). The discharges authorized under this Order are substantially within parameters established under prior WDRs, particularly with respect to character and volume of discharges.

### **Other Regulatory Matters**

44. This Order is issued in part pursuant to Water Code section 13263, subdivision (a), which provides 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 ... 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 reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of [Water Code] Section 13241.
45. This Order implements the Central Valley Water Board's Basin Plan, which designates beneficial uses for surface water and groundwater and establishes

water quality objectives (WQOs) necessary to preserve such beneficial uses.<sup>1</sup>  
(Wat. Code, § 13241 et seq.)

46. The State Water Board's *Statement of Policy with Respect to Maintaining High Quality Waters in California*, Resolution 68-16 (*Antidegradation Policy*) 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.
47. Consistent with Title 27, this Order requires the Discharger to maintain the Facility to contain waste within WMUs, thereby preventing degradation of water quality. To the extent that there are releases from the surface impoundment, the Discharger will be required to address such releases through a Corrective Action Program. (See Title 27, §§ 20385, 20415, 20430.) Because this Order does not authorize any degradation in water quality, it complies with the *Antidegradation Policy*.
48. For the purposes of California Code of Regulations, title 23 (Title 23), section 2200, the surface impoundment has a threat-complexity rating of **3-C**, where:
  - a. Threat Category "3" reflects waste discharges that could either degrade water quality without violating water quality objectives, or cause beneficial use impairments that are minor relative to Categories 1 and 2; and
  - b. Complexity Category "C" reflects 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. 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.

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<sup>1</sup> Designated beneficial uses surface water and groundwater are discussed in Finding 0 and Finding 23, respectively.



### **Reporting Requirements**

49. This Order is also issued in part pursuant to Water Code section 13267, subdivision (b)(1), which provides that:

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

50. The technical reports required under this Order, as well as those required under the separately issued MRP, are necessary to ensure compliance with prescribed WDRs and the provisions of Title 27, Subtitle D (40 C.F.R. part 258) and State Water Board Resolution 93-62. Additionally, the burdens associated with such reports are reasonable relative to the need for their submission.
51. Failure to comply with the reporting requirements under this Order and the MRP may result in enforcement action pursuant to Water Code section 13268.

### **Procedural Matters**

52. The Discharger, interested agencies, and 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. (Wat. Code, § 13167.5; Title 27, § 21730.)
53. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.
54. The Central Valley Water Board will review and revise the WDRs in this Order as necessary.

## REQUIREMENTS

**IT IS HEREBY ORDERED** that Order No. R5-2005-0114 is rescinded. It is further ordered pursuant to Water Code sections 13263 and 13267, that the Discharger and their agents, employees, and successors in order to meet the provisions contained in Division 7 or the California Water Code and plans, policies, and regulations adopted thereunder, shall comply with the following.

### **A. Prohibitions**

Except as otherwise expressly directed below, the Discharger shall comply with all Standard Prohibitions (SPRRs, § C), which are incorporated herein, as well as the following.

1. The discharge of any additional waste at the site is prohibited.
2. The discharge of solid or liquid waste to surface waters, surface water drainage courses, or groundwater in a manner which could cause a condition of nuisance, degradation, contamination, or aggravation of the existing groundwater pollution to occur is prohibited.
3. The ponding of liquids on the surface of the cover system is prohibited.

### **B. Discharge Specifications**

Except as otherwise expressly directed below, the Discharger shall comply with all Standard Discharge Specifications (SPRRs, § D), which are incorporated herein, as well as the following.

### **C. Facility Specifications**

The Discharger shall comply with all Standard Facility Specifications (SPRRs, § E) which are incorporated herein.

### **D. Post-Closure Maintenance Specifications**

1. The post-closure maintenance period shall continue until the Central Valley Water Board determines that the waste no longer poses a threat to groundwater quality.
2. Throughout the post-closure maintenance period, the Discharger shall:

- a. Maintain the structural integrity and effectiveness of all containment structures and maintain the covers as necessary to correct the effects of settlement or other adverse factors.
  - b. Maintain the monitoring systems and monitor groundwater in accordance with Monitoring and Reporting Program No. R5-2023-XXXX.
  - c. Prevent erosion and related damage of the covers due to drainage.
  - d. Protect and maintain surveyed monuments.
3. The cover systems shall be operated and maintained to limit the effects of inundation or washout due to floods with a 100-year return period.
  4. The Discharger shall immediately notify the Central Valley Water Board of any flooding, unpermitted discharge of waste on or off-site, slope failure, or other change in site conditions which could impair the integrity of the cover system, or precipitation and drainage control structures.

#### **E. Financial Assurances**

Except as otherwise directed below, the Discharger shall comply with all Standard Financial Assurance Provisions (SPRRs, § H), as well as the following.

1. The Discharger shall submit updated cost estimates for post-closure maintenance (§§ 22210–22212) and foreseeable corrective action for releases (§§ 22220–22222) in accordance with Title 27 **by 31 December 2023**.
2. The Discharger shall submit updated financial assurances for post-closure maintenance (§§ 22210–22212) and foreseeable corrective action for releases (§§ 22220–22222) **within 90 days** of the approval of the cost estimates discussed above. The assurances of financial responsibility shall name the Central Valley Regional Water Quality Control Board as beneficiary and shall provide that funds for corrective action and post-closure maintenance be available to the Central Valley Water Board upon the issuance of any order under California Water Code, Division 7, Chapter 5.
3. The Discharger is required to annually adjust the cost estimates and financial assurance fund balance using an inflation factor that is equivalent to or greater than the inflation factor that CalRecycle determines annually. Updated cost estimates using the current year's dollars shall be required every five years. The financial assurance updates shall be submitted to the Central Valley Water Board annually, no later than **1 June** of every year.

## F. Monitoring Requirements

Except as otherwise directed below, the Discharger shall comply with all applicable Standard Monitoring Specifications (SPRRs, § I) and Standard Response to Release Specifications (SPRRs, § J), as well as the following:

1. The Discharger shall comply with all provisions of the separately issued Monitoring R5-20XX-XXXX and any subsequent revisions thereto (operative MRP).
2. The Discharger shall implement the Water Quality Protection Standard (WQPS) set forth in the operative MRP (see also Title 27, § 20390); and shall verify the compliance with each subsequent monitoring event.
3. The Discharger shall implement a groundwater detection monitoring program (DMP) in accordance with Title 27, section 20385.
4. If subject to corrective action, the Discharger shall implement a corrective action monitoring program (CAMP) in accordance with Title 27, sections 20385, 20415 and 20430, and Section I of the SPRRs.
5. The Discharger shall submit a workplan to bring its groundwater monitoring network into compliance with the monitoring requirements of Title 27 **by 31 December 2023**.

## G. Reporting Requirements

In addition to those Standard Provisions pertaining to notification and reporting obligations (see, e.g., §§ K.1-2, K.6, K.8-10), the Discharger shall comply with the following provisions.

1. The Discharger shall comply with all MRP provisions pertaining to the submittal and formatting of reports and data.
2. Reports shall be submitted electronically via the State Water Board's [GeoTracker Database](https://geotracker.waterboards.ca.gov) (https://geotracker.waterboards.ca.gov). After uploading, the Discharger shall notify Central Valley Water Board staff via email at CentralValleyFresno@WaterBoards.ca.gov. The following information shall be included in the body of the email:

<b>Attention:</b>	Title 27 Unit
<b>Report Title:</b>	[Enter Report Title]
<b>GeoTracker Upload ID:</b>	L10005791661
<b>Facility:</b>	Former Brine Pond, Bell-Carter Olive Co., Orange Cove

**County:** Fresno County  
**CIWQS Place ID:** 245945

3. All technical reports submitted under this Order shall be prepared by, or under the direct supervision of, a California-licensed civil engineer or engineering geologist. For the purposes of this section, a “technical report” is a report incorporating the application of scientific or engineering principles.

#### **H. Other Provisions**

1. The Discharger shall maintain copies of this Order (including all attachments), the operative Monitoring & Reporting Program (i.e., MRP R5-2023-XXXX and any revisions thereto), and the SPRRs. These materials shall be made available to all operating personnel, who shall be familiar with the contents of such materials.
2. The Discharger shall comply with all applicable provisions of Title 27 (including those provisions not specifically referenced herein).

#### **LIST OF ATTACHMENTS**

Attachment A—SITE LOCATION **MAP**

Attachment B—FACILITY **MAP**

Information Sheet

Standard Provisions & Reporting Requirements for Waste Discharge Requirements for Industrial Facilities Regulated by Title 27, April 2016 Edition (SPRRs or Standard Provisions) (separate document)

Monitoring and Reporting Program R5-2023-XXXX (separate document)

### **ENFORCEMENT**

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.

### **ADMINISTRATIVE REVIEW**

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. To be timely, the petition must be received by the State Water Board by 5:00 pm 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 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)). Copies will also be provided upon request.

**ATTACHMENT A—SITE LOCATION MAP**



**ATTACHMENT B—FACILITY MAP**





CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

[TENTATIVE] WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-XXXX  
FOR  
BELL-CARTER OLIVE COMPANY INC.  
FORMER BRINE POND  
FRESNO COUNTY

**INFORMATION SHEET**

The Bell-Carter Olive Company owns and maintains a closed surface impoundment located on Monson Avenue between East Parlier Avenue and Manning Avenue approximately one mile southwest of Orange Cove California in the SE ¼ of Section 23, T15S, R24E, MDB&M. The surface impoundment is approximately two acres in area and approximately nine feet deep. The containment system consisted of a 20-mil polyvinyl chloride (PVC) liner and a percolation monitoring/leak detection system consisting of a six-inch diameter perforated PVC pipe. Discharge of brine water, a by-product of olive processing, began in 1977 and ended approximately 1985. The surface impoundment was formally closed as a landfill in 2007 with the installation of a cover system in accordance with Title 27.

According to the Federal Emergency Management Agency Flood Insurance Rate Map, Community-Panel Number 065029 1240 B, effective date 1 December 1982, the site lies within the 100-year flood boundary. According to the map, the surface impoundment situated in an area where the 100-year flood reaches an elevation of approximately 400 feet above mean sea level. The elevation of the sites varies from about 397 feet to 402 outside of the impoundment area.

The site is underlain by Pliocene to Pleistocene age alluvial fan materials. Borings indicate the subsurface soil underneath the site are primarily comprised of fine to medium grained sands, silty sands, and clayey sands. Depth to groundwater is approximately 35 feet with a flow direction to the southeast. The designated beneficial uses of groundwater include domestic and agricultural.

Results of site hydrogeologic investigations indicate that past discharges of brine wastewater have caused soils and underlying groundwater to be impacted with brine constituents that migrated from the surface impoundment. Brine constituents, sodium and chloride, impacted groundwater at greater than background concentrations.

Compliance with the WDRs and the MRP should preclude further groundwater degradation and mitigate impacts to groundwater.