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**WASTE DISCHARGE REQUIREMENTS
ORDER R5-2023-0024**



ORDER INFORMATION

Order Type(s):	Waste Discharge Requirements
Status:	Adopted
Program:	Non-15 Discharges to Land
Region 5 Office:	Sacramento (Rancho Cordova)
Discharger(s):	Thomas Alexander
Facility:	California Concentrate Company
Address:	18678 North Highway 99
County:	San Joaquin
Parcel Nos.:	017-090-470-000, 017-090-480-000, 017-090-670-000, 017-090-630-000, 017-090-680-000, 017-090-690-000, 017-090-660-000
Prior Order(s):	98-136

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 22 June 2023.

PATRICK PULUPA, Executive Officer

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GLOSSARY

APN.....	Assessor's Parcel Number
bgs	below ground surface
BOD ₅	5-day biochemical oxygen demand
BPTC.....	Best Practical Treatment or Control
CEQA.....	California Environmental Quality Act, Public Resources Code section 21000 et seq
CIP	clean in place
CV-SALTS.....	Central Valley Salinity Alternatives for Long-Term Sustainability
EC	Electrical Conductivity
FEMA	Federal Emergency Management Agency
gpd	gallons per day
MCL.....	Maximum Contaminant Level
MG[D].....	Million Gallons [per Day]
mg/L	milligrams per liter
MRP	Monitoring and Reporting Program
msl.....	Mean Sea Level
MUN	Municipal
N.....	Nitrogen
NA	Not Applicable or Not Available
ND	not detected or non-detect
ng/L	Nanograms per liter
NPDES.....	National Pollutant Discharge Elimination System
OAL	Office of Administrative Law

P&O Study	Prioritization and Optimization Study of the Salt Control Program of CV-SALTS
RL.....	Reporting Limit
RWD.....	Report of Waste Discharge
SERC	State of Emergency Response Commission
SPRRs	Standard Provisions and Reporting Requirements
Title 22	California Code of Regulations, Title 22
Title 23	California Code of Regulations, Title 23
Title 27	California Code of Regulations, Title 27
USEPA.....	United States Environmental Protection Agency
Wat. Code	Water Code
WDRs.....	Waste Discharge Requirements
WQOs	Water Quality Objectives
µg/L.....	Micrograms per Liter
µmhos/cm.....	Micromhos per Centimeter

FINDINGS

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

Introduction

1. On 30 April 2020, Kjeldsen, Sinnock, Neudeck, Inc., on behalf of Thomas Alexander (Discharger), submitted a Report of Waste Discharge (RWD) that describes the processes that generate process wastewater and residual solids for the California Concentrate Company (Facility). Additional information was submitted on 3 February 2021.
2. The Discharger owns and operates the Facility that generates the waste and the associated land discharges and is responsible for compliance with these Waste Discharge Requirements (WDRs).
3. The Facility is located at 18678 North Highway 99, Acampo in San Joaquin County (Section 31, T4N, R7E, MDB&M), as shown on Attachment A (Site Location Map) (included herein). Facility details are shown on Attachment B (Site Features Map) (included herein).
4. Waste Discharge Requirements (WDRs) Order 98-136, adopted by the Central Valley Water Board on 5 June 1998, prescribes the requirements for the discharge. Order 98-136 allows a maximum daily discharge of 50,000 gallons per day (gpd). The Discharger has made changes and improvements to the wastewater treatment system. Therefore, Order 98-136 will be rescinded and replaced with this Order.
5. The following materials are attached and incorporated as part of this Order:
 - a. Attachment A – Site Location Map
 - b. Attachment B – Site Features Map
 - c. Attachment C – Wastewater Flow Schematic Diagram
 - d. Information Sheet
 - e. Standard Provisions and Reporting Requirements
6. **Monitoring and Reporting Program (MRP) R5-2023-0024** is attached, which requires monitoring and reporting for discharges regulated under these WDRs.

Existing Facility and Discharge

7. California Concentrate Company is an existing facility that was established in 1935. The Facility processes grapes and malted barley for juice and malt extract and produces balsamic vinegars. The Facility also stores wine for other facilities.

8. Wastewater from the Facility consists of storm water runoff and a combination of process wastewater, including Facility cleaning, tank cleaning, and process/product waste streams. Waste from vinegar production operations, which occur in a separate building, is segregated from other waste streams, contained in a dedicated tank, and disposed of offsite at a permitted facility. All other wastewater is collected on-site and treated through treatment ponds with effluent disposal in percolation ponds.
9. The majority of the wastewater is produced during the grape crushing season, generally from August to November. Between December and July, smaller wastewater volumes are generated during juice extraction and concentration.
10. Source water for the Facility is from an on-site water well owned by the Discharger and regulated by the San Joaquin County Environmental Health Department. The well is located in the northwest corner of the Facility near the intersection of East Frontage Road and Clarksdale Road, as shown on Attachment B. Analytical results from well samples collected between 2016 and 2020 for select constituents are summarized below. Table 1 includes the following acronyms:
 - CaCO₃ = calcium carbonate
 - mg/L = milligrams per liter
 - N = nitrogen
 - TDS = total dissolved solids
 - µmhos/cm = micromhos per centimeter
 - µg/L = micrograms per liter

Table 1. Source Water Quality

Parameter	Units	Average Concentration	Max/Min Concentrations
pH	std units	6.96	7.4 / 6.3
Specific Conductance	µmhos/cm	226.6	350 / 72
TDS	mg/L	192	270 / 110
Nitrate + Nitrite as N	mg/L	3.45	4.7 / 0.4
Calcium	mg/L	19.4	33 / 4
Chloride	mg/L	6.2	10 / 2
Iron	mg/L	0.050	0.070 / 0.030
Manganese	mg/L	<0.010	--
Sodium	mg/L	11.8	17 / 6
Sulfate	mg/L	17.2	25 / 3.1

Parameter	Units	Average Concentration	Max/Min Concentrations
Total Hardness as CaCO ₃	mg/L	85.4	144 / 18.2

11. Chemicals used at the Facility that may impact wastewater quality include:

- Sodium hydroxide (the Discharger is phasing out the use of this chemical).
- Clean in place (CIP) peracetic acid rinse, consisting of 11% acetic acid, 6% peracetic acid, 23% hydrogen peroxide, 0.6% sulfuric acid, and 60% water.
- Chlorinated Foam Cleaner, consisting of 15% potassium hydroxide, 5% sodium hypochlorite, and <5% surfactant.
- Potassium hydroxide (50%).

12. The wastewater treatment system consists of a collection system (piping, manholes [MHs], and valves), screens, aerated treatment ponds, and percolation ponds. Wastewater is collected in floor drains and storm water drains located throughout the Facility and is gravity fed to collection system piping. Due to the age of the Facility, wastewater conveyance piping materials include cast iron, ductile iron, PVC, and welded steel pipe. Screens on several main floor drains collect solids which are disposed of off-site.

13. Wastewater entering the treatment system is monitored for pH levels and an automated system adjusts the pH as needed. Control of low pH conditions is achieved by injection of potassium hydroxide into the wastewater stream, regulated by a metering pump and probe system. Acceptable pH ranges for aerobic digestion are between 6.8 and 7.8; however, maintaining pH at the higher end of the range reduces odors.

14. In 2021, the Discharger added a dosing pump to the main sump that adds hydrogen peroxide to inhibit the formation of hydrogen sulfide, which helps to manage dissolved oxygen (DO) concentrations, odor formation, and BOD₅ concentrations. Hydrogen peroxide was used again during the 2022 processing season.

15. Influent flow rates to the treatment system are measured prior to discharging to the treatment pond system, as shown on Attachment C (attached herein). Flow rates in million gallons (MG) are summarized below.

Table 2. Influent Flow Rates

Year	Yearly Influent Flow (MG)	Maximum Monthly Flow (MG)
2019	1.38	0.44 (October)
2020	1.64	0.50 (September)
2021	2.28	0.54 (September)

16. Influent wastewater quality samples are collected at influent MH #2, as shown on Attachment C. Annual averages in mg/L for monitoring conducted between April 2019 and April 2022 are summarized below. The influent data below does not include vinegar waste, which is containerized and hauled off-site. Table 3 includes the following acronyms:

- BOD₅ = 5-day biochemical oxygen demand
- FDS = fixed dissolved solids
- TKN = total Kjeldahl nitrogen
- VDS = volatile dissolved solids.

Table 3. Influent Wastewater Quality (mg/L)

Constituent	Units	2019	2020	2021	2022
BOD ₅	mg/L	3301	3254	5940	615
TDS	mg/L	4861	3521	6573	735
FDS	mg/L	380	1063	485	215
VDS	mg/L	4517	2459	6087	520
Sulfate	mg/L	108	99	159	62
TKN	mg/L	14	12	18	7
Nitrate as N	mg/L	4.6	2.8	1.8	1.6

Data Source: 2020 RWD and Monitoring Reports

17. Prior to wastewater discharging to the treatment ponds, additional pH adjustment occurs as needed at the influent to treatment ponds, as shown on Attachment C.

18. Wastewater is then discharged into the treatment pond system, which consists of unlined treatment ponds T-1 through T-3. The ponds are operated in series, as shown on Attachment C. Ponds T-2 and T-3 are aerated as needed and are the main treatment ponds. Historically, Pond T-1 was the main treatment pond; however, in early 2018, the pond configuration was modified and the largest pond, T-3, was changed to be the primary pond in the treatment series. This was done in an effort to help address odor concerns as T-3 is the farthest pond from the neighboring property. Piping allows the wastewater to flow from Pond T-3 to T-2, and if necessary, to T-1, which is used when additional treatment is needed. Treatment pond details are shown below. Note that the pond volumes do not include two feet of freeboard.

Table 4. Treatment Pond Details

Pond	Volume (MG)	Length x Width (feet)	Depth (feet)
T-3	1.5	156 x 224	10.5
T-2	0.8	142 x 136	11.4
T-1	0.7	148 x 129	10.8

19. If an unexpected large influent of wastewater volumes occurs due to accidental spills during grape processing or due to large seasonal storm, pond T-1 may be used as an overflow pond. Once wastewater in T-3 and T-2 have stabilized, wastewater from T-1 is pumped back to T-3 for aerated treatment.

20. Organic and inorganic constituents in the wastewater are treated through biological and physical processes. The treatment ponds are operated as stabilization and flocculation ponds with aeration and mixing provided by mechanical aerators as needed. The main chemical and physical processes in the treatment ponds include:

- Natural coagulation and flocculation.
- Sedimentation.
- Dissolution and precipitation reactions.
- Photoreactions and photo-degradation by sunlight.

21. Effluent wastewater quality samples are collected from the last treatment pond in the series, which is generally T-2. Monthly monitoring results for data collected between 2018 and 3Q22 for select constituents are summarized below. Units are mg/L, unless noted otherwise and "--" indicates the sample was not analyzed for that specific constituent until 2019. Data collected in 2018 includes vinegar wastes (in violation of the existing WDRs and is not considered representative of current wastewater quality but is shown for comparison purposes.)

Table 5. Effluent Wastewater Quality

Constituent/ Parameter		Year				
		2018	2019	2020	2021	2022
pH (std)	min	4.8	6.5	6.7	7.2	7.2
	max	7.0	7.5	8.3	7.8	7.5
EC (µmhos/cm)	avg	--	1857	1650	908	898
	max	--	3030	2320	1460	1470
DO	avg	--	2.7	2.6	2.5	3.0
	min	--	2.1	1.2	1.8	2.6
BOD ₅	avg	516	1152	459	265	109
	max	2300	3500	1510	1000	219
TDS	avg	844	1313	1426	864	788
	max	1660	3480	1620	1460	1370
FDS	avg	495	638	897	394	495
	max	970	1730	1180	960	1170
Nitrate as N	avg	0.08	0.1	0.09	0.26	0.06
	max	0.2	0.2	0.2	2.5	0.1

Constituent/ Parameter		Year				
		2018	2019	2020	2021	2022
TKN	avg	12	18	23.8	39	16
	max	20	37	66	73	33
Chloride	avg	--	31	42	30	27
	max	--	50	63	45	46
Iron	avg	--	4	2.3	2.5	1.1
	max	--	4.7	4.5	4.9	1.7
Manganese	avg	--	0.1	0.1	0.1	0.1
	max	--	0.1	0.2	0.2	0.2
Sodium	avg	--	458	204	34.8	33.5
	max	--	1210	386	53	56

22. Based on average concentrations presented above, constituents of concern in effluent that have the potential to degrade groundwater include salts (EC, FDS, and sodium), total nitrogen, BOD₅, iron, and manganese.

23. From the treatment ponds, wastewater is discharged to three percolation ponds (P-1 to P-3) for disposal. The percolation ponds are surrounded by 10- to 11-foot-high berms to protect the ponds from inundation from the Mokelumne River. Within the berm, each pond is separated by 3-foot-high berms. The berms are inspected regularly to ensure excessive seepage, such as washout of embankment material, is not occurring. If seepage is observed, the embankment is immediately repaired.

24. The use of each percolation pond is rotated on a regular basis. A pond is filled to a depth of between 1 to 2 feet of wastewater before diverting the remaining flow to another percolation pond. Percolation pond cycling is based on maximizing the percolation rate in each pond. Cycling periods may be 1 to 3 days of discharge, with 5 days of drying time during the summer and up to 10 days in the winter. Ponds P-2 and P-3 are the main percolation ponds. P-1 is not normally used unless additional disposal is required. Use of P-1 is avoided in an attempt to minimize nuisance odors from affecting the neighboring property.

25. Percolation pond construction details are summarized below.

Table 6. Percolation Pond Details

Percolation Pond	Surface Area (acres)	Length x Width (feet)	Depth (feet)
P-1	0.9	350 x 150	3
P-2	0.8	130 x 350	3

Percolation Pond	Surface Area (acres)	Length x Width (feet)	Depth (feet)
P-3	2.2	290 x 350	3

26. Percolation rates in the ponds may diminish over time from:

- Binding of soil surface by organic and inorganic effluent constituents.
- Soil porosity and permeability losses due to compaction.
- Soil cementation from precipitation of effluent constituents, such as calcium carbonate.

27. To ensure the percolation ponds' disposal capacities, pond maintenance procedures were developed and documented in the *California Concentrate Company Process Wastewater Facility Operation and Maintenance Plan*, dated April 2020.

Maintenance activities and recommended frequencies for the percolation ponds include:

- Shallow disking for weed removal and to incorporate accumulate solids (conducted as needed).
- Removal of accumulated solids for off-site disposal (measuring the depth of pond sludge is conducted annually).
- Deep ripping of the percolation pond base down to 3 feet below ground surface (bgs), and disking and redistribution of ripped earth (conducted as needed).

28. On 25 October 2022, Central Valley Water Board staff conducted an inspection of the Facility. During the inspection, the Facility was operating and discharging to the treatment system. Treatment pond T-3 was the only treatment pond with water and the aerators were operating. Two of the three percolation ponds (P-1 and P-3) contained wastewater and were in various stages of drying. DO and pH levels noted during the inspection were 1.46 mg/L and 6.79, respectively. No odors were noted anywhere on site, including around the treatment and percolation ponds.

29. Water balances included in the 2020 RWD show sufficient capacity for a 100-year rain event, using the maximum permitted monthly average flow rate of 0.05 million gallons per day (mgd).

30. Domestic wastewater is treated by an onsite wastewater treatment and disposal system permitted through San Joaquin County Environmental Health Department. Domestic wastewater is not discharged to the treatment or percolation ponds. The septic tank system is located north of the Facility's offices, adjacent to Clarksdale Road.

Site-Specific Conditions

31. Local land use in the vicinity of the Facility consists primarily of vineyards, rural residential areas, and mobile home parks. The Mokelumne Beach RV Park is located along the western boundary of the Facility, adjacent to treatment pond T-1 and percolation pond P-1. North of the Facility was the Victor Fine Foods Facility, a former meat packaging and processing facility used between 1961 and 1991. Victor Fine Foods used Class II Surface Impoundments and a pretreatment plant used to remediate groundwater.
32. The Facility is located on relatively flat terrain, sloping towards the south to the Mokelumne River. The closest site features to the river are the southern boundaries of P-1 and P-3.
33. Storm water at the Facility is collected in drains, comingled with process wastewater, and treated in the treatment ponds.
34. According to the 16 October 2009 Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, the offices and main facilities are located outside of the 500-year floodplain within Zone X, the area of minimal flood hazard. The wastewater treatment and disposal systems are located within the regulatory floodway Zone AE, which has a base flood elevation of approximately 53 feet, approximately 2 feet above the top of berm elevation for the wastewater treatment facilities. The Zone AE floodway is within the 100-year floodplain. The Discharger regularly inspects and maintains the berms surrounding the wastewater treatment facilities as preventative flood protection for the treatment and disposal facilities. This Order requires continued routine maintenance and inspections of the berms surrounding the ponds to ensure adequate flood protection.
35. Annual precipitation for an average rainfall year is 17.35 inches and 32.8 inches for a 100-year rainfall event based on Department of Water Resources (DWR) rainfall data for rainfall station Number B00503200, in Lodi, California. The average evapotranspiration annual rate using data collected between 1984 through 2014 is approximately 50.84 inches.
36. The soil in the vicinity of the wastewater treatment facilities used for treatment and disposal is a mixture of Columbia and Tokay fine sandy loams, which both have moderately rapid infiltration rates and negligible to moderate runoff (soil map units 130 and 256, respectively).

Groundwater Conditions

37. The groundwater monitoring network at the Facility consists of three groundwater monitoring wells installed in 2001: monitoring well (MW)-3, MW-4, and MW-5. Monitoring well details and depths to groundwater are shown below. Note that depths to groundwater are shown as the minimum and maximum depths below

groundwater surface (bgs) for data collected between 2019 and third quarter 2022 monitoring periods.

Table 7. Monitoring Well Details

Monitoring Well ID	Screen Interval (feet bgs)	Depth to Groundwater (feet bgs)	Location
MW-3	15 – 35	14.9 – 23.3	Upgradient of ponds
MW-4	30 – 50	33.1 – 40.6	Downgradient from ponds
MW-5	28 – 50	33.3 - 41	Downgradient from ponds

38. Groundwater generally flows to the north, away from the Mokelumne River, but varies from northwest to northeast.
39. Average annual concentrations for groundwater from first quarter 2019 through third quarter 2022 for select constituents are summarized below for MW-3 (upgradient well). For non-detect values, half the reporting limit was used for averaging purposes. Units are mg/L unless noted otherwise. Potential Water Quality Objectives (WQOs) or other numerical limits are based on the following:
- Agricultural Water Quality Goal for EC
 - Secondary Maximum Contaminant Upper Level for TDS
 - Primary Maximum Contaminant Level for nitrate as nitrogen
 - Lowest agricultural water quality goal for sodium
 - Secondary MCLs for iron and manganese
 - NE indicates a WQO has not been established
 - NA indicates data not available

Table 8. Groundwater Quality for MW-3 (Upgradient Well)

Constituent	2019	2020	2021	2022	Potential WQOs
EC (µmhos/cm)	120	112	98	97	700
pH (std)	6.7	6.8	6.7	6.6	NE
NO ₃ /NO ₂ as N	0.12	0.3	0.08	0.08	10
TKN	5.7	0.3	0.3	0.3	NE
TDS	98	102.5	107.5	106.7	1000
VDS	36	48	75	40	NE
Iron	2.9	4.2	6.2	3.7	0.3

Constituent	2019	2020	2021	2022	Potential WQOs
Manganese	1.1	0.9	1.0	1.1	0.05
Sodium	3	3.8	3.3	3.7	69
Chloride	1	1	1	1.7	250
Arsenic	0.13	0.01	0.013	0.010	0.01
Hardness	40	43	37	43	NE
Total Alkalinity	50	50	43	45	NE
TOC	NA	NA	NA	0.85	NE

40. MW-3 is located near the Mokelumne River, which is known to be a source of groundwater recharge (losing stream) and is expected to be influencing water quality in MW-3. Mokelumne River water is of better-quality water than groundwater in the area and is low in salinity concentrations, with a near neutral pH, as reported in the 2020 RWD. Regionally, shallow groundwater in the area is known to have increasing salinity concentrations as distances increase away from the Mokelumne River. The influence of the river water on groundwater quality makes using data from MW-3 difficult as the water quality in this well is more representative of the river quality than upgradient groundwater quality. Results for water samples collected from the Mokelumne River for select constituents are summarized below.

Table 9. Mokelumne River Water Quality

Parameter	3Q2019	4Q2019	1Q2020
TDS (mg/L)	30	40	<20
EC (μ mhos/cm)	37	38	38
Chloride (mg/L)	<1	<1	1
Sodium (mg/L)	2	5	2
Iron (mg/L)	0.22	0.18	0.20
Manganese (mg/L)	0.01	0.01	0.01

41. Average annual concentrations for select constituents for downgradient monitoring wells MW-4 and MW-5 are summarized below. Units are in mg/L unless noted otherwise.

Table 10. Groundwater Quality for MW-4 (Downgradient Well)

Constituent	2019	2020	2021	2022	Potential WQOs
EC (μ mhos/cm)	962	1059	1008	1034	700

Constituent	2019	2020	2021	2022	Potential WQOs
pH (std)	6.3	6.2	6.3	6.4	NE
NO ₃ /NO ₂ as N	0.2	0.1	0.1	0.1	10
TKN	0.025	0.25	0.25	0.33	NE
TDS	594	668	698	680	1000
VDS	97.5	190	228	150	NE
Iron	1.7	6.2	2.8	8.5	0.3
Manganese	1.4	1.9	2.7	3.1	0.05
Sodium	54	56	53	47	69
Chloride	21	22	22	21	250
Arsenic	<0.002	0.002	0.001	0.0005	0.01
Hardness	366	459	470	470	NE
Total Alkalinity	407	453	428	455	NE
TOC	NA	NA	NA	3.85	NE

Table 11. Groundwater Quality for MW-5 (Downgradient Well)

Constituent	2019	2020	2021	2022	Potential WQOs
EC (µmhos/cm)	982	1272	1347	1195	700
pH (std)	6.3	6.3	6.4	6.3	NE
NO ₃ /NO ₂ as N	2.5	0.08	0.08	0.08	10
TKN	0.3	0.3	0.4	0.6	NE
TDS	580	810	930	747	1000
VDS	145	375	480	220	NE
Iron	2.8	2.8	3.6	2.9	0.3
Manganese	7.7	11.1	14.4	11.7	0.05
Sodium	93	108	130	128	69
Chloride	28	34	37	28	250
Arsenic	0.01	0.12	0.018	0.033	0.01
Hardness	300	449	486	395	NE
Total Alkalinity	503	553	723	620	NE
TOC	NA	NA	NA	4.15	NE

Compliance History

42. The Discharger has a history of producing nuisance odor conditions. Because of continued odors, the Central Valley Water Board has received numerous complaints.
43. The Discharger has received ten Notice of Violations (NOVs) for failure to comply with requirements in WDRs Order No. 98-136. These violations included discharges of vinegar process wastewater to the treatment system, on-going odor issues, low pH levels, and low DO concentrations in the treatment ponds. Additional details are included in the Information Sheet.
44. As a result of the on-going violations, including odor complaints from the neighboring Mokelumne RV Beach Resort, Cleanup and Abatement Order (CAO) R5-2019-0700, adopted on 20 February 2019, was issued to the Discharger. The Order allows the Discharger to continue discharging while also allowing the Discharger time to study and characterize all waste generated at the facility and implement additional facility processing and operational changes to bring the discharge into compliance with the WDRs. Additionally, because of the seasonality of the processing operations and variation in wastewater flow volume and strength, the Order was necessary to ensure that the Discharger monitors and studies the effectiveness of the facility changes throughout the 2019 processing season and submit monitoring and technical reports documenting the results to the Central Valley Water Board.
45. CAO R5-2019-0700 required the Discharger to cease discharging vinegar production wastewater to the treatment system, bring the discharge into compliance with Discharge Specifications in WDRs Order No. 98-136, implement additional monitoring, and submit several technical reports. The Discharger has met the requirements of the CAO, as changes to the system were made in 2019 and continue to be modified and adjusted as necessary, vinegar waste is no longer discharged to the treatment ponds, and the following documents have been submitted (as required by the CAO).
- *Compliance Plan*, dated 25 October 2019
 - *Groundwater Evaluation Workplan*, dated 1 August 2019
 - *Pond Modification and Aeration System Improvement Report*, dated 28 February 2020
 - *Revised Operation and Maintenance Plan*, dated 1 April 2020
 - *Report of Waste Discharge*, dated 30 April 2020
46. After the issuance of the CAO, the Discharger has received three additional NOVs as listed below.
- NOV dated 4 November 2019 for additional odor complaints and failure to submit monthly monitoring reports.
 - NOV dated 13 January 2020 for additional odor complaints.
 - NOV dated 16 January 2020 for non-submittal of monitoring reports.

47. In response to the NOV's and CAO, the Discharger has implemented several changes and improvements to the wastewater treatment system. Improvements have been observed in effluent and groundwater quality and no odor issues have been reported in the last three years.
48. Due to the Discharger's willingness to cooperate and communicate with the Central Valley Water Board and the neighboring Mokelumne Beach RV Resort, and continues to make improvements to the wastewater system to mitigate odor issues and protect groundwater, CAO R5-2019-0700 will be rescinded with the adoption of this Order.

Legal Authorities

49. 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.

50. Compliance with section 13263, subdivision (a), including implementation of applicable water quality control plans, is discussed in the findings below.
51. 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).)
52. This Order and its associated 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.

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

Basin Plan Implementation

54. 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.”

55. This Order implements the Central Valley Water Board’s Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (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.)

56. The Facility is within the San Joaquin Delta Hydrologic Area. Local drainage is to the Mokelumne River. The beneficial uses of the Mokelumne River, as stated in the Basin Plan, are agricultural supply; water contact recreation; noncontact water recreation; warm freshwater habitat, cold freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; and wildlife habitat.

57. Per the Basin Plan, the beneficial uses of underlying groundwater are municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.

58. The Basin Plan establishes narrative water quality objectives for chemical constituents, tastes and odors, and toxicity in groundwater. It also sets forth a numeric objective for total coliform organisms.

59. The Basin Plan’s numeric WQO for bacteria requires that the most probable number (MPN) of coliform organisms over any seven-day period shall be less than 2.2 per 100 mL in MUN groundwater.

60. The Basin Plan’s narrative WQOs for chemical constituents, at a minimum, require MUN-designated waters to meet the MCLs in Title 22 of the California Code of Regulations (Title 22) (Title 22, §§ 64431, 64444, 64440). The Basin Plan authorizes that the Central Valley Water Board to apply limits more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses.

61. The narrative toxicity WQO requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, animal, plant, or aquatic life associated with designated beneficial uses.

62. 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 WQO is required to protect specific beneficial uses, the Central Valley Water Board will, on a case-by-case basis, adopt numerical limitations in order to implement the narrative WQO.

Salt and Nitrate Control Programs Reopener

63. 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 Resources Control Board (State Water Board) on 16 October 2019 (Resolution 2019-0057) and by the Office of Administrative Law (OAL) on 15 January 2020 (OAL Matter No. 2019-1203-03) with Resolution R5-2020-0057, which can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf).

64. For the Nitrate Control Program, the Facility falls within the Yolo Sub-basin of the Sacramento Valley Groundwater Basin 5-021.67, a Priority 2 Basin. Notices to Comply for Dischargers in Priority 2 Basins will be sent sometime between 2023 and 2024.

65. For the Salt Control Program, the Central Valley Water Board issued the Discharger a Notice to Comply (**CVSALTS ID: 2086**). The Discharger submitted a Notice to Intent and elected to participate in the Prioritization and Optimization Study (P&O Study) under Pathway Option 2, Alternative Salinity Permitting Approach. In the interim, to maintain existing salt discharges and minimize salinity impacts this Order does the following:

- a. Requires the Discharger to continue efforts to control salinity in its discharges to the extent feasible; and
- b. Sets a **Performance-Based Effluent Limit of 800 mg/L for FDS** (flow-weighted) for the discharge of wastewater to the LAAs.

66. 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. This Order may be amended or modified to incorporate any newly applicable requirements. More information regarding this regulatory planning process can be found on the [Central Valley Water Board's CV-SALTS website](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity). (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity).

Compliance with Antidegradation Policy

67. The *Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Water Board Resolution 68-16 (Antidegradation Policy) prohibits the

Central Valley water board from authorizing degradation of “high quality water” 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).

68. The Discharger has monitored groundwater at the Facility since 2001. Compliance with the Antidegradation Policy is therefore based on available groundwater collected since 2001.

69. For the purposes of this Order, constituents in the effluent from this Facility with the potential to degrade groundwater and affect beneficial use includes:

- EC
- TDS
- Total nitrogen
- Sodium
- Iron
- Manganese

70. Table 12 presents a comparison of effluent and groundwater quality. Effluent concentrations are flow weighted averages and downgradient groundwater concentrations are the average concentrations of constituents collected from MW-4 and MW-5 between 2019 and 3Q22. Concentrations are in mg/L unless noted otherwise.

Table 12. Antidegradation Summary

Constituent	Flow Weighted Average Effluent Concentrations	Downgradient GW Quality (MW-4 and MW-5)	Upgradient GW Quality (MW-3)	Potential WQO
EC (µmhos/cm)	1383	1098	108	700
TDS	1138	705	103	1,000
FDS	609	469	56	NE
Nitrate/Nitrite as Nitrogen	0.15	0.42	0.09	10
Sodium	188	84	3.4	69
Iron	2.75	3.8	4.5	0.3
Manganese	0.12	7.0	1.0	0.05

- a. **Electrical Conductivity.** Electrical conductivity is a measure of the capacity of water to conduct electrical current and is an indicator of salinity. EC concentrations in effluent are higher than the potential WQOs of 700 µmhos/cm

(agricultural beneficial use) and 900 $\mu\text{mhos/cm}$ (municipal beneficial use). However, evaluating concentration trends in wastewater for EC using data collected during the 2019, 2020, and 2021 processing seasons, during the time-period the Discharger began making changes, concentrations of EC are decreasing in effluent. This indicates that improvements made to the wastewater treatment system are likely improving wastewater quality.

Upgradient EC groundwater concentrations are less than downgradient concentrations. However, upgradient well MW-3 is highly influenced by the better-quality water from the Mokelumne River and may not be representative of upgradient groundwater conditions.

Concentrations of EC in downgradient wells MW-4 and MW-5 exceed potential WQOs. Concentration trends for EC in downgradient wells have been stable over time since 2013, indicating the discharge may not be degrading groundwater beyond existing conditions. However, due to high concentrations in effluent, the shallow depths to groundwater, and the Discharger's use of chemicals to address odors (i.e., potassium hydroxide), EC in wastewater has the potential to continue to degrade groundwater. For the protection of groundwater, this Order requires the effluent and groundwater to be monitored for EC and the Discharger's continued participation in the CV SALTS Salt Control Program. In addition, the Discharger is required to evaluate groundwater EC concentrations to determine if degradation that may impact beneficial uses of groundwater has been mitigated or what actions will be taken to address groundwater.

- b. **Salinity (FDS and TDS).** For the purposes of evaluation, TDS is representative of overall salinity. The best measure for total salinity in groundwater is TDS. FDS is the non-volatile fraction of TDS that has the potential to percolate or leach into shallow groundwater. Therefore, the best measure for total salinity in the process wastewater is FDS. During processing seasons for 2019, 2021, and 2022 (September through November), FDS concentrations in the treatment pond ranged from 260 mg/L to 1,730 mg/L. The FDS concentrations in the effluent are similar to wastewater quality for other wineries in the area. (For example, concentrations of FDS ranged from 1,170 mg/L to 1,280 mg/L during the 2021 processing season [September through November] in the neighboring Woodbridge Winery's effluent). FDS concentrations in the treatment ponds show a decreasing trend in data collected between 2019 to 3Q22.

Flow weighted annual FDS concentrations for 2019, 2021, and 2022 are 1,120 mg/L, 804 mg/L, and 490 mg/L, respectively, with an overall flow weighted average of 608 mg/L for all three years.

As discussed previously, groundwater quality at MW-3 is highly influenced by the Mokelumne River and is not likely representative of upgradient groundwater quality. In downgradient wells, all TDS concentrations are less than the potential WQO of 1,000 mg/L, with the maximum TDS concentration of 950 mg/L detected

in MW-5 in 1Q2021. Concentration trends for TDS in groundwater for data collected in 2019 through 3Q22 show stable concentration trends in MW-3 and MW-5. In MW-4, concentrations show an increasing trend; however, the maximum TDS concentration detected in MW-4 (730 mg/L) is less than the potential WQO of 1,000 mg/L.

The Discharger has elected to participate in the P&O Study under Pathway Option 2 for the Salt Control Program. For the protection of groundwater from discharges of wastewater, this Order establishes a **Performance-Based Effluent Limit of 800 mg/L for FDS** as a flow-weighted average in the treatment pond. The Performance-Based Effluent Limit was based on historical wastewater data collected in 2019, 2020, and 2021. This Performance-Based Effluent Limit is intended to prevent increases of TDS concentrations in groundwater beyond current conditions. In addition, this Order requires the Discharger to continue its efforts to control and manage salinity in its discharge and participate in and comply with the new Salt Control Program. Compliance with the Performance-Based Effluent Limit for the effluent shall constitute compliance with the water quality control plan and shall be deemed adequately protective of beneficial uses.

In addition, the Discharger is required to evaluate groundwater TDS concentrations to determine if degradation that may impact beneficial uses has been mitigated or what additional actions will be taken to reduce salts in effluent.

- c. **Nitrate as Nitrogen.** For nutrients such as nitrate, the potential for groundwater degradation depends on wastewater quality and the ability of the vadose zone below the percolation ponds to support nitrification and denitrification to convert nitrogen to nitrogen gas before it reaches the water table. Most of the nitrogen in the process wastewater is present as TKN, which can readily mineralize and convert to nitrate (with some loss via ammonia volatilization) in anaerobic soil conditions. The flow-weighted average nitrate as nitrogen concentration is less than 1 mg/L. In both the upgradient and downgradient wells, nitrate concentrations are less than 0.5 mg/L and TKN is less than 2 mg/L. Concentration trends for nitrate as nitrogen have been stable over time using data collected between 2013 and 3Q22 and all concentrations are less than 10 mg/L (Primary MCL). It does not appear that the TKN in effluent is a concern with respect to nitrate in groundwater as the vadose zone is likely supporting nitrification and denitrification. For the continued protection of groundwater, this Order requires the effluent and groundwater to be monitored for TKN, total nitrogen, and nitrate as nitrogen.
- d. **Sodium.** Sodium is known to be a key salinity constituent in food processor wastewater. Average concentrations of sodium in effluent are considered high (a flow-weighted average of 188 mg/L) when compared to a potential groundwater WQO of 69 mg/L (for comparison purposes only). However, evaluating concentration trends in wastewater for sodium using data collected between

2019 and 3Q22, during the time-period the Discharger began making changes, concentrations of sodium show a decreasing trend in effluent.

Average concentrations of sodium in downgradient wells exceed 69 mg/L. Although concentration trends for sodium in groundwater show stable concentrations over time, high effluent concentrations have the potential to degrade groundwater. For the protection of groundwater, this Order requires continued monitoring of sodium in the effluent and groundwater and sets a **Performance-Based Effluent Limit for FDS of 800 mg/L**. Increases in FDS concentrations are indicative of an increase in salt concentrations, which includes sodium.

- e. **Iron and Manganese.** Typical winery wastewater is not expected to contain significant iron or manganese concentrations. However, iron and manganese concentrations in effluent exceed groundwater Secondary MCLs. In past operations at the Facility, vinegar wastewater was discharged to the treatment system in violation of the existing WDRs. This waste stream was highly acidic, which may have resulted in the dissolution of metals from metallic sources, such as floor drains and cast-iron piping. As part of the CAO R5-2019-0700 (see Findings 45 and 46), the Discharger was required to cease all vinegar wastes discharging to the treatment system. In addition, the Discharger has implemented additional monitoring and controls to better manage the pH levels in the wastewater.

Using data collected in 2019 through 3Q22, concentrations of iron and manganese show decreasing trends in effluent. In groundwater, iron shows no significant trend in all three monitoring wells and manganese shows no significant trends for MW-3 and MW-5. Manganese concentrations are increasing in MW-4. However, when excluding data collected in 2019 when the Discharger began making changes, the concentration trend shows no significant trend. This indicates improvements in the wastewater treatment may have stabilized manganese concentrations in groundwater. Reducing the use of acidic chemicals, hauling vinegar wastes off site, and managing hydraulic and organic overloading in the percolation ponds has likely reduced the dissolution of iron and manganese from floor drain grating, cast-iron piping, and anoxic conditions in the ponds. For the protection of groundwater, effluent and groundwater will continue to be monitored for iron and manganese. Total chromium and nickel analysis is required for the effluent and groundwater to help determine if metals in effluent and groundwater are from the facility's piping. In addition, the Discharger is required to evaluate iron and manganese groundwater concentrations to determine if degradation that may impact beneficial uses has been mitigated or what actions will be necessary to minimize groundwater degradation.

Hydraulic overloading and excessive BOD₅ concentrations in effluent can result in nuisance odors and anaerobic conditions not favorable to treatment conditions,

which can mobilize metals such as iron and manganese. In data collected between 2019 through 2021, BOD₅ concentrations in the treatment ponds ranged from 26 mg/L (offseason) to 3,500 mg/L (during processing season, yet no odors were noted), with a flow-weighted average of 520 mg/L. Concentration trends in effluent show a decreasing trend in data collected during the same time period. Previous WDRs did not include a BOD₅ effluent limit. In order to help prevent objectionable odors resulting from high BOD concentrations and to prevent anaerobic conditions, these WDRs set a **BOD₅ flow weighted effluent limit of 650 mg/L**. If concentrations of manganese or iron show increasing trends in groundwater or nuisance odor conditions continue, the BOD₅ flow weighted effluent limit may be reevaluated at that time.

71. This Order establishes effluent limits for the facility that will not unreasonably threaten present and anticipated beneficial uses or result in groundwater quality that exceeds water quality objectives set forth in the Basin Plan.
72. The Discharger provides treatment and control of the discharge that incorporates:
- a. The capture, segregation, and off-site disposal of solids from the wine and barley processing.
 - b. Installation of drain screens and catches to reduce stems and other solids from entering the wastewater system, which are cleaned multiple times a day.
 - c. The capture, segregation, and off-site disposal of all wastes associated with vinegar production.
 - d. Reduced the amount of chemicals used for sanitation and cleaning where possible.
 - e. Sodium-based cleaners and caustic agents have been replaced with potassium-based cleaners (with the exception of a specific sanitizing solution for special equipment).
 - f. Hot water has replaced the use of cleaning chemicals in most facility cleaning and sanitation processes.
 - g. The preferential use of peracetic acid because it can be naturally degraded in biological processes.
 - h. Reduction in the amount of chemicals used for sanitation and cleaning.
 - i. Installing an aeration system in the treatment ponds.
 - j. Managing the percolation ponds to ensure sufficient percolation and drying times.
 - k. pH levels in wastewater are managed with two automatic systems; one located after wastewater enters the floor drains and one located just before wastewater discharges to T-3.
 - l. Adding hydrogen peroxide to the wastewater as an effort to reduce BOD₅ and DO concentrations and mitigate odors.

73. The Discharge's implementation of the above-listed treatment and control measures, which constitute the best practicable treatment or control (BPTC) will help mitigate further water quality degradation resulting from the Facility's continued operation.
74. The economic prosperity of Central Valley communities and associated industry is of maximum benefit to the people of the State and provides justification for allowing the limited groundwater degradation that may occur pursuant to this Order. 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.
75. Based on the foregoing, the adoption of this Order is consistent with the State Water Board's Antidegradation Policy

California Environmental Quality Act

76. 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. 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 Considerations

77. These WDRs regulate a facility that may impact a disadvantaged community and/or tribal community and include an alternative compliance path that allows the Discharger time to come into compliance with a water quality objective (i.e., salinity). The Discharger has selected the Alternative Salinity Permitting Approach for the Salt Control Program, which provides an alternative approach for compliance with salinity limits through implementation of specific requirements (i.e., support facilitation and completion of the Salinity P&O Study). The Central Valley Water Board has satisfied the outreach requirements set forth in Water Code section 189.7 by conducting outreach in affected disadvantaged and tribal communities. Pursuant to Water Code section 13149.2, the Central Valley Water Board reviewed readily available information and information raised to the Board by interested persons concerning anticipated water quality impacts in disadvantaged or tribal communities resulting from adoption of these WDRs. The Board also considered environmental justice concerns within the Board's authority and raised by interested persons with regard to those impacts.
78. The Central Valley Water Board anticipates that the issuance of these WDRs will result in water quality impacts within the scope of the Board's authority. Specifically, these WDRs authorize the continued discharge of wastewater with salinity

concentrations above applicable water quality objectives or standards. The Central Valley Water Board has identified the following measures available and within the scope of its authority to address the impacts of the Facility to the nearby disadvantaged communities in San Joaquin County: 1) active participation in the P&O Study and compliance with the Salt Control Program, 2) compliance with a performance-based salinity limitation, and 3) preparation and implementation of Salinity Evaluation and Minimization Plan to establish goals for potentially reducing salinity concentrations in the Facility's discharge.

79. 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.
80. Based on the threat and complexity of the discharge, the facility is determined to be classified as 2B as defined below:
- a. Category "2" – 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 "B" – Any discharger not included in Category A that has physical, chemical, or biological treatment systems (except for septic systems with subsurface disposal), or any Class 2 or Class 3 waste management units.
81. This Order, which prescribes WDRs for discharges of industrial [food-processing] process water from [cannery operations], 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, subds. (a)-(b).)
82. The State Water Board adopted Order 2014-0057-DWQ (NPDES General Permit CAS000001) specifying waste discharge requirements for discharges of storm water associated with industrial activities, and requiring submittal of a Notice of Intent by all affected industrial dischargers. All storm water is collected on-stie and does not leave the property; therefore, a permit is not required at the time.
83. The California Department of Water Resources sets standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards), as described in *California Well Standards Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 94-81* (December 1981). These standards, and any more stringent standards adopted by the state or county pursuant to Water Code section

13801, apply to all monitoring wells used to monitor the impacts of wastewater storage or disposal governed by this Order.

84. Statistical data analysis methods outlined in the US EPA's Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance (Unified Guidance) are appropriate for determining compliance with the Groundwater Limitations of this Order. Depending on the circumstances, other methods may also be appropriate.

Scope of Order

85. This Order is strictly limited in scope to those waste discharges, activities, and processes described and expressly authorized herein.

86. 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.

87. Failure to file a new RWD before initiating material changes to the character, volume, and/or timing of discharges authorized herein, shall constitute an independent violation of these WDRs.

88. 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

89. All the above and the supplemental information and details in the attached Information Sheet (incorporated herein), were considered in establishing the following conditions of discharge.

90. 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. (Water Code, § 13167.5.)

91. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.

92. The Central Valley Water Board will review and revise the WDRs in this Order as necessary.

REQUIREMENTS

IT IS HEREBY ORDERED that Waste Discharge Requirements Order 98-136 and Cleanup and Abatement Order R5-2019-0070 are rescinded (except for enforcement purposes) and pursuant to Water Code sections 13263 and 13267, that the Discharger and their agents, employees, tenants, and successors shall comply with the following:

A. Standard Provisions

1. Except as expressly provided herein, the Discharger shall comply with the Standard Provisions and Reporting Requirements dated 1 March 1991 (SPRRs), which are incorporated herein.

B. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. No waste constituent shall be released, discharged, or placed where it will cause a violation of the Groundwater Limitation of this Order.
3. Wastewater treatment, storage, and disposal shall not cause pollution, or a nuisance as defined by Water Code section 13050
4. Discharge of waste classified as 'hazardous', as defined in the California Code of Regulations, title 22, section 66261.1 et seq., is prohibited.
5. Discharge of waste classified as 'designated', as defined in Water Code section 13173, in a manner that causes violation of groundwater limitations, is prohibited.
6. Treatment system bypass of untreated or partially treated waste is prohibited, except as allowed by Standard Provision E.2 of the SPRRS.
7. Discharge of waste at a location or in a manner different from that described in the Findings is prohibited.
8. Objectionable odors shall not be perceivable beyond the limits of the property where the waste is generated, treated, and/or discharged at an intensity that creates or threatens to create nuisance conditions that affects an entire community or neighborhood, or any considerable number of persons.
9. Discharge of toxic substances into any wastewater treatment system or land application area such that biological treatment mechanisms are disrupted is prohibited.
10. Discharge of domestic wastewater to the process wastewater treatment system or any surface waters is prohibited.

11. Discharge of process wastewater to the domestic wastewater treatment system is prohibited.

C. Flow Limitations

1. Flows into the wastewater treatment pond, measured at the location shown on Attachment C, shall not exceed the following limits:

Table 13. Flow Limits

Flow Measurement	Flow Limits
Monthly Average Daily Flow	50,000 gpd As determined by the total flow during the calendar month divided by the number of days in that month
Total Annual Flow	7.5 MG As determined by the total flow for the calendar year

D. Effluent Limitations

1. The wastewater applied to the percolation ponds shall not exceed **650 mg/L for BOD₅ as a flow-weighted average annual concentration.**
2. Because the Discharger has elected to participate in the P&O Study for the Salt Control Program, this Order sets a **Performance-Based Effluent Limit of 800 mg/L for FDS as a flow-weighted average annual concentration.**

E. Discharge Specifications

1. The discharge shall remain within the permitted waste treatment/containment structures at all times.
2. The Discharger shall operate all systems and equipment to optimize the quality of the discharge.
3. All conveyance, treatment, storage, and disposal systems for wastewater shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
4. As a means of discerning compliance with Discharge Specification 6, the dissolved oxygen (DO) content in the upper one foot of the wastewater pond shall not be less than 1.0 mg/L for three consecutive sampling events. If DO concentrations are less than 1.0 mg/L for three consecutive sampling events and objectionable odors are perceivable beyond the property limits, the Discharger shall report the findings to the Regional Water Board in writing within 10 days and shall include a specific plan to resolve the odors within 30 days.

5. 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 with calibration marks that clearly show the water level at a design capacity and enable determination of available operational freeboard.
6. 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.
7. On or about **1 October** of each year, available capacity shall at least equal the volume necessary to comply with Discharger Specifications E.5 and E.6.
8. All ponds and open containment structures shall be managed to prevent breeding of mosquitos. 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. Newly constructed or rehabilitated berms or levees (excluding internal berms that separate ponds or control the flow of water within a pond) shall be designed and constructed under the supervision of a California Registered Civil Engineer.
10. The Discharger shall monitor sludge accumulation in the wastewater treatment/storage ponds at least every **five years** beginning in **2024**, and shall periodically remove sludge as necessary to maintain adequate storage capacity. Sludge removed from ponds will be hauled off-site for disposal.
11. Solids shall be stored and managed such that free draining liquid is contained (e.g., placed on a compacted, bermed outdoor pad, controlled with a leachate collection and return system), directed to a containment structure (e.g., process

water pond), or otherwise similarly controlled and contained to prevent leachate runoff and minimize infiltration.

F. Groundwater Limitations

Discharge of waste constituents from any portion of the Facility shall not cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below or in excess of natural groundwater quality, whichever is greater:

1. Constituents in concentrations that exceed either the Primary or Secondary MCLs established in Title 22 of the California Code of Regulations, excluding salinity since the Discharger has chosen the Alternative Option for the Salt Control Program and is in good standing with the P&O Study.
2. Contain taste or odor-producing constituents, toxic substances, or any other constituent in concentrations that cause nuisance or adversely affect beneficial uses.

G. Treatment and Percolation Pond Specifications

1. Discharge of wastewater to the treatment and percolation ponds shall be managed to minimize erosion.
2. Wastewater shall be distributed uniformly within the percolation ponds to preclude the creation of nuisance conditions or unreasonable degradation of groundwater.
3. All ponds shall be managed to prevent breeding of mosquitos or other vectors.

H. Solids Disposal Specifications

For the purposes of this Order, sludge means the solid, semisolid, and liquid organic matter removed from wastewater treatment, settling, and storage vessels or ponds; "solid waste" refers to solid inorganic matter removed by screens and soil sediments from washing of unprocessed fruit or vegetables; and "residual solids" mean 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. Sludge and solid waste shall be removed from screens, sumps, and ponds, as needed to ensure optimal operation and adequate storage capacity.
2. Any handling and storage of sludge, solid waste, and residual solids shall be controlled and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into solids in a mass or concentration that will violate the groundwater limitations of this Order.
3. When removed from the site, sludge, solid waste, and 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 the Regional Water Board) will satisfy this specification.

4. Any proposed change in solids or disposal practices shall be reported in writing to the Executive Officer at least 90 days in advance of the change.

I. Provisions

1. The following reports shall be submitted pursuant to Water Code section 13267, and shall be prepared as described in Provision I.2:
 - a. **Within 120 days of completing five years of groundwater sampling required by MRP R5-2023-0024**, the Discharger shall submit a *Groundwater Compliance Assessment Report*. The report shall include an evaluation of current groundwater conditions and compliance with these WDRs. This requirement only applies to the downgradient monitoring wells MW-4 and MW-5. If it is determined that an unreasonable level of groundwater degradation is occurring as a result of the discharge, the report shall also include a Groundwater Compliance Work Plan that describes additional actions the Discharger shall implement to reduce groundwater degradation.
 - b. **By 1 February 2024**, the Discharger shall submit a technical report evaluating the berms used to prevent inundation from the Mokelumne River. As described in Finding 34, the berms surrounding the ponds may not meet Discharge Specification E.3, which requires “all conveyance, treatment, storage, and disposal systems for wastewater shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.” The report shall describe the current status of the berms in relation to a 100-year return frequency and what steps will be taken should the berms not meet Discharge Specification E.3.
 - c. At least **180 days** prior to any sludge removal and disposal, the Discharger shall submit a Sludge Cleanout Plan. The plan shall include a plan for sludge removal, drying, and disposal. The plan shall specifically describe the measures to be used to control runoff or percolate from the sludge as it is drying, and a schedule that shows when solids are removed from the site prior to the onset of the rainy season (**1 October**).
2. 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.

3. The Discharger shall submit the technical reports and work plans required by this Order for consideration shall incorporate comments from the Central Valley Water Board 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.
4. The Discharger shall comply with Monitoring and Reporting Program **R5-2023-0024** 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.
6. 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 revocation of this Order.
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 the conditions of this Order. Proper operation and maintenance include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Discharger when the operation is necessary to achieve compliance with the conditions of this Order.
8. The Discharger shall use the best practicable control technique(s) including proper operation and maintenance, to comply with this Order.
9. As described in 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.
10. 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.

11. At least 90 days prior to termination or expiration of any lease, contract, or agreement involving disposal or recycling areas or off-site reuse of effluent, used to justify the capacity authorized herein and assure compliance with this Order, the Discharger shall notify the Central Valley Water Board in writing of the situation and of what measures have been taken or are being taken to assure full compliance with this Order.
12. In the event of any change in control or ownership of the facility, 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.
13. 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.
14. In order to secure revocation of WDRs that are no longer necessary because the discharge to land permitted under this Order has ceased, the Discharger must contact the Central Valley Water Board to discuss appropriate wastewater treatment system closure requirements.
15. A copy of this Order including the MRP, Information Sheet, Attachments, and Standard Provisions, shall be kept at the discharge facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.
16. The Central Valley Water Board will review this Order periodically and will revise requirements when necessary.

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,

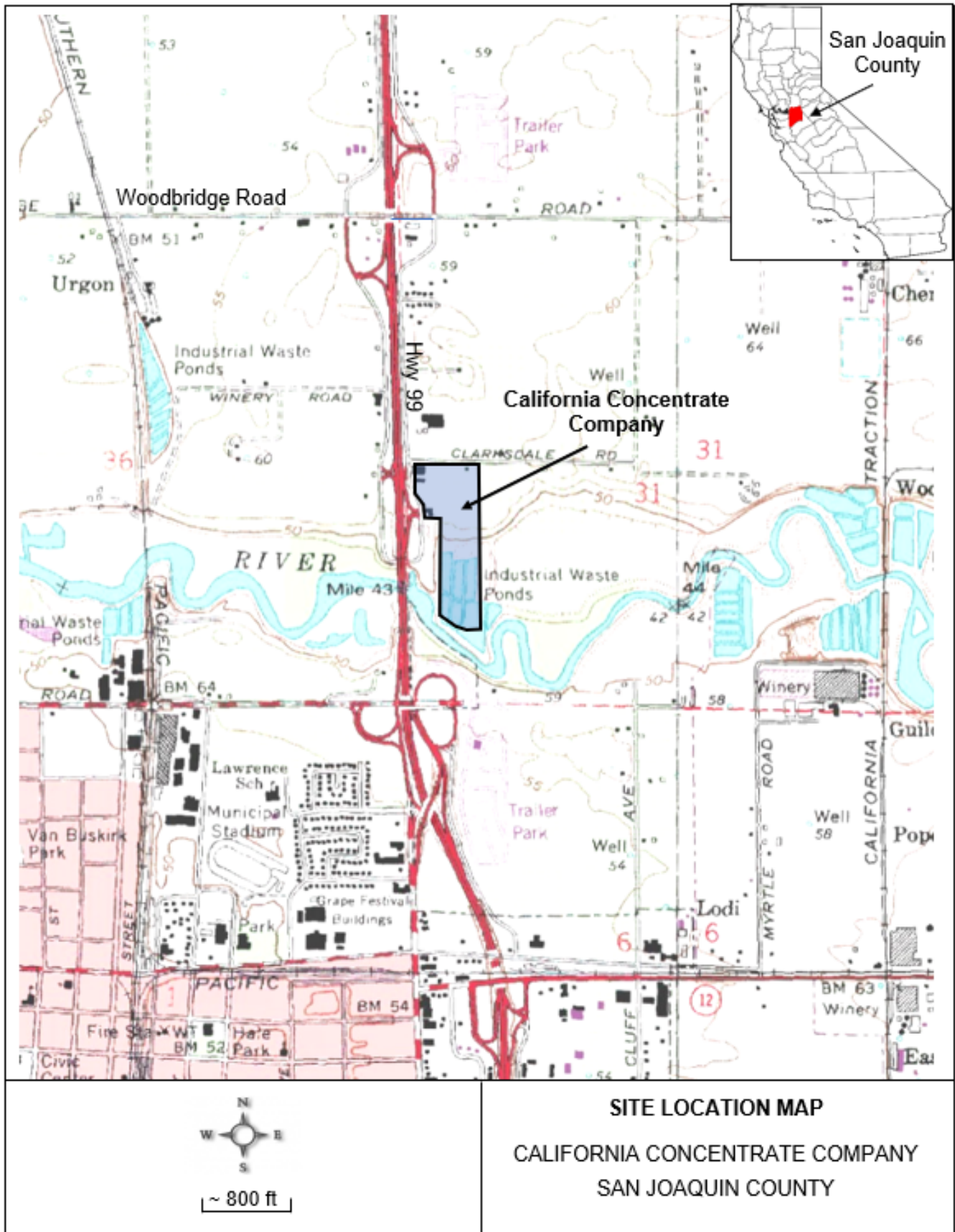
or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water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

ADMINISTRATIVE REVIEW

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board for administrative review in accordance with Water Code section 13320, and California Code of Regulations, title 23, section 2050 et seq. To be timely, the State Water Board must receive the petition by 5 pm on the 30th day after the date of this Order, except that if the 30th day falls on a Saturday, Sunday or State Holiday, the petition must be received by the State Water Board by 5 pm on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet on the [Water Boards Public Notice web page](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality).

ORDER NO. R5-2023-0024


ATTACHMENT A



ORDER NO. R5-2023-0024

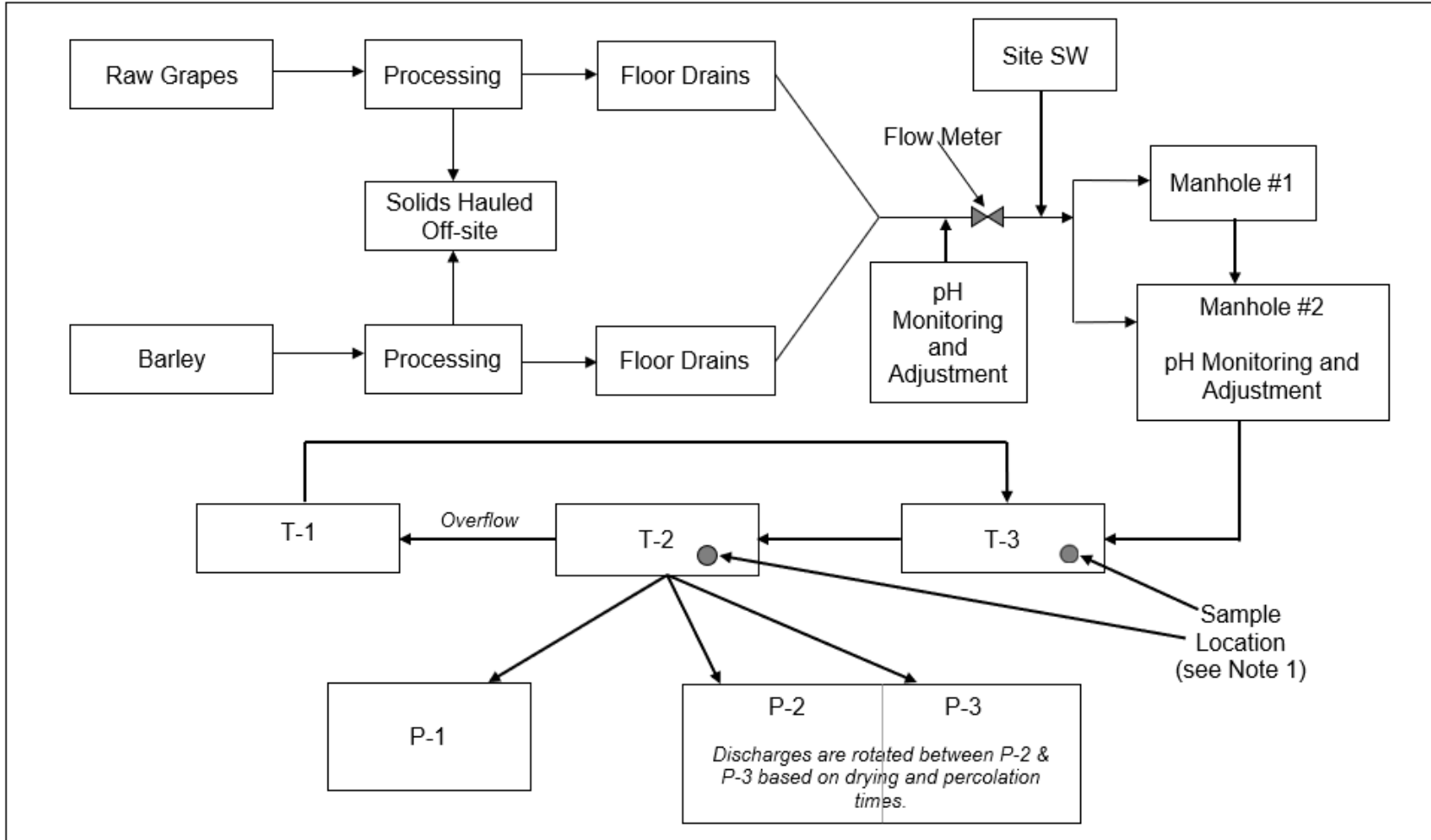
ATTACHMENT B



<p>Legend</p> <ul style="list-style-type: none"> = percolation pond = treatment pond + = groundwater monitoring well + = source water well 	 <p>~200 feet</p> <p>Site features are approximately located.</p>	<p>SITE FEATURES MAP</p> <p>CALIFORNIA CONCENTRATE COMPANY</p> <p>SAN JOAQUIN COUNTY</p>
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ORDER NO. R5-2023-0024

ATTACHMENT C



Note 1: Wastewater samples are collected from the last treatment pond used prior to discharging to percolation ponds.

Figure is not to scale.

WASTEWATER FLOW SCHEMATIC
 CALIFORNIA CONCENTRATE COMPANY
 SAN JOAQUIN COUNTY

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-0024
FOR
THOMAS ALEXANDER
CALIFORNIA CONCENTRATE COMPANY
SAN JOAQUIN COUNTY

INFORMATION SHEET

Background

Thomas Alexander (Discharger) owns the California Concentrate Company (the Facility), located at 18678 N. Highway 99 in Acampo, San Joaquin County. The Facility is an existing food processing facility that was established in 1935. The Facility processes grapes and malted barley for juice and malt extract and produces balsamic vinegars. The Facility may also store wine for other facilities.

Wastewater Generation and Disposal

Wastewater from the Facility consists of process wastewater and site storm water. Wastes from vinegar production operations, which occurs in a separate building, are segregated from other waste streams, contained in a dedicated tank, and disposed of offsite at a permitted facility. All other wastewater is collected on-site and treated through treatment ponds with effluent disposal in percolation ponds.

The wastewater treatment consists of a collection system (piping, manholes, and valves), screen, aerated treatment ponds, and percolation ponds. Prior to wastewater discharging to the treatment ponds, pH levels are adjusted as needed by an automated system. Wastewater is treated in three aerated unlined treatment ponds (T-1, T-2, and T-3) operated in series. T-3 and T-2 are the main treatment ponds and T-1 is used as needed for additional treatment. Wastewater is then discharged to three percolation ponds (P-1, P-2, and P-3). P-2 and P-3 are main ponds and P-1 is used as needed. All solids are hauled offsite.

Based on effluent quality samples collected from the treatment ponds, EC, FDS/TDS, total nitrogen, sodium, iron, and manganese have the potential to degrade groundwater.

Groundwater Considerations

Three shallow groundwater monitoring wells (MW-3, MW-4, and MW-5) were installed in 2001. In MW-3 (upgradient well), groundwater concentration trends using data collected between July 2019 and 3Q22 show stable concentrations over time, with the exception of EC at concentrations up to 277 $\mu\text{mhos/cm}$. However, EC concentrations are less than the Secondary Contaminant Level of 700 $\mu\text{mhos/cm}$ (agricultural beneficial use). MW-3 is influenced by the high-quality water from the Mokelumne River and may not represent changes in shallow groundwater quality with respect to discharges to land from the Facility.

In MW-4 and MW-5 (downgradient wells), stable concentration trends were observed for nitrate, and sodium. Iron and manganese concentrations exceed secondary MCLs in the wastewater effluent and groundwater; however, groundwater samples have only been analyzed for these constituents since 2019.

Concentration trends are summarized in Tables 14 to 16 below. The first date range, 2013 to 3Q22, includes all groundwater data collected since 2013. The second date range includes only data collected in 2019 to 3Q22, after the discharge of vinegar wastes into the treatment system ceased and the Facility began modifying the treatment system.

NS indicates no significant trend and '--' indicates data were not available (iron and manganese were only analyzed in samples beginning in 2019).

Table 14. MW-3 Groundwater Concentration Trends (Intrawell Evaluation)

Constituent	2013 to 3Q22	2019 to 3Q22
EC	NS	Decreasing
TDS	Increasing	NS
NO ₂ /NO ₃ as N	NS	NS
Iron	--	NS
Manganese	--	NS

Table 15. MW-4 Groundwater Concentration Trends (Intrawell Evaluation)

Constituent	2013 to 3Q22	2019 to 3Q22
EC	Increasing	NS
TDS	Increasing	Increasing
NO ₂ /NO ₃ as N	NS	NS
Iron	--	NS
Manganese	--	Increasing

Table 16. MW-5 Groundwater Concentration Trends (Intrawell Evaluation)

Constituent	2013 to 3Q22	2019 to 3Q22
EC	Increasing	Increasing
TDS	Increasing	NS
NO ₂ /NO ₃ as N	NS	NS
Iron	--	NS
Manganese	--	NS

Antidegradation

Based on effluent quality, EC, BOD₅, FDS, sodium, iron, and manganese have the potential to impact groundwater. As a result of CAO R5-2019-0700, issued on 20 February 2019, the Discharger has made several changes to Facility operations and the wastewater treatment system to improve effluent quality and potentially mitigate groundwater degradation that would impact beneficial uses. These changes have resulted in improved wastewater management, wastewater quality, and reduced odor issues.

BOD₅ concentrations in effluent show a decreasing concentration trend. In 2019, 2020, and 2021, flow weighted concentrations were 2,262 mg/L, 388 mg/L, and 406 mg/L, respectively, with a three-year annual average of 520 mg/L. In an effort to reduce odor issues and prevent anaerobic conditions in the percolation ponds, this Order sets a **BOD₅ flow weighted annual average effluent limit of 650 mg/L**. If manganese or iron concentrations show increasing concentration trends or nuisance odors conditions are documented, the BOD₅ effluent limit may be reevaluated at that time.

The Discharger has elected to participate in the Salt Control Program and has enrolled in the P&O Study. Therefore, this Order sets a **Performance-Based Effluent Limit for FDS of 800 mg/L** (flow-weighted annual average) for effluent.

Compliance History

The Facility has had on-going nuisance odor issues. In order to help mitigate the odors, evaluate groundwater conditions, and require the Discharger to modify the wastewater treatment system, the following enforcement order and Notice of Violations have been issued since the adoption of WDRs Order No. 98-136.

Table 17. Compliance Summary

Enforcement Order and NOVs	Reason
NOVs Dated: 20 April 2000; 15 December 2000; 16 August 2003; 20 February 2004; 27 December 2004; 11 October 2005; 18 November 2008; 26 October 2017; 24 January 2018; 13 March 2018	Various violations of WDRs Order No. 98-136, including odors.
CAO R5-2019-0700 issued 20 February 2019	Discharge of unpermitted vinegar waste to the treatment system, odors, pH, and DO violations

Enforcement Order and NOVs	Reason
NOV dated 4 November 2019	Odor complaints and failure to submit monitoring reports
NOV dated 13 January 2020	Odor complaints
NOV dated 16 January 2020	Failure to submit monitoring reports

Staff recommend adopting the Order based on the following:

1. The Discharger has made numerous changes to improve wastewater management, which has resulted in improved wastewater quality and reduced impacts to groundwater.
2. Odor complaints have not been received in the last three years.
3. The Discharger has shown a willingness to communicate and cooperate with the Central Valley Water Board and the neighboring Mokelumne Beach RV Resort. In an email dated 13 October 2022 to Central Valley Water Board staff, the Resort stated that they cannot speak highly enough of the effort the Discharger has made working and keeping the Resort up to date on changes.
4. The limitations included in this Order were based on available analytical data, applicable Salt Control Program requirements, and professional judgement for the protection of groundwater.
5. Revised WDRs are needed to better reflect the changes to wastewater treatment system and to update the requirements based on new performance-based evaluations.

If odor issues continue to impact neighboring properties or an unreasonable level of groundwater degradation is occurring, this Order may be reopened and reevaluated and/or additional enforcement orders may be issued. 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.

Discharge Prohibitions, Effluent Limitations, Discharge Specifications, and Provisions

The Order limits the monthly average daily flow rate of 50,000 gpd and an annual total flow limit of 7.5 MG. An annual flow weighted FDS Performance-Based Effluent Limit, and an annual flow weighted BOD₅ limit have been set. Wastewater quality, pond conditions, and groundwater are required to be monitored. Monitoring requirements are included in **MRP R5-2023-0024**.

Within 120 days of completing eight consecutive groundwater sampling events required by MRP R5-2023-0024, the Discharger shall submit a *Groundwater*

Compliance Assessment Report. The report shall include an evaluation of current groundwater conditions and compliance with these WDRs. This requirement only applies to the downgradient monitoring wells MW-4 and MW-5. If it is determined that an unreasonable level of groundwater degradation is occurring as a result of the discharge, the report shall also include a Groundwater Compliance Work Plan that describes additional actions the Discharger shall implement to reduce groundwater degradation.

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, percolation pond, solids, groundwater, 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 waters and soils of 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 conditionally approving the Central Valley Water Board Basin Plan amendments and directing 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 (OAL) approved the Basin Plan amendments on 15 January 2020. (OAL Matter No. 2019-1203-03) with Resolution R5-2020-0057, which can be found on the [Central Valley Water Board's Adopted Orders webpage](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf) (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf).

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. The Discharger (Salt ID: 2086) has chosen to pursue Option 2 (Alternative Salinity Permitting Approach).

For the Nitrate Control Program, the Facility falls within Groundwater Sub-Basin 5-22.07 (San Joaquin Valley Delta Mendota Basin), a priority 2 Basin. Notices to Comply for Priority 2 Basins will be issued within two to four years after the effective date of the Nitrate Control Program. 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.