

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

BOARD ORDER R7-2013-0057

**WASTE DISCHARGE REQUIREMENTS  
FOR  
HOLLY SUGAR CORPORATION DBA SPRECKELS SUGAR COMPANY  
OWNER/OPERATOR  
SUGAR BEET PROCESSING FACILITY  
WASTEWATER DISPOSAL EVAPORATION PONDS  
Brawley - Imperial County**

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

1. Holly Sugar Corporation dba Spreckels Sugar Company, Owner/Operator (hereinafter referred to as the Discharger), located at 395 West Keystone Road, P.O. Box 581, Brawley, CA 92227, owns and operates a sugar beet processing plant in the W ½ of the NW ¼ of Section 29 and the N ½ of Section 30, T14S, R14E, SBB&M, as shown on Attachment A incorporated herein and made a part of this Order.
2. The Facility has been subject to the waste discharge requirements (WDRs) adopted in Board Order 95-054. The WDRs are being updated to comply with current laws and regulations as set forth in the California Water Code and the California Code of Regulations (CCR) and to incorporate changes in ownership or operation undertaken by the Discharger.

**Facility and Discharge**

3. The Facility receives raw sugar beets from agricultural fields for mechanical cleaning, washing and processing. Granulated sugar, beet pulp, and molasses are produced and transported off the site. The Facility operates continuously during the sugar beet harvesting period from approximately the first of April to mid-August of each year. Some intermittent wastewater discharges of smaller volumes occur outside of the four month operational period.
4. Sugar beets consist of approximately 75 percent water which is extracted during the sugar removal process. Process water is provided to the Facility by the Imperial Irrigation District's Central Main Canal. Drinking water is delivered to the facility by truck.
5. The sugar beet processing facility (Facility) discharges approximately 1.5 million gallons-per-day (MGD) of sugar beet washing and processing wastewater into a system of on-site earthen infiltration/evaporation basins for disposal. Wastewater flows that are discharged to the disposal area can be summarized as follows:
  - a. Discharge from the wastewater clarifier described in Finding 6 – 1.0 MGD
  - b. Discharge from the underflow basin described in Finding 7 – 0.25 MGD
  - c. Discharge from the lime retention basin as described in Finding 8 – 0.25 MGD
6. Wastewater from the processing plant is discharged into a wastewater clarifier where solids are allowed to settle out. Clarifier effluent flows into a level-controlled storage

tank where a portion of it is returned to the plant for reuse. Water in excess of what can be reused or stored is discharged to the evaporation disposal area. The Discharger estimates that approximately 1.0 MGD of water is discharged from the clarifier for disposal.

7. Wastewater containing sand and silt is pumped from the bottom of the clarifier into the Facility's underflow pond, where the solids settle to the bottom and the liquid is discharged to the disposal area. The solids are periodically removed, dried and used as fill material to reinforce on-site berms or roads. The Discharger estimates that approximately 0.25 MGD of water is removed from the underflow pond and discharged to the evaporation disposal area.
8. A lime solution is added to the raw juice stream and, with the addition of carbon dioxide, is converted to precipitated calcium carbonate (PCC). PCC is slurried to separate earthen PCC ponds, where the solids settle to the bottom and the liquid is discharged to the disposal area. A different basin is used during each operational season so that the PCC can be dried onsite until it can be transported offsite for reuse or sale as a soil amendment. The Discharger estimates that approximately 0.25 MGD of water is removed from the PCC retention basin and discharged to the evaporation disposal area.
9. The evaporation disposal area consists of a series of long shallow ponds that are hydraulically connected. Wastewater is discharged from a sump into the first pond and allowed to flow by gravity into the last pond. When the water level in the last pond gets high enough, waste water is pumped into a sprinkler system at the high end of the ponds and dispersed into the air to increase evaporation. Water from the sprinklers that does not evaporate is discharged back into the evaporation ponds.
10. Sanitary wastewater from the plant is disposed of via a septic tank/leach field system.

### **Basin Plan and Beneficial Uses**

11. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan), which was adopted on November 17, 1993, and amended on November 16, 2012, designates the beneficial uses of ground and surface waters in this Region.
12. The Facility is located in the Imperial Hydraulic Unit. The designated beneficial uses of ground waters in the Imperial Hydrologic Unit are:
  - a. Municipal supply (MUN)
  - b. Industrial supply (IND)

### **Groundwater Degradation**

13. State Water Resources Control Board (State Water Board) Resolution 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (hereinafter Resolution 68-16) requires a Regional Water Board in regulating the discharge of waste to maintain high quality waters of the state (i.e., background water quality) until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that

described in plans and policies (e.g., violation of any water quality objective). Moreover, the discharge is required to meet WDRs that result in the best practicable treatment or control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and the highest water quality consistent with maximum benefit to the people will be maintained.

14. Depth to shallow ground water at the site is about 6 feet below the bottom of the basins and has a TDS content of about 14,000 mg/L.
15. There are no domestic wells within 500 feet of the evaporation disposal area described in Finding 9, above.
16. Groundwater in the area of the proposed discharge is too saline for municipal use. The Regional Water Board finds that groundwater near the site is not and cannot reasonably be expected to be a source of municipal or domestic supply. Consequently, effluent limitations that would be protective of a municipal beneficial use, as prescribed in Title 22, CCR, for nitrogen, pathogens and TDS, are not necessary for this discharge. Therefore, the treated discharge, as regulated by these WDRs, into the evaporation ponds is consistent with applicable water quality objectives in the Basin Plan.

### **Storm Water**

17. Federal regulations for storm water discharges were promulgated by the United States Environmental Protection Agency (USEPA) on November 16, 1990 (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities which discharge storm water associated with industrial activity to obtain National Pollutant Discharge Elimination System (NPDES) permits and to implement Best Conventional Pollutant Technology (BCT) to reduce or eliminate industrial storm water pollution.
18. The State Water Resources Control Board (SWRCB) adopted Water Quality Order 97-03-DWQ (General Permit CAS000001) specifying WDRs for discharges of storm water associated with industrial activities, excluding construction activities, and requiring submittal of a Notice of Intent (NOI) by industries to be covered under the Permit (General Industrial permit).
19. The Facility may be subject to the federal requirements for regulation of storm water discharges associated with industrial activities since it is one of the industrial activities listed in 40 CFR 122.26(b)(14) and since there's the potential that storm water could be discharged to waters of the U.S.
20. The Discharger states that the Facility is not required to obtain coverage under Order 97-03-DWQ, however, based on item 4.b. of the section titled, "Types of Discharges not Covered by this Permit." The Discharger is certain that no discharge of storm water to surface waters would occur under any circumstances. Regional Water Board staff concurs. Therefore, the Discharger is not required to obtain coverage under Order 97-03-DWQ for the Facility.

### **CEQA and Public Participation**

21. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these waste discharge requirements, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et.seq.).
22. It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
23. The Board has notified the Discharger and all known interested agencies and persons of its intent to update waste, discharge requirements for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
24. The Board in a public meeting heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order 95-054 is rescinded except for enforcement purposes, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the Discharger shall comply with the following:

#### **A. Prohibitions**

1. The direct discharge of any waste or wastewater to any surface waters or surface drainage courses is prohibited.
2. The discharge of waste to land not owned or controlled by the Discharger is prohibited.
3. Discharge of wastewater at a location or in a manner different from that described in Finding 9 above is prohibited.
4. The Discharger shall not discharge waste in excess of the design capacity of the disposal system.

#### **B. Specifications**

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m), respectively, of Division 7 of the California Water Code.
2. A minimum depth of freeboard of two (2) feet shall be maintained at all times in all wastewater disposal basins.
3. The wastewater disposal basins shall be protected from any washout or erosion of wastes or covering material, and from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.

4. Ponds shall be managed to prevent breeding of mosquitoes, in particular,
  - a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
  - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
  - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
5. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
6. The discharge shall not cause degradation of any water supply.
7. No changes in the type or amount of chemicals added to the process water as described in Findings 6, 7 and 8 of this Board Order shall be made without the written approval of the Regional Water Board's Executive Officer.
8. Wastes, including wind-blown spray, shall be confined to lands specially designated for the disposal operation.

**C. Provisions**

1. The Discharger shall comply with all of the conditions of this Board Order. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (CWC, § 13000 et seq.), and grounds for enforcement action.
2. The Discharger shall comply with 'Monitoring and Reporting Program R7-2013-0057, and future revisions thereto, incorporated herein and made a part of this Order, as specified by the Regional Water Board's Executive Officer.
3. Prior to any modifications in this facility which would result in material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Regional Water Board and obtain revised requirements before any modifications are implemented.
4. Prior to any change in ownership or management of this operation, the Discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Water Board.
5. The Discharger shall ensure that all site operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
6. The Discharger shall allow the Regional Water Board's Executive Officer, or his/her authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the premises where a regulated facility or activity is located or conducted, or the place where records must be kept under the conditions of this Board Order;
  - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
  - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
7. 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 this Board Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a discharger only when necessary to achieve compliance with the conditions of this Board Order.
  8. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
  9. Unless otherwise approved by the Regional Water Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Public Health. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.
  10. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
  11. Adequate measures shall be taken to assure that unauthorized persons are effectively excluded from contact with the wastewater disposal facilities.
  12. The Discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the facility. The Discharger shall comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Water Board Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Water Board.
  13. The Discharger shall retain records of all monitoring information including all calibration and maintenance records, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, or

report. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Water Board's Executive Officer.

14. The Discharger may be required to submit technical reports as directed by the Regional Water Board's Executive Officer.
15. The Discharger shall provide adequate notice to the Regional Water Board's Executive Officer of the following. Adequate notice shall include information on the quality and quantity of effluent introduced, and any anticipated impact of the change on the quantity or quality of the Discharger's effluent and/or sludge.
  - a. Any new introduction of pollutants into any of the treatment facilities described in the Findings of this Board Order from an indirect Discharger which would be subject to Section 301 or 306 of the Clean Water Act, if it were directly discharging the pollutants.
  - b. Any substantial change in the volume or character of pollutants being introduced into any of the treatment facilities described in the Findings of this Board Order by an existing or new source.
  - c. Any planned physical alterations or additions to the facilities described in this Board Order, or changes planned in the Discharger's waste reuse or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order application process, or not reported pursuant to an approved land application plan.
16. The Discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the Discharger's next scheduled self-monitoring report or earlier if requested by the Regional Water Board's Executive Officer, or if required by an applicable standard for sludge use and disposal.
17. This Board Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for a Board Order modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land application plans, or modification in sludge use or disposal practices, or adoption of new regulations by the State Water Board or the Regional Water Board, including revisions to the Basin Plan.

I, Robert Perdue, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on June 20, 2013.

Ordered By:

  
ROBERT PERDUE  
Executive Officer

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

MONITORING AND REPORTING PROGRAM R7-2013-0057  
FOR  
HOLLY SUGAR CORPORATION DBA SPRECKELS SUGAR COMPANY  
OWNER/OPERATOR  
SUGAR BEET PROCESSING FACILITY  
WASTEWATER DISPOSAL EVAPORATION PONDS

Brawley - Imperial County

Location of Discharge: W 1/2 of the NW 1/4 of Section 29 and N 1/2 of Section 30, T14S, R14E, SBB&M

1. This Monitoring and Reporting Program (MRP) describes requirements for monitoring a wastewater system and groundwater quality (when needed). This MRP is issued pursuant to California Water Code section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.
2. Water Code section 13267 states, in part:

*“In conducting an investigation specified in subdivision (a), the 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, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”*

3. Water Code section 13268 states, in part:

*“(a) (1) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of § 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of Section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor, and may be liable civilly in accordance with subdivision (b). (b) (1) Civil liability may be administratively imposed by a regional board in accordance with Article 2.5 (commencing with § 13323) of Chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”*

4. The Discharger owns and operates the wastewater system that is subject to Board Order R7-2013-0057. The reports are necessary to ensure that the Discharger complies with the Order. Pursuant to Water Code section 13267, the Discharger shall implement the MRP and shall submit the monitoring reports described herein.
5. All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Regional Water Board staff.
6. Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that:
  - a. The user is trained in proper use and maintenance of the instruments;
  - b. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
  - c. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
  - d. Field calibration reports are submitted as described in the "Reporting" section of this MRP.
7. The collection, preservation and holding times of all samples shall be in accordance with U. S. Environmental Protection Agency approved procedures. Unless otherwise approved by the Regional Water Board Executive Officer, all analyses shall be conducted by a laboratory certified by the California Department of Public Health. All analyses shall be conducted in accordance with the latest edition of the "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136), promulgated by the USEPA.
8. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least five (5) years from the date of the sample, measurement, report or application. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurement(s);
  - b. The individual(s) who performed the sampling or measurement(s);
  - c. The date(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or method used; and
  - f. The results of such analyses.
9. If the facility is not in operation, or there is no discharge during a required reporting period, the Discharger shall forward a letter to the Regional Water Board indicating that there has been no activity during the required reporting period.

#### EFFLUENT MONITORING

A sampling station shall be established at the point of discharge and shall be located where representative samples of effluent can be obtained. Samples shall be taken at a time when the

discharge contains wastewater which has a representative mixture of the wastewater pumped from the sources described in Findings 6, 7 and 8. Wastewater discharged into the evaporation disposal area described in Finding 9, shall be monitored for the following constituents:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Discharge Flow	MGD <sup>1</sup>	Estimate Average Daily <sup>2</sup>	Daily
20 °C BOD <sub>5</sub> <sup>3</sup>	mg/L <sup>4</sup>	Grab	Annually at peak of operating season
Hydrogen Ion	pH Units	Grab	Annually at peak of operating season

### POND MONITORING

Wastewater discharged to the evaporation disposal area described in Finding 9 shall be monitored for constituents as indicated below. A single composited sample shall be composed of grab samples collected in equal volumes at a minimum of two locations in the basin, preferable at the corners of the basin opposite the discharge pipe.

<u>Constituent</u>	<u>Unit</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Hydrogen Ion	pH Units	Grab	Monthly
Total Dissolved Solids	mg/L	Grab	Annually at peak of operating season
Pesticides (EPA 608)	µg/L <sup>5</sup>	Grab	Annually at peak of operating season

### REPORTING

1. The Discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with waste discharge requirements.
2. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurement(s);

<sup>1</sup> MGD – Million Gallons per Day

<sup>2</sup> Reported monthly with monthly average daily flow calculated

<sup>3</sup> 20 °C BOD<sub>5</sub> – Biochemical Oxygen Demand over a 5-day period measured at 20 °C

<sup>4</sup> mg/L – milligrams per Liter

<sup>5</sup> µg/L – micrograms per Liter

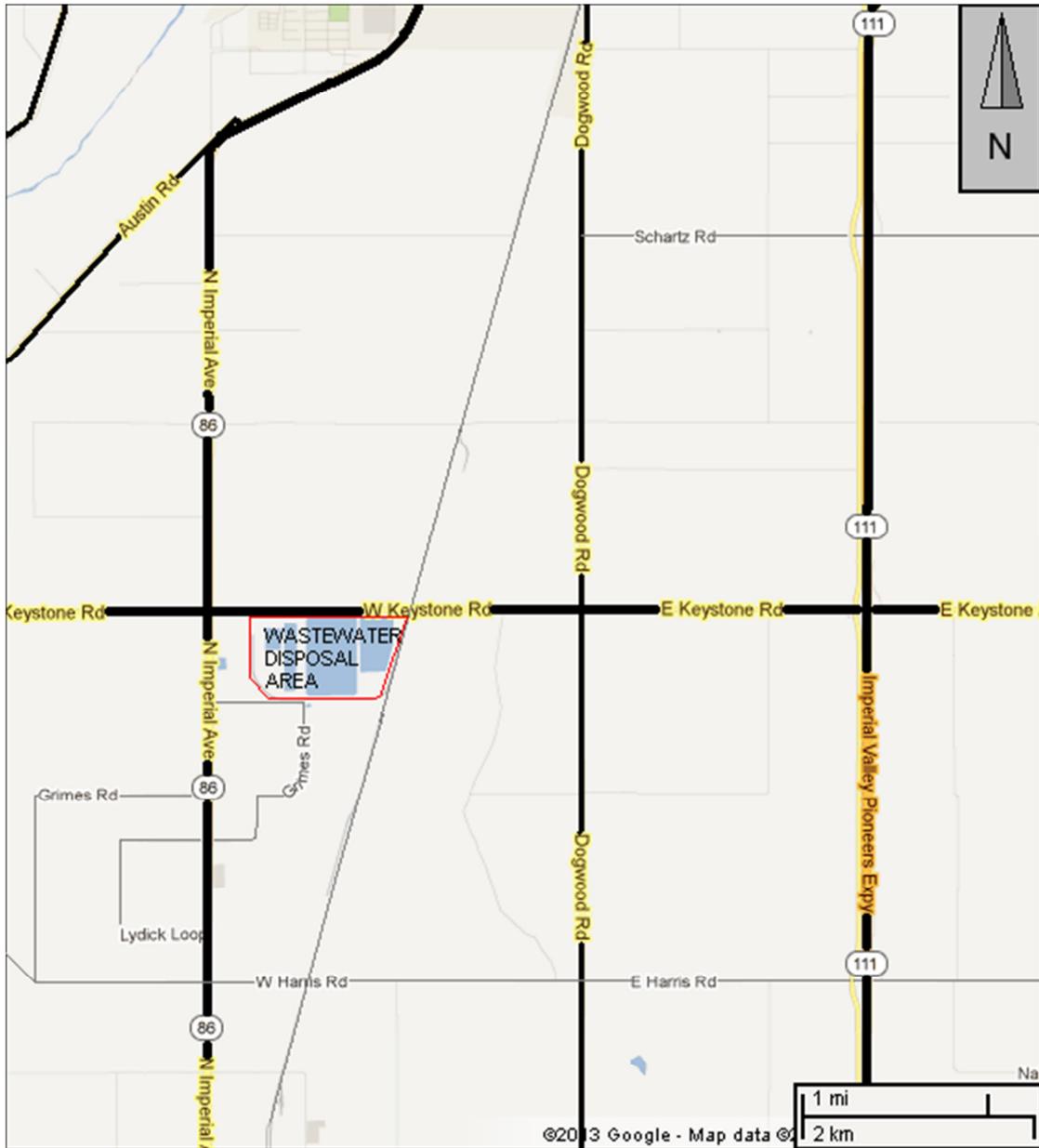
- b. The individual(s) who performed the sampling or measurement(s);
  - c. The date(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or method used; and
  - f. The results of such analyses.
3. Each report shall contain the following statement:

“I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”
4. A duly authorized representative of the Discharger may sign the documents if:
  - a. The authorization is made in writing by the person described above;
  - b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and
  - c. The written authorization is submitted to the Regional Water Board’s Executive Officer.
5. Report immediately any failure in the waste disposal system to the Regional Water Board and the Director of the County Environmental Health Department by telephone with follow-up by letter.
6. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this monitoring report.
7. For each operating season, the Discharger shall submit to the Regional Water Board a monitoring report signed by a duly authorized person not later than September 30 of the operating year.
8. Submit monitoring reports to:

California Regional Water Quality Control Board  
Colorado River Basin Region  
73-720 Fred Waring, Suite 100  
Palm Desert, CA 92260

Ordered by:   
Executive Officer  
June 20, 2013  
Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION



ATTACHEMENT A – SITE LOCATION MAP  
HOLLY SUGAR CORPORATION, OWNER/OPERATOR  
WASTEWATER EVAPORATIONS PONDS  
Brawley - Imperial County,  
N 1/2 of Section 30 and W 1/2 of the NW 1/4 of Section 29, T14S R14E, SBB&M